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

May 15, 2019
9:00 AM

CEREMONIAL MATTERS

1. Call to Order

Minutes:
MAYOR GOODMAN called the meeting to order at 9:00 a.m.

MAYOR GOODMAN and COUNCILMEMBERS TARKANIAN (excused until 9:52 a.m. and from 12:33 p.m. to 12:40 p.m.), ANTHONY, COFFIN (excused from 9:58 a.m. to 9:59 a.m. and at 5:12 p.m.), FIORE (excused at 5:11 p.m.) and CREAR (excused until 9:01 a.m.)

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 - Mr. Rajan Zed, President, Universal Society of Hinduism

Minutes:
MR. RAJAN ZED, President, Universal Society of Hinduism, gave the invocation.

4. Pledge of Allegiance

Minutes:
MAYOR GOODMAN led the audience in the Pledge of Allegiance.

5. Recognition of the Employee of the Month

Minutes:
Prior to hearing this item, MAYOR GOODMAN gave tribute to ASSEMBLYMAN TYRONE THOMPSON. He was a friend and selfless, dedicated public servant who had a passion for helping children, the homeless and the community. He always had a smile on his face and a hand extended to offer others support and help. He was also a beloved City employee who will be greatly missed.

COUNCILMAN CREAR stated his friend, ASSEMBLYMAN THOMPSON, passed away suddenly on May 4, 2019, in Carson City, Nevada at the age of 52. While speaking of ASSEMBLYMAN THOMPSON'S public and community service and many accomplishments, a PowerPoint presentation was shown, which is included in the backup. He was an excellent example of working across party lines and leveraging good work wherever he found it. He has left a long-lasting legacy which will positively affect Nevada youth and the community at large for decades to come. The Councilman shared information related to services for the Assemblyman and relayed his condolences to the family.

COUNCILWOMAN FIORE stated she met ASSEMBLYMAN THOMPSON in 2013 and spoke of how well they worked together despite being of different political parties. While discussing her grandchildren with him, he nicknamed her "Glamma," which is something she will never forget. She spoke of his passion for students, homelessness and advocacy and how he wanted everyone to be a part of everything regardless if they agreed or not. He was full of love, and she enjoyed working with him for four years.

Moving on to Item 5, MAYOR GOODMAN invited DR. LISA MORRIS HIBBLER, Director, Youth Development and Social Innovation (YDSI), to the podium to help in announcing LEE QUICK as the Employee of the Month. The Mayor stated MS. QUICK is a Senior Management Analyst and joined the City in 2016. She is a "go to person" who knows how to manage a project from start to finish and ensure that project objectives are met. Additionally, her organizational skills are top notch, and she is always a pleasure to work with.

MS. QUICK was a key member of the team that went to Denver, Colorado in 2018 when Las Vegas brought home the All-American City Award. She wrote the narrative to describe Las Vegas for the judges and brought together representatives from multiple agencies, schools and the City Council to help win that award. She has been the glue on many other City initiatives including Las Vegas' My Brother's Keeper Alliance and the Mayor's Fund for Las Vegas LIFE. These programs help many in the community, but would not function without the work of such people as MS. QUICK. Her work ethic and determination are an asset to the City, and the Mayor thanked her for everything she does. MS. QUICK was presented with an award, and a sign with her name on it will be on display outside City Hall.

DR. MORRIS HIBBLER stated as the Director of YDSI, she is blessed to have a team of high performers that go to great lengths to ensure they are serving the community and providing educational support for children. She shared when she first met MS. QUICK and stated having her on the team has been an asset. She is the ultimate task master in understanding the mission and not letting the ball drop. This is a well-deserved award because she goes the extra mile, and it is a pleasure having her on the team. DR. MORRIS HIBBLER also thanked the Mayor and Council for allowing them to do the work that they do.

MS. QUICK stated in writing the application for the All-American Cities Award, she remembered working with every department and exchanging information, and Las Vegas won because it is a collaborative and world-class city. She thanked everyone that helped in winning that award and gave a special acknowledgement to the My Brother's Keeper Alliance family who does such great work.

She thanked the Mayor and the Mayor's Fund team for their hard work and collaboration and the great projects that have been started and that they will continue to raise money for. She also thanked her family and friends noting that hard work pays off. She expressed appreciation for ASSEMBLYMAN THOMPSON'S leadership and inspiration. She also thanked YDSI, who are a hardworking group and a great team, and ARTHUR FRY and the 3M Corporation for the invention of 3M Post-it Notes, which she said she would be lost without.

MAYOR GOODMAN acknowledged MS. QUICK'S family and the YDSI team who were in the audience.

6. Recognition of "The City of Las Vegas, The Early Years" Documentary

Minutes:
MAYOR GOODMAN announced the world premiere of the new documentary, "The City of Las Vegas, The Early Years," chronicling the formative years of the city of Las Vegas would be May 15, 2019 at the

Charleston Heights Arts Center, 800 South Brush Street, the anniversary of the day Las Vegas was founded, May 15, 1905. She noted there will be a reception at 6:30 p.m. followed by a showing of the documentary at 7:00 p.m. free of charge.

The Mayor acknowledged JENNIFER BOYD, Boyd Productions, who created the documentary and was in the audience. She noted the documentary was sponsored in large part by the Commission for the Las Vegas Centennial, and a portion of the funds from the purchase of the Centennial license plate goes towards supporting historical Las Vegas. She announced the various channels and platforms on which the documentary will be broadcast.

Since 2005, the Centennial Commission has awarded more than $21 million in grants to projects like the Helldorado Parade and the Las Vegas Days Rodeo, as well as restoring the vintage neon signs located throughout the medians on Las Vegas Boulevard in downtown. The funds have also helped preserve the city's history through funding projects such as the remodel and preservation of the Historic Westside School, the Mob Museum and the Neon Museum.

A short promotional video was shown but was not submitted for the record.

7. Recognition of the Great American Pride Award Recipients

Minutes:
This item was heard subsequent to Item 8.

COUNCILMAN ANTHONY stated during the 1998/1999 school year, JEANNIE JOHNSON, a teacher at Ruth Deskin Elementary School, had an idea while working with a group of Fifth Graders on early colonial times. She wanted to duplicate the experience she had as a young student, which resulted in The Great American Pride Program. The program is voluntary and open to the entire Fifth Grade. MS. JOHNSON has since retired, but the program, which provides an emphasis on citizenship and famous historical documents, lives on. To complete the program, the students must fulfill six requirements: 1) Writing the Pledge of Allegiance, 2) Reciting the Preamble to the United States Constitution, 3) Singing or reciting the Star Spangled Banner, 4) Reciting all 50 states and capitals in alphabetical order, 5) Reciting all 44 United States Presidents in chronological order and 6) Reciting the entire Gettysburg Address.

The Councilman recognized seven classes of Fifth Grade students from Ruth Deskin Elementary School, The Meadows School in Summerlin and Garehime Elementary School that completed the Great American Pride Program. He noted each student would receive a Certificate of Recognition signed by the Mayor and City Council, followed by a visit to the offices of the Mayor and City Council and then to the KCLV production studio.

While waiting for some of the schools to arrive, COUNCILWOMAN FIORE recited the 50 states in alphabetical order.

COUNCILMAN ANTHONY invited KATHY BRENNAN, LINDA BOOKOUT, and CINDY DRIEHORST, Fifth Grade Teachers at The Meadows School, and JULIANN DEASON-POUPARD, Fifth Grade Teacher at Ruth Deskin Elementary School, to the podium to lead their students in reciting the Gettysburg Address. The Certificates of Recognition were given to the teachers for distribution, and copies are attached in the backup.

MAYOR GOODMAN spoke of the importance of the words and the freedoms we enjoy that come from the sacrifices of those that have gone before and those that still are willing to sacrifice their lives.

After the students from Garehime Elementary School arrived, COUNCILMAN ANTHONY acknowledged Fifth Grade Teachers SHELLEY KRESS, BRAD DIXON, LINDSAY NICOLS and PAULA PRICE and those students recited the Gettysburg Address. Certificates were distributed to these teachers as well.

MAYOR GOODMAN thanked everyone and recessed the meeting at 9:52 a.m.

8. Recognition of the National Missing Children's Day Poster Contest Winner

Minutes:
This item was heard subsequent to Item 6.

COUNCILWOMAN FIORE stated according to Nevada's Missing Children Clearinghouse, over 8,000 children are reported missing in Nevada each year, and approximately 200 are considered endangered or abducted. Nevada Child Seekers helps with empowering children with the tools and resources necessary to protect themselves and each other.

