

Carolyn G. Goodman, Mayor (At-Large)
Lois Tarkanian, Mayor Pro Tem (Ward 1)
Vacant (Ward 2)
Bob Coffin (Ward 3)
Stavros S. Anthony (Ward 4)
Cedric Crear (Ward 5)
Michele Fiore (Ward 6)



City Manager Scott Adams
City Attorney Bradford R. Jerbic
City Clerk LuAnn D. Holmes

City Council Minutes

Council Chambers · 495 South Main Street · Phone 702-229-6011
City of Las Vegas Internet Address: www.lasvegasnevada.gov

April 17, 2019
9:00 AM

CEREMONIAL MATTERS

1. Call to Order

Minutes:

ACTING MAYOR PRO TEM ANTHONY called the meeting to order at 9:02 a.m. and announced that MAYOR GOODMAN and COUNCILWOMAN TARKANIAN were excused from this meeting. He stated that MAYOR GOODMAN would be sworn in as Mayor at the May 1, 2019 City Council meeting.

PRESENT: ACTING MAYOR PRO TEM ANTHONY and COUNCILMEMBERS COFFIN, FIORE and CREAR

EXCUSED: MAYOR GOODMAN and COUNCILWOMAN TARKANIAN

ALSO PRESENT: CITY MANAGER SCOTT ADAMS, SENIOR ASSISTANT CITY ATTORNEY BRYAN SCOTT, DEPUTY CITY ATTORNEY JEFF DOROCAC and CITY CLERK LUANN D. HOLMES

2. Announcement Regarding: Compliance with Open Meeting Law

Minutes:

ANNOUNCEMENT MADE: This meeting has been properly noticed and posted at the following locations: City Hall, 495 South Main Street, 1st Floor; Clark County Government Center, 500 South Grand Central Parkway; Grant Sawyer Building, 555 East Washington Avenue; City of Las Vegas Development Services Center, 333 North Rancho Drive.

3. Invocation - Rabbi Yitz Wyne, Young Israel Aish of Las Vegas

Minutes:

RABBI YITZ WYNE, Young Israel Aish of Las Vegas, gave the invocation.

4. Pledge of Allegiance

Minutes:

ACTING MAYOR PRO TEM ANTHONY led the audience in the Pledge of Allegiance.

5. Oath of Office Administered to Elected Officials - Mayor and Councilman, Ward 5

Minutes:

ACTING MAYOR PRO TEM ANTHONY congratulated COUNCILMAN CREAR on his re-election. LUANN D. HOLMES, City Clerk, was honored to administer the Oath of Office to the Ward 5 candidate. She called forward to the podium COUNCILMAN CREAR'S wife, KEIBA, his daughters, KENNEDY and HAGAN, his aunt, DRUCILLA HAGAN, and his brother, KENNETH CREAR. MS. HOLMES also invited COUNCILMAN CREAR'S staff, TANYA JACKSON-RENTER and KELLY WOODS, Special Assistants to the City Council, and HARRY WILLIAMS, Neighborhood Outreach Specialist, to come forward. The Councilman's wife held the Bible while he was being sworn in, and MS. HOLMES presented COUNCILMAN CREAR with a Certificate of Election.

COUNCILMAN CREAR thanked the voters of Ward 5 for re-electing him to serve as their Councilperson stating that he was humbled and honored. He thanked his fellow Councilmembers and congratulated MAYOR GOODMAN on her re-election as Mayor. The Councilman thanked his wife and family and his team of staff for their support. He also thanked his friend and his fraternity brothers who were in the audience.

MAYOR PRO TEM ANTHONY again congratulated COUNCILMAN CREAR, and stated that the Councilman has served with honor on the Board of Regents and is serving with honor on the City Council.

6. Recognition of the Employee of the Month

Minutes:

Prior to hearing this item, COUNCILWOMAN FIORE congratulated the Golden Knights hockey team on their victory.

ACTING MAYOR PRO TEM ANTHONY called forward ROBERT SUMMERFIELD, Director of Planning and announced that NICK GONZALES, Code Enforcement Officer, was the Employee of the Month. MR. GONZALES joined the City of Las Vegas in 2016 and became a Code Enforcement Officer a year later.

On October 15, 2018, MR. GONZALES was inspecting a vacant building in Ward 3 when he came across an incapacitated person in that building. MR. GONZALES immediately called the City Marshals to get medical attention for this person. Medics arrived and were able to save the person's life thanks to MR. GONZALES' quick reaction.

ACTING MAYOR PRO TEM ANTHONY expressed that Code Enforcement Officers have a tough job and are sometimes placed in dangerous situations as they inspect vacant properties. They also serve as ambassadors to the community as they work to ensure that properties are up to code and are safe. Code Enforcement Officers also count on the community to be additional eyes and ears and to report when they come across unsafe conditions.

MR. SUMMERFIELD stated that Code Enforcement Officers do a tremendous job making sure the community is safe. MR. GONZALES was an exemplary example of being Kind, Committed and Smart, and he thanked him for a job well done.

ACTING MAYOR PRO TEM ANTHONY presented MR. GONZALES with an Employee of the Month award.

MR. GONZALES appreciated the recognition and thanked God for attaining a position where he can help and make a difference within the community. He also thanked MR. SUMMERFIELD, his supervisors and colleagues, and his family for their support. He thanked the residents of the city as, without them, there would be no need for his position. He stated that he was excited he has only worked for the City for three years and he still has many years ahead to make a difference.

7. Recognition of the Chandler Explorer Competition Winners

Minutes:

ACTING MAYOR PRO TEM ANTHONY was honored to recognize the Las Vegas Department of Public Safety Explorer Post and the Boulder City Explorer Post who competed and placed in four events at the Chandler Explorer Competition. He invited DEPUTY MARSHAL GEORGE COOPER, Lead Explorer Advisor, to the podium.

ACTING MAYOR PRO TEM ANTHONY explained that the Police Explorer program offers individuals 14-20 years of age an opportunity to learn about a career in law enforcement. Each Explorer went through a six-week miniature police academy. After graduating the academy, Explorers have the opportunity to assist police officers in various tasks, attend Explorer competitions, and participate in ride-alongs. They also work community events representing their respective cities. Additionally, Explorers act as role players at the Southern Desert Regional Police Academy at an annual emergency management exercises facilitated by their city.

In January, the Department of Public Safety Explorer Post partnered with the Boulder City Explorer Post and participated in a three-day tactical competition in Chandler, Arizona. The Explorers trained three months for this physically and mentally demanding competition and ACTING MAYOR PRO TEM ANTHONY reviewed the categories in which they won trophies. He recognized the combined team and congratulated the group. He called forward the Explorers in the audience and presented them with certificates.

CHIEF MICHELE FREEMAN, Director of Public Safety, was proud and stated that without these individuals, the community would be different. The exemplary leadership the advisors give is beyond reproach, and they spend a lot of volunteer hours with this program. She congratulated everyone.

DEPUTY MARSHAL COOPER stated that the participants are excellent scholars, maintain their GPA's (Grade Point Averages) and volunteer for the city. The Chandler competition is one of the most challenging in the nation, and 63 other police departments across the nation participated in this competition. He was proud of the Explorers' achievements and believed they have brilliant futures ahead of them.

PUBLIC COMMENT

8. Public comment during this portion of the Agenda must be limited to matters on the Agenda for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion, as well as the amount of time any single speaker is allowed, may be limited.