Each year, Nevada Child Seekers leads a statewide poster contest which is performed in conjunction with National Missing Child Awareness Day on May 25th, which was proclaimed by President Ronald Reagan in 1983. The goal of the contest is to promote awareness among teachers, parents, guardians and children and to engage them in discussions about safety. This goal goes hand-in-hand with Nevada Child Seekers' mission to advocate and engage in prevention, identification, and location efforts on behalf of missing and exploited children.

COUNCILWOMAN FIORE announced ANNE LEE, Fifth Grader at Coral Academy, as the winner of this year's poster contest, and that she will move forward to compete in the national poster contest. The Councilwoman invited MS. LEE and her parents to the podium where she read and presented MS. LEE with a proclamation, a copy of which is attached.

MS. LEE explained the symbolization and message behind her poster.

MAYOR GOODMAN noted the significance of this program to the City Council and that missing juvenile bulletins have been displayed at every Council meeting for many years. She mentioned the runaways that come to Las Vegas and the importance of being in a home with family. She congratulated and thanked MS. LEE and her parents.

BUSINESS ITEMS - 9 A.M. SESSION

PUBLIC COMMENT

9. 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:
The meeting was reconvened at 9:58 a.m.

PAUL CASEY, Paul Casey Entertainment, thanked the City of Las Vegas, particularly COUNCILWOMAN FIORE, for assisting him with a special proclamation that was given to the Miracle League of Las Vegas at Las Vegas Car Stars. This event has celebrated children with special needs for 10 years, and he was grateful former Mayor OSCAR GOODMAN could attend on behalf of MAYOR CAROLYN GOODMAN. He submitted photos from the event for the record, which are included in the backup.

ATTORNEY MICHAEL CRISTALLI of Gentile, Cristalli, Miller, Armeni and Savarese spoke on Item 17. He stated this item was on the agenda two weeks ago for approval, and he advised the Council at that time that there is a preliminary injunction scheduled on May 24, 2019 in front of JUDGE ELIZABETH GONZALEZ with regard to the conditional licensing. He had requested that the Council wait until that date or after to make a determination on licensing. He informed the Council there is a temporary restraining order in place as it relates to THRIVE Cannabis Marketplace. MAYOR GOODMAN thanked MR. CRISTALLI for speaking.

KEN SMITH spoke on Item 47. He expressed his opposition to the HOV (High Occupancy Vehicle) lanes along Interstate 15. As a long-time expert on reporting traffic in the valley, he stated the HOV lanes will create confusion for tourists and longer delays for single-occupant drivers. HOV lanes are designed to create more congestion in an effort to persuade people to carpool. These have been an abysmal failure across the country, and he feared they would eventually be turned into toll lanes as they were in California. MAYOR GOODMAN suggested he speak to the Nevada Department of Transportation and the Clark County Commission.

BUSINESS ITEMS - 9 A.M. Session

10. 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.

Motion made by Lois Tarkanian to Withdraw without prejudice Item 55

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

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.

CITY ATTORNEY - CONSENT

11. For possible action to approve continued funding for McDonald Carano to represent the City of Las Vegas in an action filed against it by 180 Land Company, LLC, Case No. A-18-780184-C, in the Eighth Judicial District Court challenging the City's Parks/Recreation/Open Space designation on 65 acres generally located south of Alta Drive, east of Hualapai Way and north of Charleston Boulevard and alleging an action for inverse condemnation for an amount not-to-exceed $100,000 (General Fund) - Ward 2 (Vacant)

Minutes:
COUNCILWOMAN TARKANIAN indicated she spoke with legal counsel and was advised the JUDGE ELIZABETH GONZALEZ situation (mentioned under Item 9) would not have a bearing on any action the Council took at this meeting. DEPUTY CITY ATTORNEY JEFF DOROCAK stated the Councilwoman's characterization was correct; the City is not affected by the State action. It is now a Federal case, and the Council is clear to act on Item 17.

NOTE: The video does not reflect the vote accurately in that Mayor Goodman abstained from voting on Items 17-21, as her son is in the medical marijuana industry.

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

12. For possible action to approve the ratification of the Retainer Letter Agreement between Michael C. Niarchos, Ltd. and City Parkway V, Inc. for Professional Services to be rendered by Michael C. Niarchos for twelve (12) months beginning July 1, 2019 through June 30, 2020 for City Parkway V, Inc., the Department of Economic and Urban Development and any other related business matters ($185,000 annually - City Parkway V, Inc.) - All Wards

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

COMMUNITY SERVICES - CONSENT

13. For possible action to approve the allocation of $1,500,000 of HOME Investment Partnerships Program Grant Funds and Low Income Housing Trust Funds (LIHTF) to Affordable Housing Programs Inc. for the rehabilitation of Archie Grant Senior Apartments, located at 1720 East Searles Avenue - Ward 5 (Crear)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

FINANCE - PURCHASING AND CONTRACTS - CONSENT

14. For possible action to approve award of Modification No. 2 to Contract No. 180031-SK, LVFR Community Health Improvement Program (CHIPS) - Department of Fire and Rescue - Award recommended to: LAS VEGAS CHIPS (Not-to-Exceed $250,000 Annually - Fire Service Public Education Special Revenue Fund and Pass Through Grants Special Revenue Fund)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

OPERATIONS AND MAINTENANCE - CONSENT

15. For possible action to approve an Organization Donation of Goods and Services Agreement between the City of Las Vegas and the Laborers Union Local 872 for the donation of improvement services of a hay barn located at 9200 Tule Springs Road, commonly known as Floyd Lamb Park at Tule Springs - Ward 6 (Fiore)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

16. For possible action to approve an Operating Grant Agreement between the City of Las Vegas and The Neon Museum to support Neon Museum's operations, located at 770 Las Vegas Boulevard North ($2,200,000 - Various Funds) - Ward 5 (Crear)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

PLANNING - BUSINESS LICENSING - CONSENT

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

Minutes:
See Items 9 and 11 for related discussion.

NOTE: The video does not reflect the vote accurately in that Mayor Goodman abstained from voting on Items 17-21, as her son is in the medical marijuana industry.

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 5; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0

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

18. For possible action to approve a Medical Marijuana Dispensary License for a Change of Ownership FROM: INTEGRAL ASSOCIATES, LLC TO: INTEGRAL ASSOCIATES, LLC dba ESSENCE at 2307 South Las Vegas Boulevard - Ward 3 (Coffin)

Minutes:
NOTE: The video does not reflect the vote accurately in that Mayor Goodman abstained from voting on Items 17-21, as her son is in the medical marijuana industry.

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 5; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0

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

19. For possible action to approve a Retail Marijuana Store License for a Change of Ownership FROM: INTEGRAL ASSOCIATES, LLC TO: INTEGRAL ASSOCIATES, LLC dba ESSENCE at 2307 South Las Vegas Boulevard - Ward 3 (Coffin)

Minutes:
NOTE: The video does not reflect the vote accurately in that Mayor Goodman abstained from voting on Items 17-21, as her son is in the medical marijuana industry.

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 5; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0

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

20. For possible action to approve a Marijuana Production Establishment License (Medical/Recreational) for NV GREEN, INC. dba NV GREEN, INC. at 1475 Hymer Avenue - Sparks, Nevada

Minutes:
NOTE: The video does not reflect the vote accurately in that Mayor Goodman abstained from voting on Items 17-21, as her son is in the medical marijuana industry.

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 5; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0

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

21. For possible action to approve a Marijuana Cultivation Establishment License (Medical/Recreational) for NV GREEN, INC. dba NV GREEN, INC. at 1475 Hymer Avenue - Sparks, Nevada

Minutes:
NOTE: The video does not reflect the vote accurately in that Mayor Goodman abstained from voting on Items 17-21, as her son is in the medical marijuana industry.

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 5; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0

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

22. For possible action to approve a Tavern License for a Change of Ownership FROM: KELLY'S KASINO, INC. TO: LA CATRINA, LLC dba LA CATRINA BAR & GRILL at 1905 North Decatur Boulevard [Manuela Hernandez, Managing Member] - Ward 5 (Crear)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

23. For possible action to approve an Ancillary Brew Pub License for HUDL BREWING COMPANY, LLC dba HUDL BREWING COMPANY at 1311 South Main Street - Ward 3 (Coffin)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

24. For possible action to approve a Beer Wine Room License for HUDL BREWING COMPANY, LLC dba HUDL BREWING COMPANY at 1311 South Main Street - Ward 3 (Coffin)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

25. For possible action to approve a Restaurant Service Bar License for DENNY'S, INC. dba DENNY'S #0002 1822 South Las Vegas Boulevard - Ward 3 (Coffin)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

26. For possible action to approve a Temporary Banquet or Event Establishment Liquor License for a Change of Ownership FROM: LAS PALMAS ENTERTAINMENT, INC. TO: 100 FIRES, LLC dba FOREVER AMORE EVENTS AT THE LAKE at 2902 Lake East Drive - Ward 2 (Vacant)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

27. For possible action to approve a Restricted Gaming License for ECLIPSE ROUTE OPERATIONS, LLC dba ECLIPSE GAMING db at US MARKET at 6100 West Charleston Boulevard [Ronald W. Winchell, Managing Member] - Ward 1 (Tarkanian)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

28. For possible action to approve a Review of Condition to allow 15 (maximum) slots where 7 slots were approved for a Restricted Gaming License for NEVADA RESTAURANT SERVICES, INC. dba DOTTY'S #110 at 10000 West Sahara Avenue, Suite #100 - Ward 2 (Vacant)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

PUBLIC WORKS - CONSENT

29. For possible action to approve an Interlocal Agreement among the City of Henderson, City of Las Vegas, City of North Las Vegas, Clark County, Clark County Regional Flood Control District, Clark County Water Reclamation District and the Southern Nevada Water Authority to establish funding allocations and the budget for Las Vegas Wash (Wash) activities in Fiscal Year 2019-2020

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

30. For possible action to approve staff to condemn for the purchase of property rights for the Charleston Boulevard Streetscape Improvements project, South Martin Luther King Boulevard to Rancho Drive, multiple APNs ($9,000,000 - Road and Flood Capital Project Fund [CPF]) - Ward 1 (Tarkanian)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

31. For possible action to approve staff to negotiate and purchase real property for the Right Turn Intersection Improvements project, multiple APNs ($2,047,107 - Traffic Improvements Capital Project Fund [CPF]) - Wards 1, 2, 4 and 5 (Tarkanian, Vacant, Anthony and Crear)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

32. For possible action to approve Interlocal Contract 1077 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to provide funding for an engineering study for Industrial Road, Boston Avenue to Circus Circus Drive ($150,000 - Road and Flood Capital Project Fund [CPF]) - Ward 3 (Coffin) and County

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

33. For possible action to approve Supplemental Interlocal Contract No. 2 - 846b between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase project funding and revise the scope for the Shadow Lane, Alta Drive to Charleston Boulevard project ($550,000 - Road and Flood Capital Project Fund [CPF]) - Ward 1 (Tarkanian)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

34. For possible action to approve Supplemental Interlocal Contract No. 3 - 918c between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase project funding for Symphony Park Infrastructure: Phase 2, with project limits Promenade Place, Symphony Park Avenue to Carson Avenue, Bridger Avenue, Grand Central Parkway to Promenade Place and Grand Central Parkway, and a northbound right turn lane at Symphony Park ($35,000 - Road and Flood Capital Project Fund [CPF]) - Ward 5 (Crear)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

35. For possible action to approve Supplemental Interlocal Contract No. 1 - 981a between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase project funding for the Safe Routes to School: Harris Avenue, Bruce Street to Wardelle Street project ($500,000 - Road and Flood Capital Project Fund [CPF]) - Ward 3 (Coffin)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

36. For possible action to approve Supplemental Interlocal Contract No. 1 - 1035a between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase project funding for the Citywide Bottleneck Intersection Improvements: Decatur Boulevard at US95 project ($100,000 - Road and Flood Capital Project Fund [CPF]) - Wards 1 and 5 (Tarkanian and Crear)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

37. For possible action to approve the Resolution Consenting to Relinquishment and Land Transfer Agreement - Road Transfer No. RT 15-01A1, a portion of the north half of SR-159 (Charleston Boulevard) from CC-215 to west of Hualapai Way, from the State of Nevada Department of Transportation (NDOT) to the City of Las Vegas - Ward 2 (Vacant)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

38. For possible action to approve the Resolution Consenting to Relinquishment and Land Transfer Agreement - Road Transfer No. RT 15-01A2, portions of SR-159 (Charleston Boulevard) from west of Hualapai Way to the westerly right-of-way line of Martin Luther King Boulevard, from the State of Nevada Department of Transportation (NDOT) to the City of Las Vegas - Wards 1 and 2 (Tarkanian and Vacant)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

39. For possible action to approve the Resolution Consenting to Relinquishment and Land Transfer Agreement - Road Transfer No. RT 15-01A3, a portion of SR-159 (Charleston Boulevard) from west of Commerce Street to 25th Street, from the State of Nevada Department of Transportation (NDOT) to the City of Las Vegas - Ward 3 (Coffin)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

40. For possible action to approve the Resolution Consenting to Relinquishment and Land Transfer Agreement - Road Transfer No. RT 15-01A4, the north half of SR-589 (Sahara Avenue) from SR-595 (Rainbow Boulevard) to east of Decatur Boulevard, from the State of Nevada Department of Transportation (NDOT) to the City of Las Vegas - Ward 1 (Tarkanian)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

41. For possible action to approve the Resolution Consenting to Relinquishment and Land Transfer Agreement - Road Transfer No. RT 15-01A5, a portion of SR-589 (Sahara Avenue) from east of Decatur Boulevard to Rancho Drive, from the State of Nevada Department of Transportation (NDOT) to the City of Las Vegas - Ward 1 (Tarkanian)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

42. For possible action to approve the Resolution Consenting to Relinquishment and Land Transfer Agreement - Road Transfer No. RT 15-01A6, a portion of the north half of SR-589 (Sahara Avenue) from Tam Drive west of SR-582 (Boulder Highway/Fremont Street), from the State of Nevada Department of Transportation (NDOT) to the City of Las Vegas - Ward 3 (Coffin)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

43. For possible action to approve the Resolution Consenting to Relinquishment and Land Transfer Agreement - Road Transfer No. RT 15-01A7, a portion of SR-582 (Fremont Street) from southeast of 8th Street to SR-159 (Charleston Boulevard), from the State of Nevada Department of Transportation (NDOT) to the City of Las Vegas - Wards 3 and 5 (Coffin and Crear)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

RESOLUTIONS - CONSENT

44. R-17-2019 - For possible action to approve a Resolution directing the City Treasurer to give notice of the sale of properties subject to the lien of a delinquent assessment in the Special Improvement Districts 607, 609, 610, 808, 809, 810, 812, 813 and in certain other districts and providing other matters properly relating thereto - Ward 2 (Vacant), Ward 4 (Anthony), Ward 6 (Fiore)

Motion made by Lois Tarkanian to Approve the Consent Agenda

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

45. Report from Scott D. Adams, City Manager, on Emerging Issues - All Wards

Minutes:
CITY MANAGER SCOTT ADAMS stated as indicated during briefings, this is an item that he will be placing on all future Council agendas. It is optional as to whether he makes a report, but the intent is to brief the Council on emerging issues the Council and public need to be aware of that have occurred between Council meetings.

The one item he wished to speak about at this meeting related to the issues experienced at the Turmeric Nightclub in the Fremont East District which as a result of such issues, Business Licensing administratively revoked their nightclub license.

The owners of the nightclub have appealed that revocation, which comes to him as City Manager. He scheduled a hearing on the matter for May 16, 2019, at which time he will hear from the City and affiliates and the nightclub owners. He stated he would keep the Council advised accordingly.

COUNCILMAN COFFIN asked about the owners' options after that hearing. If the revocation is upheld, MR. ADAMS believed their only recourse was court, as they do not have the option of appealing to the City Council. He explained the City issued a temporary license administratively, and during that temporary licensing period, there were many problems resulting in revocation of that temporary license.

MAYOR GOODMAN indicated the revocation dealt with safety issues and asked MARY McELHONE, Deputy Planning Director, to comment. MS. McELHONE confirmed the nightclub owners' recourse should the revocation be upheld would be to file a lawsuit in District Court against the City of Las Vegas which is as the code reads relating to a temporary general license.

MAYOR GOODMAN noted the revocation was not done without warrant; there was a very severe and continuing problem in the public area of the second floor. MS. McELHONE stated the investigation is ongoing so all of the facts have not yet been revealed, but after meetings with the Las Vegas Metropolitan Police Department, staff felt there was enough evidence whereby the temporary license should be revoked.

MAYOR GOODMAN emphasized this action was taken due to a recurring issue relating to endangerment to the population, and there is no tolerance on the part of the Council for anything that jeopardizes life. She thanked MR. ADAMS and Business Licensing.

MR. ADAMS stated he will report back to the Council, but the depth of the discussion on emerging issues is somewhat limited because it is not meant to be a hearing; he was simply advising the Council of how this issue was progressing and will continue to do so.

COUNCILWOMAN TARKANIAN liked the idea of having this type of item on the agenda to help keep them informed. With things sometimes happening quickly, MR. ADAMS stated it is difficult to keep everyone up to date, and this is a way to do that.