Minutes:

JESSICA VELAZQUEZ stated that she was appearing on behalf of the Minority Cannabis Business Association, herself as an individual and as a business owner. She stated that the Minority Cannabis Business Association was founded in 2015 and was the first national not for profit trade association created to serve the specific needs of regulated cannabis business operators, entrepreneurs, workers, patients and consumers from the minority communities. Their 15-member board of directors is comprised of a diverse group of cannabis veterans and community leaders from across the country. MS. VELAZQUEZ asserted that Bill No. 2018-61 does not accurately reflect the City's policy of supporting small business owners or represent the views of the constituents, and it does not offer opportunities to new business owners currently left out of the city's cannabis industry. Restricting the availability of marijuana social use venue licenses to current dispensary and retail marijuana store owners would further disenfranchise minority-owned small businesses that were not able to obtain state operator licenses. She said that the City touts itself as being a haven for small businesses and that diversity may be the City's greatest asset; however, she opined that the current language in the bill does not reflect the City's values, advance its stated policy goals or contribute to the growth and success of the communities in the city.

DR. PAMELA MAHER inquired about speaking regarding Item 38, and MAYOR PRO TEM ANTHONY advised that she could speak during this item or when the item was heard.

BEATRICE TURNER spoke regarding Family Promise, Items 51-54, and expressed her opposition.

BRIAN HARRIS stated that he is the creator of the Black Las Vegas Food Festival and Block Party. He announced that the third annual festival will be held in the historic Arts District on October 26th and 27th. He hoped that the City would help grow this into a national destination event. COUNCILMAN COFFIN requested that MR. HARRIS call his office as they would be delighted to work with MR. HARRIS.

HENRY THORNS congratulated COUNCILMAN CREAR on his re-election. He believed the Councilman would be a good leader in the community. MR. THORNS stated that he ran for the office, but did not win; he did it because he would like to see a change in the community. He believed that change could happen with

COUNCILMAN CREAR and community input. He also expressed concern about projects being done in the area and people being railroaded out of the community. MR. THORNS requested that projects be built by the unions and people who live in Las Vegas.

DAVE WASHINGTON congratulated MAYOR GOODMAN and COUNCILMAN CREAR for winning their elections and expressed appreciation for all of those who serve on the City Council. He echoed MR. THORNS' comments regarding community growth. MR. WASHINGTON stated that COUNCILWOMAN TARKANIAN has been an inspiration to him, and through her, he has been working on becoming a substitute school teacher. He mentioned COUNCILMAN COFFIN'S work in the Legislature. MR. WASHINGTON also acknowledged the work MAYOR GOODMAN does behind the scenes for people who are hurting and are in need. MR. WASHINGTON commented to CITY MANAGER SCOTT ADAMS to continue doing the great work and noted that MR. ADAMS' whole team has the City's best interest at heart. COUNCILWOMAN FIORE offered congratulations to MR. WASHINGTON'S wife on her Nevada State Senate seat.

SHAUNDELL NEWSOME, Chairman of the Board of Directors for the Urban Chamber of Commerce and owner of Sumnu Marketing, stated that his business won Family-Owned Business of the Year in 2015. The Urban Chamber of Commerce currently has 28 small businesses going through a 15-week course learning to be entrepreneurs. He thought it was important to understand that the Urban Chamber was working in conjunction with the SBA (Small Business Administration), the SBDC (Small Business Development Center), and SCORE (Service Corps of Retired Executives) to help develop small businesses into successful entrepreneurs. MR. NEWSOME announced that they bring many of their major contractors to a construction career showcase in May. He thanked the City for their support and BILL ARENT, Director of Economic and Urban Development, for projects in redevelopment areas that bring jobs to the area.

BUSINESS ITEMS - 9 A.M. Session

9. For Possible Action - Any items from the 9 A.M. session that the Council, staff and/or the applicant wish to be stricken, tabled, withdrawn or held in abeyance to a future meeting may be brought forward and acted upon at this time.

Minutes:

ACTING MAYOR PRO TEM ANTHONY requested that Item 40 be removed from the list of items for action. COUNCILMAN COFFIN read the items for action including Item 40. ACTING MAYOR PRO TEM ANTHONY indicated that he would vote No on the motion as he wished to hear Item 40 separately.

COUNCILMAN COFFIN stated that they needed four votes to take action and asked Counsel for an opinion about the consequences of voting on the issues at this meeting. DEPUTY CITY ATTORNEY JEFF DOROCAK replied that a unanimous 4-0 decision was needed to take action on any item. He noted that ACTING MAYOR PRO TEM ANTHONY had requested pulling Item 40 from the abeyance list; he recommended doing that so the remaining items could be acted upon at this time.

VIRGINIA VALENTINE, Nevada Resort Association, wished to speak regarding Item 40, which would amend Title 6 and Title 19 to adopt provisions to allow marijuana social clubs. She stated that members of the Resort Association have previously expressed their concerns regarding the proximity of marijuana uses and gaming primarily because it is federally illegal. She reserved the rest of her comments for when the item would be heard.

ACTING MAYOR PRO TEM ANTHONY and COUNCILMAN COFFIN discussed the possibility of abeying Item 40, but ACTING MAYOR PRO TEM ANTHONY was not sure he wanted to hold the item and thought that they would hear it and comments could be made at that time.

Motion made by Bob Coffin to Hold in Abeyance Item 11 to 5/1/2019 and Item 35 to 5/15/2019

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Michele Fiore, Bob Coffin, Cedric Crear, Stavros Anthony; Excused-Lois Tarkanian, Carolyn Goodman;

CONSENT AGENDA

Matters listed on the Consent Agenda are considered to be routine and have been recommended for approval by the Submitting Departments. All items on the Consent Agenda may be approved in a single motion. However, if a Council Member so requests, any consent item may be moved to the discussion portion of the agenda and other action, including postponement or denial of the item, may take place.

ECONOMIC AND URBAN DEVELOPMENT - CONSENT

10. RESCIND - R-11-2019 - For possible action to approve a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the RDA and The LaJolla Development Group LLC (Owner) located at 1924 Fremont Street (APN 139-35-803-004), to be in compliance with and in furtherance of the goals and objectives of the RDA - Redevelopment Area 1 Ward 3 (Coffin) [NOTE: This item is related to RDA Item 4 (RA-2-2019)]

Motion made by Bob Coffin to Approve the Consent Agenda except Item 11

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

11. RECONSIDER - R-11-2019 - For possible action to approve a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the RDA and The LaJolla Development Group LLC (Owner) located at 1924 Fremont Street (APN 139-35-803-004), to be in compliance with and in furtherance of the goals and objectives of the RDA - Redevelopment Area 1 Ward 3 (Coffin) [NOTE: This item is related to RDA Item 4 (RA-2-2019)]

Minutes:

See Item 9 for related discussion.

Motion made by Bob Coffin to Hold in Abeyance Item 11 to 5/1/2019 and Item 35 to 5/15/2019

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Michele Fiore, Bob Coffin, Cedric Crear, Stavros Anthony; Excused-Lois Tarkanian, Carolyn Goodman;

FINANCE - PURCHASING AND CONTRACTS - CONSENT

12. For possible action to approve award of Contract No. 190265-DC, Blanket Services Contract for Construction Manager as Agent and Staff Augmentation Services - Department of Public Works - Award recommended to: CM WORKS, INC. (\$800,000 - Various Funds)

Motion made by Bob Coffin to Approve the Consent Agenda except Item 11

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

13. For possible action to approve award of Contract No. 190256-JL, Prime Design Services Contract for Strong Start Academy @ Wardelle located at 2901 East Bonanza Road - Department of Public Works - Award recommended to: WELLES PUGSLEY ARCHITECTS dba SIMPSON COULTER STUDIO (\$624,460 - City Facilities Capital Projects Fund) - Ward 3 (Coffin)

Motion made by Bob Coffin to Approve the Consent Agenda except Item 11

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

MUNICIPAL COURT - CONSENT

14. For possible action to approve a grant award from the Nevada Department of Public Safety, Office of Criminal Justice Assistance, for the receipt of funds from the Byrne Memorial Justice Assistance Grant (JAG) program for fiscal year 2019 in the amount of \$20,000 for the purpose of revising Alternative Sentencing and Education curriculum materials - All Wards

Motion made by Bob Coffin to Approve the Consent Agenda except Item 11

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

PLANNING - BUSINESS LICENSING - CONSENT

15. For possible action to approve a New Compliance Permit for a Retail Marijuana Store License for CHEYENNE MEDICAL, LLC dba THRIVE CANNABIS MARKETPLACE at 3500 West Sahara Avenue - Ward 1 (Tarkanian)

Motion made by Bob Coffin to Approve the Consent Agenda except Item 11

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

16. For possible action to approve a Tavern-Limited License for ARTS DISTRICT EATERY, LLC dba DAVY'S at 1221 South Main Street - Ward 3 (Coffin)

Motion made by Bob Coffin to Approve the Consent Agenda except Item 11

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

17. For possible action to approve a Non-Operational Tavern License for a Change of Ownership FROM: MARMAT, LLC TO: CSI: ADVANCED SCREENING SERVICES, LLC dba NATIONAL LICENSING SERVICES at 1750 South Rainbow Boulevard, Suite #8 [Serina Choi, Managing Member] - Ward 1 (Tarkanian)

Motion made by Bob Coffin to Approve the Consent Agenda except Item 11

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

18. For possible action to approve a Beer/Wine/Cooler Off-Sale License for SPEEDEE MART, INC. dba SPEEDEE MART #125 at 6770 North Hualapai Way - Ward 6 (Fiore)

Motion made by Bob Coffin to Approve the Consent Agenda except Item 11

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

19. For possible action to approve a Restricted Gaming License for SPEEDEE MART, INC. dba SPEEDEE MART #125 at 6770 North Hualapai Way - Ward 6 (Fiore)

Motion made by Bob Coffin to Approve the Consent Agenda except Item 11

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

20. For possible action to approve a Temporary Beer/Wine/Cooler On-Sale License for a Change of Ownership FROM: LAS VEGAS FLIPPIN GOOD 1 LLC TO: LAS VEGAS MINI GRAN PRIX INC dba LAS VEGAS MINI GRAN PRIX at 1401 North Rainbow Boulevard [Gerald Barton, President, Secretary, Treasurer, Director, Shareholder] - Ward 5 (Crear)

Motion made by Bob Coffin to Approve the Consent Agenda except Item 11

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

21. For possible action to approve a Restricted Gaming License for MILLER'S TAVERN, LLC dba MILLER'S TAVERN AT PALM VALLEY at 9201 Del Webb Boulevard [Randy W. Miller, Managing Member] - Ward 4 (Anthony)

Motion made by Bob Coffin to Approve the Consent Agenda except Item 11

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

PUBLIC WORKS - CONSENT

22. For possible action to approve Interlocal Contract 1075 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to provide funding for engineering design for the Ogden Avenue, Main Street to Las Vegas Boulevard project (\$850,000 - Road and Flood Capital Project Fund [CPF]) - Wards 3 and 5 (Coffin and Crear)

Motion made by Bob Coffin to Approve the Consent Agenda except Item 11

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

23. For possible action to approve Supplemental Interlocal Contract No. 1 - 965a between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase project funding in the amount of \$13,450,000 for engineering and right-of-way for the Las Vegas Boulevard, Stewart Avenue to Washington Avenue project (Road and Flood Capital Project Fund [CPF]) - Ward 5 (Crear)

Motion made by Bob Coffin to Approve the Consent Agenda except Item 11

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

24. For possible action to approve Supplemental Interlocal Contract No. 3 - 1027c between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase total project funding in the amount of \$1,550,000 and revise the project scope for engineering and construction for the Arterial Reconstruction: Fiscal Year 2019 City of Las Vegas Maintenance (Package 7) project located at various locations more specifically shown in the contract exhibit (Road and Flood Capital Project Fund [CPF]) - All Wards

Motion made by Bob Coffin to Approve the Consent Agenda except Item 11

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

25. For possible action to approve Supplemental Interlocal Contract No. 2 - 960b between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase total project funding in the amount of \$50,000 and revise project scope for engineering, right-of-way and construction for the Arterial Reconstruction Program - Package 5 project located at various locations more specifically shown in the contract exhibit (Road and Flood Capital Project Fund [CPF]) - Wards 2, 3 and 4 (Vacant, Coffin and Anthony)
- Motion made by Bob Coffin to Approve the Consent Agenda except Item 11
- Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2
- For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;
26. For possible action to approve Supplemental Interlocal Contract No. 1 - 1037a between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase total project funding in the amount of \$185,200 to supplement the federally-funded Cimarron Road at Summerlin Parkway Pedestrian Bridge project (Traffic Improvements Capital Project Fund [CPF]) - Ward 2 (Vacant)
- Motion made by Bob Coffin to Approve the Consent Agenda except Item 11
- Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2
- For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;
27. For possible action to approve Supplemental Interlocal Contract No. 1 - 1024a between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase funding for the Entity Non-Project Specific Expenses (FY19) project (\$100,000 - Road and Flood Capital Project Fund [CPF]) - All Wards
- Motion made by Bob Coffin to Approve the Consent Agenda except Item 11
- Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2
- For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;
28. For possible action to approve Supplemental Interlocal Contract No. 1 - 1014a between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase total project funding in the amount of \$3,440,000 and revise the project scope for engineering, right-of-way and construction for the Traffic Signal Improvements Program Fiscal Year 2019 project located at various locations more specifically shown in the contract exhibit (Traffic Improvements Capital Project Fund [CPF]) - All Wards
- Motion made by Bob Coffin to Approve the Consent Agenda except Item 11
- Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2
- For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;
29. For possible action to approve the acceptance of the assignment of BLM Right-of-Way Grant N-59744 from Clark County to the City of Las Vegas covering an area containing roadway and related facilities along west Centennial Parkway between North Hualapai Way and North Fort Apache Road, multiple APN's - Ward 6 (Fiore)
- Motion made by Bob Coffin to Approve the Consent Agenda except Item 11
- Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2
- For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;
30. For possible action to approve Cooperative Agreement NM747-18-805 between the City of Las Vegas (City) and the State of Nevada Department of Transportation (NDOT) for roadway transfers including ownership,

operations, and maintenance responsibilities between NDOT and the City, as specified by the agreement - Wards 1, 2, 3, 4 and 5 (Tarkanian, Vacant, Coffin, Anthony and Crear)

Motion made by Bob Coffin to Approve the Consent Agenda except Item 11

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

31. For possible action to approve staff to negotiate the application for and the acceptance of a permanent Bureau of Land Management (BLM) Right-of-Way grant and a temporary grant for construction covering an area containing future roadway, sewer, and related facilities along West Washburn Road between North Hualapai Way and North Chieftain Street, multiple APNs - Ward 6 (Fiore)

Motion made by Bob Coffin to Approve the Consent Agenda except Item 11

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

RESOLUTIONS - CONSENT

32. R-13-2019 - For possible action to approve a Resolution concerning the City of Las Vegas, Nevada, Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2020); overruling complaints, protests, and objections made to the assessments at the hearing of said assessment roll; and confirming the Final Assessment Roll - Ward 1 (Tarkanian)

Motion made by Bob Coffin to Approve the Consent Agenda except Item(s) 11

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Michele Fiore, Bob Coffin, Cedric Crear, Stavros Anthony; Excused-Lois Tarkanian, Carolyn Goodman;

33. R-14-2019 - For possible action to approve a Resolution concerning the City of Las Vegas, Nevada, Special Improvement District No. 1516 - Fremont Street Maintenance District FY2020 (Las Vegas Boulevard to 8th Street); overruling complaints, protests, and objections made to the assessments at the hearing of said assessment roll; and confirming the Final Assessment Roll - Ward 3 (Coffin)

Motion made by Bob Coffin to Approve the Consent Agenda except Item(s) 11

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Michele Fiore, Bob Coffin, Cedric Crear, Stavros Anthony; Excused-Lois Tarkanian, Carolyn Goodman;

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

34. Report by Dale Keller and Jeff Lerud, Nevada Department of Transportation (NDOT), regarding NDOT's expansion of the High Occupancy Vehicle (HOV) and the new Active Traffic Management (ATM) systems coming online in May 2019, which will improve operations and safety on the freeways - All Wards

Minutes:

MIKE JANSSEN, Director of Public Works, stated that Project Neon is nearing substantial completion which is projected for May. Motorists will notice changes to the HOV (high-occupancy vehicle) lane system and a new device known as an active traffic management (ATM) system.