COUNCILMAN COFFIN mentioned Assembly Bill 73 giving them some ability and flexibility to address the homeless issue. MR. ADAMS stated there is an item on the agenda that will provide a legislative update, and it would be appropriate to have an expanded discussion on that bill at that time.

46. Report by Staff and discussion for possible action regarding the Southern Nevada Plan to End Youth Homelessness, which will serve as a roadmap for partners working together to prevent and end youth homelessness in Southern Nevada - All Wards

Minutes:
KATHI THOMAS-GIBSON, Director, Office of Community Services, and ARASH GHAFOORI, Nevada Partnership For Homeless Youth, a community partner, presented. MS. THOMAS-GIBSON stated their office has been working on behalf of the City to identify a number of strategies and implement them effectively with their community partners to address all aspects of homelessness and submitted for the record Executive Summaries for the Southern Nevada plan to end youth homelessness.

MR. GHAFOORI stated he was excited to be presenting the first Southern Nevada plan to end youth homelessness. Referring to the Executive Summary, he noted Southern Nevada has the fifth highest prevalence of youth homelessness in the country. He relayed statistics as to the number of unaccompanied youth in 2018, those that were sleeping unsheltered and the number currently enrolled in the school district. In response to MAYOR GOODMAN'S question as to how "youth" is defined, MR. GHAFOORI explained for the purposes of this plan, the McKinney-Vento definition was used. Unaccompanied minors include up to age 18, and unaccompanied transition age youth are between 18 and 24.

He described why a plan specific to youth was needed, and provided various statistics regarding how many homeless youth are lured into prostitution and those at a higher risk of homelessness. He stressed the interventions needed for homeless youth are very distinct and that if something is not done, homeless youth can feed into chronic homelessness.

He spoke of the plan being created from a movement whose focus is to sustain a community-wide effort to end youth homelessness. The issue is very complex, and the solution does not lie with one agency or sector; it requires everyone working together. Two summits were held, a movement website was released, public relations campaigns to bring more visibility to the issue have launched, over 1,000 members of the community signed a pledge of support, and four academic papers from the Greenspun College of Urban Affairs were released, one of which estimated the annual cost of youth homelessness at $25 million to $35 million in addition to lost tax revenue.

The plan was a collaborative effort involving hundreds of people and more than 40 organizations. He noted the City of Las Vegas was involved at the leadership level and on the joint decision-making level. Staff also sat on the youth working group, and in the past, helped support the homeless youth advisory board.

MR. GHAFOORI noted MS. THOMAS-GIBSON was on the joint decision-making team. Photos were displayed of the planning process in action that involved over 200 hours.

The cover of the plan was displayed which was designed by an individual with living experience of homelessness. He described the plan as a roadmap to reach a sustainable end to youth homelessness in the community. He compared it to a North Star that bands together the community to sustainably end youth homelessness by laying out a plan; a common vision. He noted the plan includes two essays and a variety of quotes from homeless youth.

It is important to note that the plan began with the review of local data, needs and a gap analysis. He described their Vision for Success. The plan is driven by metrics and outcomes, and is built on a federal criteria to end youth homelessness as defined by the United States Interagency Council on Homelessness and input about the unique needs of Southern Nevada. He noted the number of goals, objectives and strategies associated with the plan.

He specifically pointed out that almost 25 percent of the strategies in the plan came directly from homeless youth, including Assembly Bill (AB) 363. MR. GHAFOORI reviewed the strategy focus areas which include legislative/policy, fundraising, public-private partnerships, housing and services and systems intersectionality. They strived for the plan to be comprehensive to address all aspects of youth homelessness. He commented on the strong partnership with the City of Las Vegas throughout the process and that MS. THOMAS-GIBSON also helped facilitate a breakout session at their first summit.

He stated it is their hope that the Council will adopt the plan to further incorporate it into the City's own planning process and other initiatives, that the City will continue to support public-private partnerships and other alignment opportunities and to sustain participation in implementation committees. This plan has already started producing results and has made its way to the State and Washington D.C. For those wishing to read the full plan, he referred them to the website www.nphy.org/themovement.

MR. GHAFOORI concluded his presentation by reading a quote from a homeless youth that was present, who MS. THOMAS-GIBSON asked to stand.

MAYOR GOODMAN commended them stating the City has been involved in ending youth homeless for over a decade, but nobody seems to take responsibility to do something. She thought data should be collected regarding demographics. MS. THOMAS-GIBSON noted demographic information is available in the full plan with a focus on Southern Nevada, but staff will forward that to the Council. Moving forward, the Mayor thought as information is printed, that should be included to provide a comparison. MR. GHAFOORI confirmed their intent with the summits is to update the community and the plan.

COUNCILMAN COFFIN asked about funding. MS. THOMAS-GIBSON explained there were public and private dollars involved from a number of sources for some of the summits. With regard to services to youth, most were Continuum of Care dollars and individual organizations raising their own money or writing their own grants. One of the things they are striving for is integration of those funding sources. The Councilman asked about the local authority to raise money. MS. THOMAS-GIBSON stated if the Council adopts the plan, it in effect directs staff to work on that service integration work. COUNCILMAN COFFIN expressed frustration after presenting 20 pounds of studies, minutes, documents, etc. over the last four years to the Senate Committee requesting local municipalities be given the authority to raise money for the homeless. The Assembly stripped the bill and passed it with no money; so it is now in the hands of the Senate. He thought everyone gave lip service but no one wanted to give funding. He noted AB 363 mentioned earlier by MR. GHAFOORI does not provide funding, but rather a waiver of the examination fee for those young adults getting their driver’s license.

MR. GHAFOORI stated they share the same frustrations which is why the movement was created to include the private side of the community. Long-term systemic changes take time. He agreed several different pockets of money need to be integrated to address this issue. COUNCILMAN COFFIN stressed the City needs the authority to help put money where it is needed.

COUNCILMAN CREAR asked how many street homeless youth there were. MR. GHAFOORI stated on any given night in Southern Nevada, that number was estimated to be just over 1,500. The Councilman asked if that number has grown over the years. MR. GHAFOORI stated the Point in Time Count suffers from a lot of fluctuation and methodology issues. That number has been on the rise for many years, but dipped last year due to methodology and the school district not counting certain youth that had been counted in years past. MAYOR GOODMAN stated according to DR. JESUS JARA, Clark County School District (CCSD) Superintendent, there are over 15,000 CCSD youth that are homeless. MR. GHAFOORI added CCSD contributes to the Point in Time Count, but the methodology was changed last year. The population of homeless youth in CCSD has been on the rise every year for at least eight years. COUNCILMAN CREAR asked how the success of the collaborative effort would be determined. MR. GHAFOORI stated the success of the plan would be that there are enough resources and systems working together in the community where youth do not fall through the cracks and turn to the streets. It is their goal to get that number down as low as possible and to make sure the plan provides a platform to address youth homelessness.

COUNCILMAN CREAR asked about funding and sustainability. MR. GHAFOORI stated this is an overarching strategic plan that identifies the need to dig down into this issue more regarding data, funding and partnerships between systems. They are currently working with the University of Nevada, Las Vegas regarding the cost of addressing this issue. The first study related to the costs associated with doing nothing about the issue which he reiterated was between $25 million and $35 million per year plus $1 million in lost tax revenue. The next goal is to put together a price tag for the community as to what it will cost to do something. They want to build a healthy system where the youth exist and do not come back in three months. COUNCILMAN CREAR looks forward to that conversation and understanding the associated costs and how it will get funded.

MAYOR GOODMAN highly recommended that the Council adopt the efforts to end homelessness amongst youth, but not adopt a specific plan because it is too broad and open-ended at this point. The City has been supportive of ending youth homelessness for over a decade and is supportive of the movement and the plan, but more specifics are needed.

In response to the Mayor asking if the City specifically has put any money towards this yet, MS. THOMAS-GIBSON explained there have been some philanthropic contributions through the Mayor's Fund in the form of a $20,000 contribution and a $25,000 contribution from the private sector. That money is being used to help the youth who come through The Courtyard transition either to one of the community partners or reconnect with family if an appropriate option. One staff person is assigned to specifically deal with homeless youth. In summary, the City has made a contribution both with staffing and via the Mayor's Fund with philanthropic contributions. The Mayor spoke of the Mayor's Fund for Las Vegas LIFE and making specific donations through the Nevada Community Foundation being earmarked for a specific cause. The two contributions mentioned are wonderful, but they have a long way to go. She thanked them for their continuing efforts.