DALE KELLER, Nevada Department of Transportation (NDOT), reviewed a PowerPoint presentation, which was submitted as backup, regarding the newly installed HOV lanes with Project Neon. He stated that education kicked off this week regarding the HOV lanes. MR. KELLER commented that NDOT has not accomplished this alone as it has partnered with the Nevada Department of Motor Vehicles as well as the Department of Public Safety.

Over the past 20 years, NDOT has developed studies regarding HOV lanes which began in 2007 with opening of the HOV lanes on U.S. Route 95 from Martin Luther King Boulevard to the Rainbow Curve. Since that time, the plan has been upgraded twice and reflects involvement from stakeholders and public entities. With the completion of Project Neon, 22 continuous miles of HOV network will be created. MR. KELLER shared an image from the PowerPoint presentation which illustrated changes being made to U.S. Route 95 regarding the express and HOV lanes as well as HOV interchanges. He explained that the HOV lanes are a two-person system and will now operate 24 hours per day and seven days per week. The reasons for this change are trip demands around the clock, consistent enforcement, and consistency with neighboring states. MR. KELLER briefly reviewed the rules and benefits of using the HOV lanes and ended his presentation by mentioning the ATM system, which are real-time dynamic changing signs spaced, roughly, every half mile. There will be 42 signs along the resort corridor that provide real-time response to incidences on the roadways such as constructions or accidents. The signs will also allow for the ability to reduce speed limits and to convert HOV lanes to a general purpose lane.

ACTING MAYOR PRO TEM ANTHONY congratulated NDOT on Project Neon and believed it would be great for the valley; however, he did not think the Las Vegas Metropolitan Police Department (Metro) and Nevada Highway Patrol (NHP) have the time or manpower to enforce the HOV lane travel rules. Many people weigh the risk of getting caught with the reward of getting somewhere faster. The Acting Mayor Pro Tem asserted that if it were up to him, the HOV lane would be eliminated. He shared information pertaining to an article in the Las Vegas Review Journal which reported that HOV lanes actually cause more congestion than the other lanes because they are not open to all drivers. He requested that staff research and articulate who has the authority to implement HOV lanes and if the City Council has any authority over HOV lanes; he asked that an item be placed on the May 15, 2019 City Council agenda. He also requested that staff obtain comments from the public.

CHRIS DRY, Lieutenant with Nevada Highway Patrol, stated that the changes that NDOT has made help the NHP with enforcement. He noted that some of the accidents they have seen could have been alleviated by a smoother traffic flow.

ACTING MAYOR PRO TEM ANTHONY stated that he was a Captain with the Traffic Bureau of the LVMPD and would never have deployed his police officers to enforce HOV lane traffic rules.

MR. KELLER added that there is federal money tied with how the transportation system operates and is managed, and the HOV lane is part of that.

COUNCILMAN COFFIN had briefings prior to being on the City Council and environmental concerns were considered at that time. He voted in favor of HOV lanes because of environmental considerations such as congestion causes pollution. The Councilman thought that electric cars could be allowed to travel in the HOV lanes as well. He also expressed appreciation for the signage that would be placed.

COUNCILMAN COFFIN asked about the fuel lines being protected that come from California. MR. KELLER confirmed those would be protected with the installation of the crash beams.

COUNCILWOMAN FIORE did not think that there were time restrictions with the federal funding, and she concurred with ACTING MAYOR PRO TEM ANTHONY'S comments. The benefit of people using the HOV lanes during certain hours were being taken away, and she was opposed to the 24/7 operation of the HOV lane.

PLANNING - BUSINESS LICENSING - DISCUSSION

35. ABEYANCE ITEM - Discussion for possible action regarding an Appeal of the Director's Decision to Revoke a Short-Term Residential Rental License, GOLF CRIBS, LLC dba GOLF CRIBS, LLC at 8816 Tierra Hope Court [Cathy Burch, Managing Member] - Ward 6 (Fiore)

Minutes:

See Item 9 for related discussion.

Motion made by Bob Coffin to Hold in Abeyance Item 11 to 5/1/2019 and Item 35 to 5/15/2019

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Michele Fiore, Bob Coffin, Cedric Crear, Stavros Anthony; Excused-Lois Tarkanian, Carolyn Goodman;

36. Discussion for possible action to approve a Temporary Medical Marijuana Dispensary License for a Change of Ownership FROM: NATUREX II, LLC TO: NATUREX II, LLC dba BLACKJACK COLLECTIVE at 1736 South Las Vegas Boulevard - Ward 3 (Coffin)

Minutes:

Items 36 and 37 were heard together.

MARY McELHONE, Deputy Director of Planning, reported that this is regarding a change of ownership. The establishment has been open and operating since June 2016. She reviewed the history of this application noting that due to the Las Vegas Metropolitan Police Department's (Metro) inability to confirm funding and a problem with FBI (Federal Bureau of Investigation) fingerprinting not being completed by the applicant, Metro issued an Areas of Concern report in June 2018. A temporary license and change of ownership license was never approved for this application. After reorganizing and removing one of the owners and after several meetings with Business Licensing and Metro, a new application was received in January 2019 with only ANDREY BLOKH listed as the owner. Metro has re-opened the background investigation as the applicant is now prepared to address the outstanding issues; that investigation is still being conducted. The applicant believes that all of the outstanding issues have been resolved without concern, but that the findings have not yet been issued. MS. McELHONE stated that there were additional conditions staff would like to add if this item is approved, which she read for the record. DEPUTY CITY ATTORNEY JEFF DOROCAR confirmed that those conditions were for both Items 36 and 37.

BILL KEARNS, Ballard Spahr LLP, thinks that the issues have been reconciled. MIKE McNEARNEY thanked staff for their time and helping them get the issues resolved.

COUNCILMAN COFFIN congratulated them for all of the hard work that has been done. The client has passed the test, and he did not know of any objections from the neighborhood.

MR. KEARNS and MR. McNEARNEY agreed to the additional conditions as read by MS. McELHONE.

Motion made by Bob Coffin to Approve a six-month temporary license subject to conditions

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

37. Discussion for possible action regarding the approval of a Temporary Retail Marijuana Store License for a Change of Ownership FROM: NATUREX II, LLC TO: NATUREX II, LLC dba BLACKJACK COLLECTIVE at 1736 South Las Vegas Boulevard - Ward 3 (Coffin)

Minutes:

See Item 36 for related discussion.

Motion made by Bob Coffin to Approve a six-month temporary license subject to conditions

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

PUBLIC WORKS - DISCUSSION

38. ABEYANCE ITEM - Discussion for possible action regarding the permanent closure of Shetland Road at Alta Drive (\$40,000 - Traffic Improvements Capital Project Fund ([CPF]) - Ward 1 (Tarkanian)

Minutes:

MIKE JANSSEN, Director of Public Works, reviewed a PowerPoint presentation, which was submitted as backup. He stated that a request for the installation of a security gate across Shetland Road had been brought to COUNCILWOMAN TARKANIAN'S attention in June 2018 due to increasing crime in the neighborhood. Staff surveyed area residents in July 2018 and collected traffic numbers on surrounding streets in August 2018. The item was heard at the August 23, 2019, Traffic and Parking Commission meeting where it was denied unanimously; some of the residents requested the item be appealed to the City Council. The item was brought before the City Council in December 2018 and it was held in abeyance to March 2019. Staff worked closely with COUNCILWOMAN TARKANIAN'S office; an additional neighborhood meeting was held, and an additional option was presented.