COUNCILWOMAN TARKANIAN asked if steps such as increasing family engagement and creating support groups were already in process. MR. GHAFOORI stated the plan has been prioritized, and there are some things that have already been checked off. He pointed out what was distributed was the Executive Summary, but that the entire plan is almost 40 pages and contains many elements that were discussed. The plan also identifies those elements that can be done without funding; i.e., bringing people together, better aligning case management and intake, etc. When the money comes, a blueprint is still needed to ensure the money is equitably doled out to actively and sustainably end youth homelessness, which is what the plan outlines. The Councilwoman appreciated MR. GHAFOORI'S passion and thought it was wonderful to have a plan, but thought specificity was lacking in some areas. She spoke of her time on the school board in the early 1990s as it related to the homeless population. As suggested by the Mayor, she asked him to come back with more specifics. She respects what is being done because she thought the school district should have done more.

COUNCILMAN COFFIN pointed out Dillon's Rule prevents the City and County from raising fees without being sanctioned by the State, which only meets every two years. He spoke of the need for the Senate Committee to restore the funding the Assembly removed from AB 73 and that nothing can be done without legislature approval.

Motion made by Carolyn Goodman to adopt and support a program to end youth homelessness through this movement

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

47. Report by Public Works and City Attorney staff regarding the establishment and operations of High Occupancy Vehicle (HOV) lanes within the City of Las Vegas limits - All Wards

Minutes:
MIKE JANSSEN, Director of Public Works, and DEPUTY CITY ATTORNEY JOHN RIDILLA presented on this item. Using the attached PowerPoint presentation, they provided a status update on Southern Nevada's HOV (High Occupancy Vehicle) system changes that will go into effect on May 20, 2019, an example of full-time and part-time HOV systems and the reasons they are used, feedback from recent City of Las Vegas social media polls on HOV lanes, the Nevada Department of Transportation's (NDOT) commitment to address the Council's concerns, the State Transportation Board's (STB) role in HOV lane policy, the US 95 widening 2005 settlement with Sierra Club lawsuit, State laws related to establishment and operation of HOV lanes, municipal authority of roads and highways and Federal policy related to the HOV system.

MR. JANSSEN commented NDOT did a great job keeping everyone informed of the upcoming change where starting May 20, 2019, the HOV system will be implemented 24 hours a day, seven days a week, 365 days a year. This means the HOV lanes cannot be used unless there are at least two people in the vehicle; exceptions include buses, emergency vehicles and motorcycles. COUNCILMAN COFFIN thought the statute that passed allowed the ability for electric and hybrids to use the HOV lanes also. MR. JANSSEN indicated Nevada Revised Statute (NRS) gives the authority to determine which vehicles can use the HOV lanes to NDOT, but under the new regulations, electric vehicles will no longer be considered an exception.

He noted major changes are occurring with the completion of Project Neon. There will now be 22 miles of continuous HOV lanes starting on Interstate 15 at about Silverado Ranch Boulevard to the south up to the Elkhorn Bridge on US 95 to the north, with a dedicated direct access interchange on the Elkhorn structure. Dedicated bridges will take drivers through the Spaghetti Bowl where previously they were required to get out and merge with the rest of traffic. Project Neon also added an additional HOV only interchange at Neon Gateway located midpoint between Oakey Boulevard, Wyoming Avenue, and Charleston Boulevard. Additional access points, even if HOV restricted, add value to the transportation system.

He showed a comparison of the old and new signs, specifically noting the change from restricted lane usage during certain hours to now being 24 hours with no exceptions. The full-time/part-time restrictions are dependent on area demands related to traffic volumes and commuter patterns. MAYOR GOODMAN asked if technology would be used to catch offenders. MR. JANSSEN stated at the last Council meeting, a representative from the Nevada Highway Patrol (NHP) was present and COUNCILMAN ANTHONY represented the Las Vegas Metropolitan Police Department (Metro), and currently no cameras or sensors will be utilized; it will be enforced with officers who will be controlling these lanes. There is the potential for technology, but it has not yet been approved for this type of enforcement.

He provided a snapshot of the results of the social media polls conducted through Facebook and the Nextdoor application, specifically noting concerns with the 24/7 operation and the high percentage of individuals that do not use the HOV lanes.

MR. JANSSEN noted NDOT's commitment to a three-year trial period to collect system metrics to determine if the data justifies the continuation of the 24/7 HOV operation. If the data does not support the necessity for a full-time operation after that timeframe, NDOT would consider reverting the HOV lanes back to part-time.
He compared the STB to being NDOT's City Council whereby they hear policy decisions from NDOT's perspective. He read NRS 408.131 into the record, noting that the HOV change coming is a policy-level decision, and the STB has to endorse that decision. The Southern Nevada board member representatives were VIRGINIA VALENTINE and FRANK MARTIN. Additionally, GOVERNOR STEVE SISOLAK Chairs the STB, the Lieutenant Governor and Controller also sit on that Board, and the remaining members are appointed by the Governor.

With regard to the 2005 US 95 Widening Sierra Club Lawsuit, MR. RIDILLA stated he reviewed the settlement as well as the complaint filed by the Sierra Club that at the time, halted the widening of US 95. The lawsuit was largely related to particulate matter that was generated by vehicular traffic, specifically diesel traffic such as construction vehicles and heavy trucks on the roadways. NDOT made significant commitments to the school district; mostly related to those schools adjacent to the freeway. This involved reconstructing schools and funding various measures to lower construction vehicle disbursement to improve air quality regionally. As part of that settlement, NDOT completed the environmental impact statement for the project, and the record of decision that was accepted by the Federal Highway Administration (FHA) included the inclusion of HOV lanes along the US 95 corridor. He did not see anything specific relating to the 24/7/365 versus restrictions during certain times of the day. Normally, HOV lanes are confined to peak a.m. and p.m. hours, so it is a policy decision how to operate.

MAYOR GOODMAN asked about the size of the settlement. MR. RIDILLA responded it was a significant figure as they relocated a couple of modular classrooms and contributed one million dollars for a three-year period to lower construction diesel emissions, and they hired consultants that assisted the school district in enhancing the design of the structures to better remove the particulate matter from the air filtered into the school.

MAYOR GOODMAN asked if any medical studies were done on the students that passed through the schools. MR. RIDILLA stated the Sierra Club presented studies as part of the litigation, but he was unsure if anything was done specifically for the students that attended those schools. The Sierra Club looked at broader studies done throughout the world as a basis for the litigation.

MR. RIDILLA reviewed the authority of NDOT and the City, noting if the City tried to approve an ordinance in order to regulate NDOT right-of-way, it would have to be accepted by the STB. MAYOR GOODMAN mentioned the trade the City made with NDOT with regard to Charleston Boulevard and Summerlin Parkway. MR. JANSSEN confirmed with the recently approved transfer of Summerlin Parkway to NDOT in exchange for the City taking control of portions of Charleston Boulevard, Sahara Avenue and Fremont Street, Summerlin Parkway would become under the control of NDOT. He noted currently there is an HOV lane on Summerlin Parkway ending close to Buffalo Drive. At full buildout, the master plan identified for HOV lanes showed a desire to have the HOV lanes extend further west to approximately Rampart Boulevard. The agreement still has to be signed off by the Governor followed by a 30-day period before it becomes effective, but by the end of June, the transfer should be 100 percent complete with no recourse for the City to augment that transfer regarding HOV lanes on Summerlin Parkway.

MR. RIDILLA stated NRS basically states NDOT has the authority over their roadways and the City has authority over its roadways; if the City wants to do anything on NDOT roadways within the City's jurisdiction, it would need the approval of the STB. He also noted the FHA largely funds NDOT's improvements on the interstate system to the tune of 90 percent with a 10 percent state match. Most of the environmental work that occurs ultimately has to have the approval of the FHA. All of the documents for Interstate 15 widening indicated there were HOV lanes. To eliminate HOV lanes in totality, would require the re-opening of the environmental impact statement with the FHA, and if NDOT chose to do it arbitrarily without the FHA approval, they may be required to pay back the 90 percent contribution from the federal government using the fuel and motor vehicle tax money. His understanding is that NDOT had an HOV commitment through Southern California and the State of Nevada to have this HOV system through the urban areas as part of a regional system. It would be a challenge to eliminate them in totality, but the time restrictions may be open for discussion.

COUNCILMAN ANTHONY asked KEN SMITH, Fox 5 Traffic Anchor, to come forward and comment on this matter. MR. SMITH stated he has been reporting traffic movement in the valley since 2006. It sounds like per state law there is not much the City Council can do, but he expressed concern that the HOV lanes on Interstate 15 will increase congestion. About 10 percent of the valley carpools; however, taking away a traffic lane where the freeway did not get widened, means 20 percent of the traffic capacity will disappear creating a recipe for additional congestion and gridlock. He noted the Southern Nevada HOV Study specifically states that the goal is to create more congestion in the hopes of changing social behavior to get people to carpool. NDOT is aware of their own HOV study that states they need to make the general purpose lanes more congested in the hopes it will change behavior and people will carpool.

He was told off the record that NHP has been pushing hard for the 24-hour restriction because they are too busy to write tickets to carpool violators during peak hours. By making it 24 hours, they do not have to worry about what time of day it is because he was told NHP has written tickets accidentally during off-peak hours which causes embarrassment. Additionally, he believes the double-white lines with restricted entry points will be problematic for tourists. Although NHP is giving a 30-day grace period, it is confusing for drivers, and based on his experience, will make matters worse for the community.

COUNCILMAN ANTHONY agreed with MR. SMITH that this is social engineering to try to get people to carpool and use the HOV lane, but he believes that to be a complete waste of time and will not happen. People in the community, especially in the northwest, want to drive their own vehicle and go where they want with no one else in the car; carpooling is an inconvenience. He thought it interesting that the HOV lanes were created because of a lawsuit and thought it was unfair to dedicate a road that the taxpayers paid for to a certain group of people that almost certainly down the road will become a toll road. He also thought it unfair to charge people to use a road, the policy was wrong and that there should not be HOV lanes.

He said it sounded as if the City Council could pass an ordinance petitioning the NTB to change their mind and referenced speaking to one NTB member who is against HOV lanes. Other than that, the City of Las Vegas does not have much authority.

The Councilman stated as far as enforcement, he believes neither LVMPD nor NHP have time to enforce the HOV lanes. Their primary mission is to reduce accidents and injuries and to save lives. HOV lanes do not create accidents, injure or kill anyone, so enforcement will only take place once in a while because there are not enough officers. They are looking for drivers who are speeding, changing lanes unlawfully, driving impaired, etc. And if it is not enforced, people will take their chances and use the HOV lane, and 95 percent will get away with it.

With regard to the penalty for driving in an HOV lane, COUNCILMAN ANTHONY thought it was outrageous to charge $280 for a citation. He indicated he already talked to the City Attorney about dropping the violation down to that of a parking ticket, which is $10, and he asked CITY ATTORNEY BRAD JERBIC to comment. MR. JERBIC stated the City Attorney's Office looked into this. Their Criminal Division prosecutes a number of misdemeanors which they have to prioritize, with battery domestic violence and drunk driving at the top of that list. They handle things such as petty larceny as well. When it comes to traffic infractions, violations such as speeding and running a red light or stop sign which are life-threatening have fines that are either less than or the same as driving in an HOV lane, which is not life threatening. After discussing this with the head of the Criminal Division, an internal decision was made to negotiate HOV violations down to parking tickets with a minimal fine.

COUNCILMAN ANTHONY stated he may consider asking the City Council to pass an ordinance to send to the NTB. Speaking to the citizens of Las Vegas, he stated it will be against the law to travel in the HOV lane without someone else in the car, but the likelihood of getting caught is minimal, and if caught, the fine will be minimal. MAYOR GOODMAN noted the Councilman's passion on this issue, but that he was not encouraging drivers to break the law. She thanked staff for their report.

COUNCILMAN ANTHONY appreciated the work staff put into this report which he requested more information on at a previous City Council meeting. He also thanked MR. SMITH for his comments.

See Item 9 for related discussion.

48. Report by Staff on the 2019 (80th) Session of the Nevada Legislature - All Wards

Minutes:
CHIEF OF STAFF TED OLIVAS and BOB OSTROVSKY, contract lobbyist with The Ferraro Group, presented using the attached PowerPoint. RYAN BLACK, Legislative Liaison, was also present.

MR. OLIVAS stated staff is still tracking almost 400 bills that are in play for the City with the legislative session ending June 3, 2019. Upcoming deadlines include May 17, 2019 for the Second House Committee passage and May 24, 2019 for the Second House passage.

Assembly Bill (AB) 73 addresses the homelessness issue and was amended by the Assembly Taxation Committee from a real property transfer tax and sewer surcharge proposal to a Southern Nevada working group. The bill now states that the cities in Clark County and Clark County itself will get together to discuss the issue and identify current sources of revenue or other new potential sources. That bill was passed out of the Assembly with a hearing on May 14, 2019 in the Senate Revenue and Education Committee.

An amendment to AB 309 was introduced on May 14, 2019 regarding the Board of County Commissioners of each county raising the sales tax by one-quarter of one percent. While it is related to education, there is a provision that it can be used for programs related to early childhood education, adult education, reducing truancy and homelessness, affordable housing, etc. While that does not fix the homeless funding problem, he wished to make the Council aware of it because it is something new.

COUNCILMAN COFFIN asked who would be voting on the sales tax issue. MR. OLIVAS responded the bill indicates that the County Commission would vote for the sales tax increase. With health and sanitation being critical, MAYOR GOODMAN expressed confusion as to why the City of Las Vegas cannot implement a sewer fee increase to take care of the urine and defecation on its streets caused by the homeless. The City owns and runs the City, and she did not understand what the legislative body had to do with the City keeping its citizens safe and in a healthy and sanitary environment.

MR. OLIVAS stated he is not a legal advisor, but staff is handcuffed. The Mayor stated she was speaking strictly about health and sanitation and not about the real estate tax. MR. OLIVAS stated there is a recognition that the homelessness issue is not within the confines of the boundaries of the City of Las Vegas; it is a regional issue. MAYOR GOODMAN agreed, but the Council is responsible to the citizens of the City, not the unincorporated Clark County. COUNCILMAN COFFIN added the City is at the mercy of the State Legislature as far as what it can do.

When Dillon's Rule was modified in 2015, MR. OSTROVSKY stated it was very clear that the Legislature was very adamant about the ability to raise fees. The City is running a sewer system now, charging its citizens and collecting fees. He thought the City Attorney may wish to advise the Council as to what extent the City has the ability to modify those fees internally and if that violates Dillon's Rule. Staff took the route to go to the Legislature to obtain authorization, but the Mayor may be suggesting another avenue. MAYOR GOODMAN asked legal counsel to look into this within the confines of the City specific to the sewer fee dealing with health and sanitation.

DEPUTY CITY ATTORNEY JEFF DOROCAK asked if he should weigh in at this point, but the Mayor preferred having a report that is 100 percent fail-safe where the City can do what it wishes with regard to sewer fees. COUNCILWOMAN TARKANIAN added when the City was first organized, the top two responsibilities were health and safety which she believes gives them the right to do what they need to do with regard to this.

COUNCILMAN COFFIN commented there is an unwritten bias against the sewer fee in the minds of some of the Legislators because of the improper handling of funds in North Las Vegas where monies were taken from their Enterprise Fund and used for their General Fund. He suggested to Legislators that they include any safeguards necessary so the monies are used for what is intended.

MR. OLIVAS showed slides of the various bills along with a brief description. These included AB 236, AB 325, AB 533 and Senate Bill (SB) 245. He noted AB 533 is a new 256-page bill that was introduced on May 14, 2019 and includes provisions related to marijuana consumption lounges. Staff is working with the City Attorney's Office and Business Licensing to review this to see how it relates to what the City has done. He also reviewed AB 326, AB 385 and SB 465 related to economic development and AB 322, SB 84, SB 147, SB 444 and SB 543 related to education. Of specific note is SB 543 which is the new very large and complex public school funding bill which redistributes the same revenue stream to various schools.

MAYOR GOODMAN asked if the bill was in relation to student education, salaries of faculty and staff or school construction. MR. OLIVAS believed it was all of these things but would verify that and get back to her. MR. OSTROVSKY added he thought the majority of the bill was focused on replacing the distributive school fund, which is a per pupil funding. There are a lot of questions as to whether it can be used for construction, maintenance, special needs, etc. That has not yet been vetted, but this particular bill would not take effect in this biennium. Noting that she and COUNCILWOMAN FIORE sit on the Las Vegas Convention and Visitors Authority, the Mayor stated in 1995 out of the room tax monies coming into the state, no money was allocated to education. By 1997, a portion was allocated specifically to school construction, and four years ago technology hardware was added as a piece that could be incorporated into that funding. As of two years ago, 39 cents of every room tax dollar that comes into the state of Nevada is allocated to school construction, and she wondered where that money was.

MR. OLIVAS stated he would follow up with the Council the week of May 20, 2019 as staff is still reviewing these bills. Information not included on the presentation slides related to SB 545 which dedicates 10 percent of the state's marijuana money to school funding. He clarified for COUNCILWOMAN TARKANIAN that the State gets 10 percent across the state of all marijuana sales, and that money will go to the public schools. The Councilwoman asked if there was something stating it would not go towards salaries. MR. OLIVAS stated it simply says school funding, but staff will get additional information.