MR. JANSSEN showed the subject area on the slide labeled Vicinity Map noting that Shetland Road is a north/south street that connects Alta Drive to the north and Palomino Lane to the south. He reviewed the area's crime statistics for 2017 and 2018 and noted that the Las Vegas Metropolitan Police Department's (Metro) Bolden Area Command did not think that gating the road would be beneficial as there are other ways to access the neighborhood; therefore, crime would still occur. In 2017, there were 11 crimes that were recorded. In 2018, there was an increase in crime to 15 crimes occurring.

MR. JANSSEN reviewed the traffic study findings and discussed locations of existing speed humps noting that there are not any on Shetland Road. Residents were concerned about the intersection of Shetland Road and Alta Drive, and the analysis of the crash history showed two crashes in a three-year period.

The most congestion is near Wasden Elementary School, and residents noted that a new campus will replace the current school and were concerned that it may hold more students and create more traffic. Staff verified with Clark County School District that the new school will accommodate 850 students, which is what it currently holds so it should not generate more traffic.

MR. JANSSEN reported that a neighborhood survey showed that a larger number of residents were opposed to the gate being installed. Additionally, Shetland Road happens to be a secondary emergency response route, and Las Vegas Fire and Rescue indicated that a gate would affect their response time. If installed, the gate would have to be a fully electric and activated gate and according to fire code, it would require a turnaround; this could cost between \$125,000 and \$150,000. He also mentioned that the residents in support of the gate gave an indication to the Councilwoman that they would be willing to fund those improvements.

The alternate option presented to residents included installing a median prohibiting traffic from going south on Shetland Road off of Alta Drive. This would reduce the amount of traffic being diverted into the neighborhood. He showed a photo of a similar device that was installed in another neighborhood. This option was identified as an option because, during the peak hours of travel in that area, the northbound right turn lane had the most movement.

MR. JANSSEN summarized that Metro and the Fire Department were not in support of a gate due to response time impacts, and Metro doubted it would reduce crime. The majority of the residents were also opposed to the gate, and it would cause approximately 800 vehicles per day to re-route onto Palomino Lane, Campbell Drive, and Pinto Lane. Lastly, MR. JANSSEN stated that speed cushions were another option and would be something Las Vegas Fire and Rescue would support; staff thought this to be a more reasonable option for the City Council to consider.

MIKE McDONALD stated that in the beginning, the City instructed the neighbors that to get a gate, 100 percent of the neighbors on Shetland Road would need to be in agreement. A petition was started and neighborhood meetings were held as well as residents worked and meetings were held with Metro, the Fire Department, and staff. MR. McDONALD asserted the residents are trying to keep the neighborhood intact, and he appreciated

MR. JANSSEN and his team for working on this project. Some of the neighbors still desire a gate, but this option is something they can live with. He reviewed some additional requests received from the neighbors.

ACTING MAYOR PRO TEM ANTHONY asked MR. McDONALD if he was withdrawing the request to close the road and would like the City Council to consider and vote on the median option. MR. McDONALD stated that was one of the proposals as the people who want the gate are not happy and the people who do not want it are not happy.

BRIAN PLASTER thought that the traffic closure was bad for the neighborhood. Noting the Fire Department, Metro and many of the residents were in opposition, MR. PLASTER stated that the new option was a compromise; however, he was against any sort of modifications to any of the roads in the neighborhood at the moment.

COUNCILWOMAN FIORE clarified that the Fire Department approved of Plan 2 but not Plan 1.

JOHN RANDALL stated that there is no problem. He thought that doing anything to the road would be detrimental and suggested installing speed humps. He urged the City Council to do nothing.

JASON JACKSON stated that he had an updated map of those in the neighborhood who were for and against the gate. He named many people/organizations who are against the closure and stated that the road closure would divide the open neighborhood and he hoped this would get denied.

COUNCILWOMAN FIORE clarified that the police and fire personnel opposed the gates, not the speed cushions. MR. JACKSON concurred.

LAURA McSWAIN stated that she has a problem with disrupting traffic patterns and was concerned about introducing landscaping and what the expense of that would entail. She did not think this was the right way to go.

JEFF ROGAN stated that a lot of neighbors have children who go to school at Wasden Elementary School, and they are concerned about the closure or the modified plan recently presented. He was opposed.

PAM MAHER felt the safety of children has not been brought up before. She thought that maybe the people on Shetland Road wanted to be closed off so people who are homeless would not have access to the area. She did not think this was a good use of public money.

RIC TRUESDELL stated that he lives off of Shetland Road and has for many years confirming the residents have worked with staff on this item. A meeting was held at Wasden Elementary School, and there was the consensus that the closure is not the right solution. He thought that a planning solution that did not meet anyone's needs was not a good solution. The effort should be made to develop a solution that meets most of everyone's needs. He believed this change will create more issues, and if approved, he recommended the City Council approve it for six months and then review it. Additionally, he felt that whoever is asking for the change should pay for it.

COUNCILWOMAN FIORE asked MR. TRUESDELL if he lived behind a gate. He confirmed that he did, but he preferred that there were no gates.

KEVIN CHILD appeared representing a nearby homeowner who was in favor of the second option but would like for it to be gated.

ACTING MAYOR PRO TEM ANTHONY asked if it was a big deal to install the median and then take it out if it did not work. MR. JANSSEN stated that it would be easy to implement the closure temporarily.

MR. McDONALD pointed out that some of those who testified lived south of Charleston Boulevard. He showed several photos of the streets in the neighborhood with their landscaping improvements. He requested to begin the installation of the speed cushions immediately.

MR. JANSSEN indicated that there is the original request to close the street and the additional option for the median restrictor. Typically, speed cushions are usually an item as a separate neighborhood treatment, and there is an official process the Planning Department must go through for Vacations as mentioned by MR.

McDONALD. Because of the way the item is listed on the agenda, he is prepared to implement the median restrictor if this was approved. The traffic calming element of the speed cushions could be done if the neighborhood was in favor. DEPUTY CITY ATTORNEY JEFF DOROCAC concurred with MR. JANSSEN and advised the City Council about only dealing with items that effect closure. As MR. JANSSEN had stated, the median would be a partial, permanent closure and works with how the item was agendized.

In response to questioning by MR. McDONALD, MR. DOROCAC explained that the Public Works Department has a process for the additional items discussed i.e. the speed cushions. It would be more appropriate for this request to be brought before the City Council as an item of its own. MR. JANSSEN added that when reviewing the other streets in the neighborhood, there are speed humps; therefore, to be fair to the entire neighborhood, staff would be will to support the installation of speed cushions as Shetland Road is an emergency response route.

ACTING MAYOR PRO TEM ANTHONY sought clarification for a motion, and MR. JANSSEN stated that it could include a partial closure of Shetland Road and Alta Drive to restrict northbound traffic to a right turn only.

COUNCILMAN COFFIN discussed his knowledge of speed cushions and his experience with traffic in the area.

COUNCILWOMAN FIORE wished to make a motion but asked if she could add the speed cushions; MR. DOROCAC advised against that as there is a process in place for that.

See Item 8 for related discussion.

Motion made by Michele Fiore to Approve the partial closure of Shetland Road at Alta Drive making a right turn only

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

BOARDS AND COMMISSIONS - DISCUSSION

39. Discussion for possible action regarding the reappointment of members to the Neighborhood Partners Fund Board from the following list of nominees: Neighborhood Representatives - Greg Toussaint (Mayor's Designee), Shelly Walters (Ward 1), Sherese Holmes (Ward 2), Gail Qualey (Ward 4) and Larry Shultz (Ward 6) and Staff Designees - Anne Kilponen (Ward 1), Jordan Sandecki (Ward 2), Sally Christensen (Ward 4), Chance Bonaventura (Ward 6) and the appointment of nominees Esthela Silva (Ward 3) and David Kress (Ward 5) as Neighborhood Representatives and Ydoleena Yturralde (Ward 3) and Tanya Jackson-Renter (Ward 5) as Staff Designees - All Wards

Motion made by Stavros Anthony to Approve the reappointment of Greg Toussaint, Shelly Walters, Sherese Holmes, Gail Qualey, Larry Schultz, Anne Kilponen, Jordan Sandecki, Sally Christensen and Chance Bonaventura and the appointment of Esthela Silva, David Kress, Ydoleena Yturralde and Tanya Jackson-Renter

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

40. Bill No. 2018-61 - ABEYANCE ITEM - For possible action - Amends LVMC Titles 6 and 19 to adopt provisions establishing a business license category and land use regulations for social use venues (marijuana), together with accompanying requirements and limitations. Sponsored by: Councilman Bob Coffin

Motion made by Bob Coffin to Hold in Abeyance to 5/1/2019

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

Minutes:

MARY McELHONE, Deputy Director of Planning, stated that this bill changes Title 19 to allow Special Use Permits for social use venues.

COUNCILMAN CREAR stated that he was told in briefings that there would not be a discussion on this item at this meeting. SENIOR ASSISTANT CITY ATTORNEY BRYAN SCOTT explained it is at the Council's discretion. COUNCILMAN CREAR stated that he was not prepared for discussion as he was told this item would be abeyed.

COUNCILMAN COFFIN stated that it was his intention to abey the bill; however, they need four votes at this meeting, and only four members of the Council were present. COUNCILMAN CREAR asked if they need to go through the public comment process at this time if it was going to be abeyed, and MR. SCOTT reiterated that was at ACTING MAYOR PRO TEM ANTHONY'S discretion. ACTING MAYOR PRO TEM ANTHONY stated that he was not ready to vote on an abeyance at the beginning of the meeting. He would allow public comment as people are interested in this bill. COUNCILMAN CREAR was in support of how ACTING MAYOR PRO TEM ANTHONY wished to proceed.

COUNCILMAN COFFIN asked MR. SCOTT how the Council should proceed. DEPUTY CITY ATTORNEY JEFF DOROCAM explained that if a 4:0 vote does not happen at this meeting, no action would be taken and this bill would appear on the May 1, 2019 agenda.

MR. SCOTT stated that it was rare that so few members of the Council be present at a meeting, and the May 1, 2019 meeting would be the last time this bill would be discussed.

See Items 8 and 9 for related discussion.

41. Bill No. 2019-5 - For possible action - Amends LVMC 2.60.070 to adopt the most recent versions of the Nevada Local Government Records Management Program Manual and related Local Government Records Retention Schedules. Proposed by: LuAnn D, Holmes, City Clerk

Minutes:

Second reading and Bill adopted as introduced as Ordinance No. 6683.

Motion made by Bob Coffin to Approve

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

There is no public comment on these items and no action will be taken by the Council at this meeting, except those items which may be stricken or tabled. Public testimony takes place at the Recommending Committee Meeting held for that purpose.

42. Bill No. 2019-7 - Amends LVMC 19.06.060 to reduce the minimum lot size for development within the R-E Zoning District from twenty thousand square feet to eighteen thousand square feet. Sponsored by: Councilwoman Michele Fiore

Minutes:

Recommendation noted.

5/1/2019 Council Agenda

43. Bill No. 2019-12 - Amends the Town Center Development Standards Manual to allow the use "Marijuana Dispensary" in specified land use districts by means of special use permit, and adopts clarifying language regarding the waivability of certain special use permit requirements. Sponsored by: Councilwoman Michele Fiore

Minutes:

Recommendation noted.

5/1/2019 Council Agenda

NEW BILLS

There is no public comment on these items and no action will be taken by the Council at this meeting, except those items which may be stricken or tabled. Public testimony takes place at the Recommending Committee Meeting held for that purpose.

44. Bill No. 2019-13 - Ordinance concerning the City of Las Vegas, Nevada, Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2020); providing for the payment of the costs and expenses of maintaining street beautification improvements; assessing the cost of maintenance against the assessable lots, tracts, and parcels of land benefited by said maintenance. Proposed by: Mike Janssen, Director of Public Works

Minutes:

First Reading - Referred - COUNCILMEMBERS, ANTHONY, COFFIN and FIORE

4/28/2019 Recommending Committee

5/1/2019 Council Agenda

45. Bill No. 2019-14 - Ordinance concerning the City of Las Vegas, Nevada, Special Improvement District No. 1516 - Fremont Street Maintenance District FY2020 (Las Vegas Boulevard to 8th Street); providing for the payment of the costs and expenses of a Neighborhood Improvement Project, assessing the cost of the project against the assessable lots, tracts, and parcels of land benefited by said improvements. Proposed by: Mike Janssen, Director of Public Works - Ward 3 (Coffin)

Minutes:

First Reading - Referred - COUNCILMEMBERS, ANTHONY, COFFIN and FIORE

4/28/2019 Recommending Committee

5/1/2019 Council Agenda

NOT TO BE HEARD BEFORE 11 A.M. - 46 THROUGH 60

BUSINESS ITEMS - 11 A.M. Session

46. Any items from the 11 A.M. session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time.

Minutes:

COUNCILMAN COFFIN announced the items for action.

Motion made by Bob Coffin to Hold in Abeyance Items 51-54 to 5/15/2019

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

HEARINGS - DISCUSSION

47. Public hearing and discussion for possible action to consider a request for a waiver and/or reduction of fees totaling \$5,606 in out of pocket costs, and \$39,000 in civil penalties for a total of \$44,606 recorded against the property located at 4513 Sunrise Avenue - PROPERTY OWNER: BANK DEUTSCHE NATIONAL TR CO TRS - Ward 3 (Coffin)

Minutes:

ACTING MAYOR PRO TEM ANTHONY declared the Public Hearing open.

VICKY OZUNA, Code Enforcement Section Manager, reviewed a PowerPoint presentation, which is attached as backup, and stated that this hearing is a request from Deutsche Bank National Trust Company.

Code Enforcement has completed two abatement actions in 2017 and 2018 on this property. Code Enforcement notified JOSE MORALES who was the owner at the time of the abatements but also notified two other parties of the issues and the violations that needed to be abated. The default against the property had been recorded advising that payment had not been received since February 2014. The total outstanding hard costs are in the amount of \$5,606 and outstanding daily civil penalties are in the amount of \$39,000 for a total of \$44,606. This property has not been rehabbed at this time. The current property value on Zillow.com is \$198,000. Staff requested denial of the requested waiver.

JEFFREY WHITEHEAD, Whitehead and Burnett, appeared on behalf of Deutsche Bank National Trust Company and requested a reduction to the amount of the hard costs. He reported that the property is under contract pending the results of this request. MR. WHITEHEAD noted that, based upon the note within the Deutsche Bank National Trust Company file, the previous owner had control and occupancy up through 2017. It was his understanding some of the problems have been abated but that the new purchaser is waiting to close on the property; therefore, there is urgency in resolving the issues so that the new purchaser can take possession and improve the property.

COUNCILMAN COFFIN asked how long they have been in control of the property and who the lending institution was prior to foreclosure. MR. WHITEHEAD stated that they have had the property for 15 or 16 months and explained that banks try to hold out on eviction and taking possession of the property if the occupant indicates they need more time to pay. MS. OZUNA did not have the exact date of the breach, but in 2017, they were aware that the property was open and accessible. They did not take care of the property or check on it monthly, which resulted in the second abatement.

COUNCILMAN COFFIN indicated that he was willing to reduce the fees but not fully as the bank did not move quickly. His information noted that it had been in foreclosure since 2014. The Councilman moved to reduce 50 percent of the civil penalties. MS. OZUNA shared the new fee amount to which MR. WHITEHEAD indicated that he was authorized to accept.