He went on to discuss AB 50, AB 259 and AB 345 related to elections and AB 443, SB 111, Senate Joint Resolution (SJR) 14 and SB 419 related to finance/taxes. Discussion took place between COUNCILWOMAN TARKANIAN and MR. OLIVAS regarding the 50 plus one percent provision regarding the primary election.

Additionally, MR. OLIVAS reviewed AB 174, SB 104 and SB448 related to homelessness and affordable housing and AB 128, AB492, SB215 and SB381 related to insurance and worker's compensation.
Public records bills include AB 371, SB 287 and SB 388, and Public Works bills involve AB 136/190, SB 207 and SB 340. Staff believes the Public Works' bills will pass, resulting in a fiscal impact to the City.

A lot of discussion has taken place in briefings regarding the traffic violation bills affecting Municipal Court. AB 110, AB 411, AB 416 and AB 434 have a large fiscal note amounting to approximately $15 million and are a big concern. It is hoped the changes made have either eliminated or greatly reduced that fiscal note.

MR. OLIVAS stated what was presented are not all of the bills being monitored. This is crunch time in Carson City, and the last three weeks of the session will be very busy with a lot of bills still in play; however, staff will provide weekly updates.

With regard to AB 385, MR. OLIVAS confirmed for COUNCILMAN CREAR that the language regarding expanding the SNEC (Southern Nevada Enterprise Community) boundaries includes the surrounding areas. He thanked ASSEMBLYWOMAN HEIDI SWANK for her part in expanding it into the Historic Westside, which he believed was the intention of the bill. He also thanked ASSEMBLYMAN WILLIAM McCURDY for leading this charge. At the request of COUNCILWOMAN TARKANIAN, MR. OLIVAS stated he would provide the Council with the SNEC boundaries.

MR. OSTROVSKY provided what can be expected over the upcoming three weeks. While it sounds as if nothing has been achieved yet, all of the bills are still in play. Many bills that were just discussed are still in the House of Origin, or are in Finance and Ways and Means due to the associated fiscal note. All with fiscal notes will be heard the week of the May 20, 2019. With the 10 percent marijuana tax being proposed to move into the DSA (Distributive School Account), many bills that relied upon that revenue to achieve a policy goal will fall by the wayside or will become authorized in policy but not be funded. It is a difficult time in the Legislature because once decisions are made on the individual bills, the following week is spent trying to close out the school budgets. The Legislature has one job, and that is to create a budget, pass it and move it to the Governor's Office for signature and balancing. Other policy issues are being addressed and processed at the same time. The marijuana money being moved does not solve the school funding problem. The Governor has made a commitment to raise teacher salaries, and he expects the Legislature to deliver on that. The problem is that when money is moved around, it creates a hole in an existing budget. There are only so many dollars to go around, and the Governor has committed not to support a tax increase.

Some believe the sales tax authority they would like to give the County Commission will supplant existing money in the State budget so they can move that money into school funding. This needs to be flushed out in hearings as there are a lot of competing interests. The Governor's interest is paramount because he sets the budget, and he set the tone at the Legislature. MR. OSTROVSKY believes they will try to achieve the Governor's goals, but the pie is only so large because it is set by the economic forum so something will have to give along the way.

MAYOR GOODMAN noted the allocation of $5,700 per pupil in Clark County amounts to $5.34 per hour per student to learn and become a productive citizen, which she found appalling. She noted babysitters are paid more than that per hour, and it was no wonder children were not being properly educated.

COUNCILMAN COFFIN thanked the Mayor for being so passionate about this topic. He also mentioned the time COUNCILWOMAN FIORE spent in the Legislature. With his pending departure from the Council, he noted the Constitution states he can still serve eight more years in the Assembly. The Mayor noted this was the Councilman's 200th straight meeting without having missed a meeting.

COMMUNITY SERVICES - DISCUSSION

49. Discussion for possible action regarding the submittal of the City of Las Vegas FY 2019-2020 Action Plan that secures approximately $9,248,471 in United States Department of Housing and Urban Development (HUD) and approximately $1,341,170 in State of Nevada Home Investment Partnership Funds and Low Income Housing Trust Funds (LIHTF) totaling $10,589,641 - All Wards

Minutes:
Items 49-53 were heard together.

KATHI THOMAS-GIBSON, Director, Office of Community Services, and TERRI JANISON, Chair, Community Development Recommending Board (CDRB), appeared. MS. THOMAS-GIBSON explained the CDRB is appointed by the City Council to oversee and allocate federal funding, and Items 49-53 relate to this annual funding. HUD (United States Department of Housing and Urban Development) requires public discussion as to how the dollars are being allocated. The money goes to not-for-profit partners who provide services and a wide range of community development activities all over the city. The City is a formula grantee, which means a set amount of Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG) and Housing Opportunities for Persons with AIDS (HOPWA) dollars are received, and in order to continue to receive such funding, the City is required to submit an annual action plan, which Item 49 does.

This action plan established priorities for the upcoming year and strategies around public facilities, affordable housing, infrastructure and public service programs. The public comment period was just completed which allows the general public to provide feedback. She noted the plan is available on the City's website for review. A PowerPoint presentation is included in the backup that documents activities in each funding source area.

MS. JANISON stated she was happy to bring an item before the Council where the City can spend money to help the community they serve. It was her honor to serve as Chair of the CDRB, which consists of 13 community members appointed by the Mayor and the members of the Council.

She explained this year the CDRB conducted a review of the applications in a different way, in that the Board was responsible for reviewing the progress of 32 agencies that were awarded first-year funding of a two-year funding cycle. Recommended awards were based on available funding in the amount of $761,198 in CDBG funding, $408,696 in ESG program funds and $1,661,578 in HOPWA program funding.

Based on the performance of these agencies, the Board made recommendations whether to continue or discontinue funding based on how the program fit into the City Council's priority focuses of Homelessness, Seniors, Youth and Special Needs. The CDRB made 13 award recommendations in the homeless focus area totaling $729,682. Seven of these awards are CDBG public service funded and six of the awards are ESG funded. Four award recommendations, all of which were CDBG service funded, were made in the Seniors focus area totaling $160,227. Six award recommendations were made in the Youth/Early Childhood focus area. Each were CDBG service funded with a total recommended amount of $166,192. The CDRB also made 10 award recommendations in the Special Needs focus area totaling $1,328,086; three were CDBG funded and seven were HOPWA funded.

She thanked the Council for the opportunity to serve on the CDRB and mentioned the members thought the two-year cycle worked out very well. MAYOR GOODMAN highly recommended that continue. She thanked MS. JANISON for her service and for her family's impact on the community.

COUNCILWOMAN TARKANIAN asked staff about the senior homes that HUD operates. MS. THOMAS-GIBSON responded the City does not oversee those projects, but staff tries to respond to constituent calls when received if there are issues. The Councilwoman spoke of several issues and hoped a new senior home would be built where Jamestown is. COUNCILMAN CREAR stated the Councilwoman's concerns are heard and are being addressed. He met with the Executive Director of the Southern Nevada Regional Housing Authority on May 14th where he and his staff raised that issue. There are plans to redo that facility, but there is a process because of the federal dollars involved. In the interim, the Executive Director goes to Jamestown often and is doing what he can.

The meeting was recessed at 12:10 p.m.

Motion made by Lois Tarkanian to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

50. Discussion for possible action regarding the FY2019-2020 grant funds allocation of $1,712,967 for Housing Opportunities for Persons with AIDS (HOPWA) to the City of Las Vegas by the United States Department of Housing and Urban Development (HUD) - All Wards

Minutes:
See Item 49 for related discussion and backup.

Motion made by Lois Tarkanian to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

51. Discussion for possible action regarding the FY2019-2020 allocation of $441,833 in Emergency Solutions Grant (ESG) funds to the City of Las Vegas by the United States Department of Housing and Urban Development (HUD) - All Wards

Minutes:
See Item 49 for related discussion and backup.

Motion made by Lois Tarkanian to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

52. Discussion for possible action regarding an estimated FY 2019-2020 allocation of $2,019,021 in Home Investment Partnerships Program (HOME); $963,169 in State Low Income Housing Trust Fund (LIHTF); $378,001 in State HOME funds to the City of Las Vegas by the United States Department of Housing and Urban Development (HUD) and State of Nevada Department of Business and Industry Housing Division (NHD) - All Wards

Minutes:
See Item 49 for related discussion and backup.

Motion made by Lois Tarkanian to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

53. Discussion for possible action regarding an allocation of $5,074,650 in FY2019-2020 Community Development Block Grant (CDBG) funds to the City of Las Vegas by the United States Department of Housing and Urban Development (HUD) - All Wards

Minutes:
See Item 49 for related discussion and backup.