COUNCILMAN CREAR asked if it was owned by a homeowner and was foreclosed and if the fines were accumulated under the homeowner or the bank. MS. OZUNA replied that the fines were accumulated under the homeowner's name, but the banks are made aware as well as they have a right to go on site and secure the property. MR. WHITEHEAD confirmed for COUNCILMAN CREAR that there is a buyer for this property. He believed that the purchaser was interested in buying the home and renting it out, but he could not speak for them.

COUNCILMAN CREAR indicated that the Council approves these abatements with the intention that the home will be maintained and not remain a blight on the neighborhood. MR. WHITEHEAD confirmed for COUNCILMAN CREAR that the buyer is a local resident.

ACTING MAYOR PRO TEM ANTHONY declared the Public Hearing closed.

Motion made by Bob Coffin to Approve an assessment of \$5,606 in out of pocket costs and civil penalties in the amount of \$19,500 for a total assessment of \$25,106 to be paid within 90 days

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

48. Public hearing and discussion for possible action to consider a request for a waiver and/or reduction of fees totaling \$1,272.25 in out of pocket costs, and \$19,500 in civil penalties for a total of \$20,772.25 recorded against the property located at 5009 Tropical Glen Court - PROPERTY OWNER: MICHAEL TOLLEFSON - Ward 6 (Fiore)

Minutes:

ACTING MAYOR PRO TEM ANTHONY declared the Public Hearing open.

VICKY OZUNA, Code Enforcement Section Manager, reviewed a PowerPoint presentation, which is attached as backup, and stated that this public hearing is a request from MICHAEL TOLLEFSON, owner, to consider a request for a waiver and/or reduction of fees and civil penalties. There are outstanding hard costs in the amount of \$1,272.25 and outstanding daily civil penalties in the amount of \$19,500 for a total of \$20,772.25. This property has been rehabbed at this time. The current property value on Zillow.com is \$308,000. Staff requested denial of the waiver request.

MR. TOLLEFSON stated that when he bought the property in December, he noted the lien after which he filled out the appeal paperwork. He pulled permits on January 3, 2019, and asked about a hearing date. Code Enforcement indicated that there was no date and informed MR. TOLLEFSON he would be contacted. MR. TOLLEFSON asserted he was never contacted and did not have his phone calls returned. Because he never received notification of the original hearing date, MR. TOLLEFSON requested another hearing date thus why he was present at this meeting.

He confirmed for ACTING MAYOR PRO TEM ANTHONY that he purchased the home but did not pay the lien.

MS. OZUNA explained that Code Enforcement has to wait for one year after the issuance of the Notice and Order before they can record the civil penalties. They held off recording it because a waiver request was filed by MR. TOLLEFSON. MR. TOLLEFSON was not notified of the hearing date properly, which is why it is being brought before the Council.

COUNCILWOMAN FIORE indicated that because he purchased the property on December 13, 2018, and the hard costs were crystal clear, but the civil penalties were not, and because of the City's failure to notify MR. TOLLEFSON of the hearing date, she would waive the civil penalties. MR. TOLLEFSON agreed he could pay the hard costs.

ACTING MAYOR PRO TEM ANTHONY declared the Public Hearing closed.

Motion made by Michele Fiore to Approve an assessment of \$1,272.25 in out of pocket costs to be paid on 4/17/2019

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

PLANNING

The items listed below, where appropriate, have been reviewed by the various City departments relative to the requirements for storm drainage and flood control, connection to sanitary sewer, traffic circulation, and Building and Fire regulations. Their comments and/or requirements have been incorporated into the action.

PLANNING - ONE MOTION/ONE VOTE

The following are items that may be considered in one motion/one vote. They are considered to routine non-public and public hearing items. All public hearing and non-public hearing items will be opened at one time. Any person representing an application or a member of the public or a member of the City Council not in agreement with the conditions and all standard conditions for the application recommended by staff, should request to have that item removed from this part of the agenda.

49. GPA-75732 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: TOUCHSTONE LIVING, INC. - OWNER: TOUCHSTONE ALEXANDER, LLC - For possible action on a request for a General Plan Amendment to Amend the Trails Element of the 2020 Master Plan and all related maps TO AMEND THE REQUIRED MULTI-USE NON-EQUESTRIAN TRAIL ALIGNMENT located on 2.81 acres along the east side of Hualapai Way extending approximately 960 feet south of Alexander Road (APN 138-07-103-006), Ward 4 (Anthony) [PRJ-75604]. The Planning Commission (5-0 vote) and Staff recommend APPROVAL.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to conditions

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

Minutes:

ACTING MAYOR PRO TEM ANTHONY declared the Public Hearing open for Items 49 and 50. There being no one present to speak, he declared the Public hearing closed.

50. VAC-75059 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: UPGROWTH NV PARTNERS, LLC - For possible action on a request for a Petition to Vacate a 30-foot portion of Egan Crest Drive, a 30-foot portion of Stephens Avenue, and various right-of-way grants and patent easements on property generally located on the southwest and northeast sides of the Clark County 215, generally bounded by Ann Road, Hualapai Way, Washburn Road and Alpine Ridge Way, Ward 6 (Fiore) [PRJ-75301]. The Planning Commission (5-0 vote) and Staff recommend APPROVAL.

Minutes:

See Item 49 for related discussion.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to conditions

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

PLANNING - DISCUSSION

51. GPA-74265 - ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: FAMILY PROMISE OF LAS VEGAS - For possible action on a request for a General Plan Amendment FROM: MLA (MEDIUM LOW ATTACHED DENSITY RESIDENTIAL) TO: GC (GENERAL COMMERCIAL) on 0.34 acres at 1437 Miller Avenue (APN 139-21-510-079), Ward 5 (Crear) [PRJ-73662]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:

See Items 8 and 46 for related discussion and Items 52-54 for related backup.

Motion made by Bob Coffin to Hold in Abeyance Items 51-54 to 5/15/2019

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

52. SUP-74267 - ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO GPA-74265 - PUBLIC HEARING - APPLICANT/OWNER: FAMILY PROMISE OF LAS VEGAS - For possible action on a request for a Special Use Permit FOR A SINGLE ROOM OCCUPANCY RESIDENCE USE at 1437 and 1485 Miller Avenue (APNs 139-21-510-078 and 079), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-73662]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:

See Items 8 and 46 for related discussion and Items 51-54 for related backup.

Motion made by Bob Coffin to Hold in Abeyance Items 51-54 to 5/15/2019

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

53. SUP-74268 - ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO GPA-74265 AND SUP-74267 - PUBLIC HEARING - APPLICANT/OWNER: FAMILY PROMISE OF LAS VEGAS - For possible action on a request for a Special Use Permit FOR AN ALTERNATIVE PARKING STANDARD TO ALLOW 15 PARKING SPACES WHERE 23 ARE REQUIRED at 1437 and 1485 Miller Avenue (APNs 139-21-510-078 and 079), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-73662]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:

See Items 8 and 46 for related discussion and Items 51-54 for related backup.

Motion made by Bob Coffin to Hold in Abeyance Items 51-54 to 5/15/2019

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

54. SDR-74266 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-74265, SUP-74267 AND SUP-74268 - PUBLIC HEARING - APPLICANT/OWNER: FAMILY PROMISE OF LAS VEGAS - For possible action on a request for a Site Development Plan Review FOR A FIVE-UNIT SINGLE ROOM OCCUPANCY AND SOCIAL SERVICE PROVIDER FACILITY on 0.66 acres at 1437 and 1485 Miller Avenue (APNs 139-21-510-078 and 079), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-73662]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:

See Items 8 and 46 for related discussion and Items 51-54 for related backup.

Motion made by Bob Coffin to Hold in Abeyance Items 51-54 to 5/15/2019

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

55. SUP-75306 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BAAN THAI MASSAGE ESTABLISHMENT - OWNER: HERD PROPERTIES, LLC - For possible action on an Appeal of the Denial by the Planning Commission on a request for a Special Use Permit FOR A PROPOSED 2,400 SQUARE-FOOT MASSAGE ESTABLISHMENT USE WITH A WAIVER TO ALLOW A 178-FOOT SEPARATION FROM A RESIDENTIALLY ZONED PROPERTY WHERE 400 FEET IS REQUIRED at 1600 South Las Vegas Boulevard, Suite #120 (APN 162-03-210-058), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-74762]. The Planning Commission (4-2 vote) recommends DENIAL. Staff recommends APPROVAL.

Minutes:

ACTING MAYOR PRO TEM ANTHONY declared the Public Hearing open.

ROBERT SUMMERFIELD, Director of Planning, reported that the subject site has been previously occupied by at least two beauty salons in the past four years. The most recent salon had its business license revoked by the City Council in 2017 for illegally offering massage establishment services as well as conducting criminal activity on site. The use is incompatible with surrounding land uses within the commercial center and the surrounding area; therefore, staff recommended denial of the Special Use Permit.

MAYOR PRO TEM ANTHONY asked if the applicant or representative was present, but no one was present to speak.

He declared the Public Hearing closed.

Motion made by Bob Coffin to Deny

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

56. SUP-75311 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: KANGCHENG YIN - OWNER: DOWNTOWN CARSON, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 767 SQUARE-FOOT MASSAGE ESTABLISHMENT USE WITH WAIVERS TO ALLOW A 364-FOOT DISTANCE SEPARATION FROM A RESIDENTIALLY ZONED PROPERTY WHERE 400 FEET IS REQUIRED AND A 368-FOOT DISTANCE SEPARATION FROM A SIMILAR USE WHERE 1,000 FEET IS REQUIRED at 124 South 6th Street #70 (APN 139-34-611-051), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-75266]. The Planning Commission vote resulted in a TIE (2-2-1) which is tantamount to NO RECOMMENDATION. Staff recommends DENIAL.

Minutes:

ACTING MAYOR PRO TEM ANTHONY declared the Public Hearing open.

ROBERT SUMMERFIELD, Director of Planning, reported that due to the proposed distance separation Waivers from another massage establishment as well as from protected residential uses, the proposed use cannot be conducted in a compatible and harmonious manner with the surrounding land uses; therefore, staff recommended denial of the Special Use Permit.

KANGCHENG YIN and MATTHEW GROMLICH, owners, and MISSY BREMEN, representing the landlord for Downtown Project, were present.

MR. YIN stated that their goal is to provide one of the best massage experiences in downtown and to support the local community and economy in Las Vegas. Their targeted customers are residents and workers of the downtown area. He displayed testimony from local residents desiring this type of establishment.

The services to be provided would be customized massage therapy, mechanical chair massage and retail sales. The studio will be 756 square-feet with a modern design, and MR. YIN showed several images of the design of the studio noting that it will have an open floor plan with five-foot, nine inches tall separating walls.

MR. YIN spoke positively of Downtown Project and believed the studio was in a perfect location. He acknowledged the location was close to residential; however, if measuring from the front of the studio to the residential area, there is a 400-foot separation; measuring from the corner of the building it is just under that.

MS. BREMEN indicated that prior to signing the lease, many conversations were had and Downtown Project's general counsel was involved along with their real estate board.

MR. GROMLICH reviewed their credentials and stated that there are two Licensed Massage Therapists that will join the staff. He also reviewed their financial analysis noting that they are predicting to see profits by the sixth month.

He acknowledged that there is another spa in the area, but the clientele is different as they are targeting local customers and the other spa is servicing people who tend to be from out of town.

COUNCILMAN COFFIN appreciated the presentation and liked the idea of their open floor plan. He noted Downtown Project is the landlord, and landlords are critical.

ACTING MAYOR PRO TEM ANTHONY declared the Public Hearing closed.

Motion made by Bob Coffin to Approve subject to conditions

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

57. ARC-75710 - (DDRC) - PUBLIC HEARING - APPLICANT/OWNER: PROVIEW SERIES 33, LLC - For possible action on an Appeal of the Approval by the Downtown Design Review Committee on a request for Signage Design Review FOR A PROPOSED MODIFICATION TO AN EXISTING ROOF SIGN WITH A WAIVER OF THE SCENIC BYWAY ILLUMINATION REQUIREMENTS at 2211 South Las Vegas Boulevard (APN 162-03-401-005), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-75512]. The Downtown Design Review Committee and Staff recommend APPROVAL.

Minutes:

ACTING MAYOR PRO TEM ANTHONY declared the Public Hearing open.

ROBERT SUMMERFIELD, Director of Planning, reported that the Downtown Design Review Committee (DDRC) voted to approve ARC-75710, subject to conditions on March 19, 2019, including added Condition 1 which states that the applicant shall add a border of neon tube lighting to the proposed modifications to the existing roof sign. The DDRC placed the condition in order to help preserve the envisioned character of the Scenic Byway Overlay District. The applicant's representative agreed to the condition at the hearing. However, following the hearing, the applicant/owner appealed this decision, as they believe the required addition of border lighting will diminish the desired aesthetic of the sign. Staff supported the recommendation of the DDRC and therefore recommended denial of the appeal.

KAMRAN FOULADBAKHSH, ProView Series, stated that the building used to be a dilapidated closed motel that they have purchased and are converting into mixed-use development with 122 upscale and modern units, a restaurant, a café, and a chapel. MR. FOULADBAKHSH explained that putting a border around the sign would change the look of it and would not go with the design of the building. He displayed a rendering of what the sign would look like and requested approval of the sign without the border.

COUNCILMAN COFFIN stated that MR. FOULADBAKHSH has designed and built many projects in Ward 3 and he was proud of that work.

ACTING MAYOR PRO TEM ANTHONY declared the Public Hearing closed.

Motion made by Bob Coffin to Approve subject to conditions and deleting Condition 1

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony; Excused-Carolyn Goodman, Lois Tarkanian;

SET DATE

58. Set date on any appeals filed or required public hearings from the City Planning Commission Meetings and Dangerous Building or Nuisance/Litter Abatements.

Minutes:

ACTING MAYOR PRO TEM ANTHONY advised the City Clerk, LUANN D. HOLMES, to set the date for all applicable items.

CITIZENS PARTICIPATION

59. Citizens Participation: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the City Council. No subject may be acted upon by the City Council unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited.

Minutes:

MICHAEL TROY MOORE informed the Councilmembers that several of the candidates have challenged the Mayoral election. He stated that AMY LUCIANO has challenged at the state level, and he has challenged at the state and federal levels.

COUNCILWOMAN FIORE referred to the address MR. MOORE announced of Circle 6 on Fremont Street. She clarified that that was not a residential address, and SENIOR ASSISTANT CITY ATTORNEY BRYAN SCOTT confirmed that it was not.

COUNCIL MEMBER RECOGNITION

60. Council Member Recognition: Comments made by individual City Council Members during this portion of the agenda will not be acted upon by the City Council unless that subject is on the agenda and scheduled for action.

Minutes:

COUNCILMEMBERS CREAR, FIORE and COFFIN announced the events taking place in their respective wards on various dates throughout the months of April and May. Some of the Councilmembers submitted flyers, which are attached as backup, regarding their events and points of interest.

The meeting was recessed at 11:13 a.m., reconvened at 11:23 a.m., recessed at 11:37 a.m., reconvened at 12:04 p.m. and adjourned at 12:58 p.m.

Respectfully submitted:

Jacquie Miller, Deputy City Clerk

LuAnn D. Holmes, MMC, City Clerk

THIS MEETING WAS PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:

City Hall, 495 South Main Street, 1st Floor
Clark County Government Center, 500 South Grand Central Parkway
Grant Sawyer Building, 555 East Washington Avenue
City of Las Vegas Development Services Center, 333 North Rancho Drive