Motion made by Lois Tarkanian to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

OPERATIONS AND MAINTENANCE - DISCUSSION

54. Discussion for possible action to approve a Lease Agreement between the City of Las Vegas and The Neon Museum for the lease of the building and improvements known as the Reed Whipple Cultural Center located at 821 Las Vegas Boulevard North - Ward 5 (Crear)

Minutes:
The meeting was reconvened at 12:33 p.m.

JERRY WALKER, Director of Operations and Maintenance, stated this item is a lease agreement for the Reed Whipple Cultural Center between the City of Las Vegas and The Neon Museum. The initial term is three years with a 27-year renewal option. The unit will be repaired and refurbished during the first three years to get it into operating condition for part of The Neon Museum complex.

ROB McCOY, Chief Executive Officer, The Neon Museum, and CURT CARLSON, Vice Chair of The Neon Museum Board of Trustees and Architect of Record, SH Architecture, were also present.

MR. McCOY provided a brief overview of where The Neon Museum is currently. They will have had 245,000 visitors this fiscal year, which ends June 30th; this is a 30 percent increase year over year. The museum is becoming not only a national museum, but an international museum. Annual revenue totaled $6.3 million; which also is a significant increase. He noted the total number of employees, the number of artifacts and the $7.2 million economic impact to downtown Las Vegas. They are currently halfway through the accreditation process with the American Association of Museums and should be fully accredited by next year. This project is being called Neon 2020 because it involves more than Reed Whipple. He explained they are going to be expanding up because they cannot expand out. A rendering was shown of the 30-foot steel grids which will be constructed around the north perimeter of The Boneyard around to the east side which will provide the ability to display many more signs.

MR. CARLSON stated over the past couple of years they have worked with staff in Public Works, Planning and Engineering regarding improvements to Las Vegas Boulevard’s future right-of-way that will impact the property. They have also met with the Department of Building and Safety for the improvements and modifications of the building itself. The first phase of the major modification will be restoring power to the building, as someone stole all of the underground feeds. Additionally, there is no HVAC to the building due to vandalism and looting. The restrooms will be upgraded and remodeled to meet ADA (Americans with Disabilities Act) compliance along with replacing the copper piping that was ripped out of the walls. The first floor auditorium space will be remodeled into a multi-purpose room, indoor display and event space for the museum and the previous pottery kiln area will be remodeled in the future into a working neon fabrication area for education and display.

Outside improvements include upgrading the parking lot lighting, the property line walls to the south and adding secure outdoor storage for the signs. Additionally, they are looking to develop a taxi ride share and bus drop-off area on the property to relieve congestion. The facade will be upgraded to include repairing doors and windows, painting the exterior and new signage for the building.

MR. CARLSON noted one of the prime aspects of the renovation is to preserve the original mid-century design characteristics of the building and strengthen the ties between the La Concha shell across the street. Because he is a resident of a mid-century neighborhood in downtown Las Vegas, he has a vested interest in this project. If approved, they are poised to move ahead with the final engineering and architectural plan approvals for the improvements to the building.

MAYOR GOODMAN asked if this would allow them to relocate their signage that is stored at the Las Vegas Review Journal (LVRJ). She also asked if they would be using the property the City has to the west of Reed Whipple. MR. McCOY confirmed there will be a third boneyard on the west side of Reed Whipple. There are a couple of years left on their leases with the LVRJ, but with everything anticipated to be completed in the next two-and-a-half years, they will be able to move all of their operations out of the LVRJ and into Reed Whipple at that time.

As the City is looking to alleviate issues with its veterans, MAYOR GOODMAN asked if the open property line that abuts Veterans Memorial Drive will be fenced. MR. CARLSON explained there will be a new concrete wall on the south side of the property from Las Vegas Boulevard to Veterans Memorial Drive on the east, and the storage yard on the east side will be a secured storage area.

MAYOR GOODMAN asked about the timeline. MR. CARLSON stated they have to go through the typical City process of submitting improvement plans and a site development plan review. He estimated it would take approximately three months to obtain these permits, and construction would take approximately another six to eight months. MR. McCOY added they have already identified their contractor, which is SR Construction.

MAYOR GOODMAN asked if the University of Nevada, Las Vegas (UNLV) was involved. MR. McCOY responded he has an entire education department that is working with UNLV as well as the Clark County School District, and they are constantly working those relationships.

COUNCILWOMAN TARKANIAN commented on how much they have achieved from when they first started and gave them accolades. MR. McCOY commented how this was the perfect deal architecturally, as the Reed Whipple Center and La Concha lobby were built during the same era, and it is nice to have that representation on both sides of Las Vegas Boulevard. A rendering of the façade was shown, and MR. CARLSON explained for the Mayor they want to maintain all of the major elements of the façade and do not plan on changing the character or feel of the elevations; the decorative metal work is original.

COUNCILMAN CREAR thanked the applicants for taking over a very valuable property and turning it into something that will be a reinvestment into the community.

COUNCILMAN COFFIN asked staff about the status of the Blue Angel sign. MR. WALKER stated it has always been an outdoor statue, but it is covered and well protected. The Request For Proposal will go out June 1, 2019, and they expect to have the bid awarded by mid-July, with the hope of having it to the vendor to refurbish in August and standing in Five Points by the end of the calendar year. The Councilman asked about the other pieces from the entrance to the Blue Angel Motel. MR. WALKER stated per the agreement with the Blue Angel, they wanted the City to maintain control, so the Blue Angel and crescent moon sign will stand in Five Points. There are no such rest restrictions on the other four signs he went back and got a year later. Once The Neon Museum has more space, storing the signs there may be an option.

Subsequent to the motion and vote, MR. McCOY commented with COUNCILMAN COFFIN'S upcoming departure from the Council, he wished to state the Councilman has known his family for over 60 years, and while they have not always agreed politically and on policy issues, the Councilman's love for the state of Nevada, particularly the city of Las Vegas, is not debatable. He thanked the Councilman on behalf of the McCoy family and The Neon Museum.

Motion made by Cedric Crear to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

PLANNING - BUSINESS LICENSING - DISCUSSION

55. 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)

Motion made by Lois Tarkanian to Withdraw without prejudice Item 55

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

56. Discussion for possible action regarding the approval of an Appeal of a Work Card Denial for Joseph Magdaleno Elisarraras Jr. db at Nevada Wellness Center Inc. at 3200 South Valley View Drive - Ward 1 (Tarkanian)

Minutes:
MARY McELHONE, Deputy Planning Director, stated the applicant mistakenly went to the Las Vegas Chamber of Commerce. As such, she stated FRANK HAWKINS, owner of Nevada Wellness Center Inc., and who supports the applicant, requested this item be abeyed to June 5, 2019.

Motion made by Lois Tarkanian to Hold in Abeyance to 6/5/2019

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

BOARDS AND COMMISSIONS - DISCUSSION

57. Discussion for possible action regarding the appointment of nominee Caroline Mozdean to the Ward 6 seat of the Senior Citizens Advisory Board

Minutes:
COUNCILWOMAN FIORE stated she was delighted to appoint CAROLINE MOZDEAN and thought she would be a great addition to the Senior Citizens Advisory Board.

Motion made by Michele Fiore to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

58. Discussion for possible action regarding the appointment of nominee Brian M. Wilson to the Las Vegas-Clark County Library District Board of Trustees

Minutes:
COUNCILWOMAN FIORE stated she was excited to appoint BRIAN WILSON to the Las Vegas-Clark County Library District Board of Trustees. MR. WILSON was one of her policy directors in Carson City and is also one of her constituents in northwest Las Vegas.

Motion made by Michele Fiore to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

59. Discussion for possible action regarding the appointment of nominee Eric Preiss to the Audit Oversight Committee

Motion made by Carolyn Goodman to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

60. Discussion for possible action regarding the appointment of nominee Mark Brandenburg to the Commission for the Las Vegas Centennial

Motion made by Carolyn Goodman to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

61. Discussion for possible action regarding the reappointment of Mayor Carolyn Goodman to the Las Vegas Convention and Visitors Authority

Motion made by Bob Coffin to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

62. Discussion for possible action regarding the temporary appointment of nominee Gus Flangas to the Ward 2 seat of the Planning Commission

Motion made by Carolyn Goodman to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

63. Bill No. 2019-13 - For possible action - 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:
Second reading and Bill adopted as introduced as Ordinance No. 6687.

See Item 64 for related discussion.

Motion made by Stavros Anthony to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

64. Bill No. 2019-14 - For possible action - 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:
COUNCILWOMAN TARKANIAN asked about the costs relating to Item 63, but noted she had not received any complaints.

Second reading and Bill adopted as introduced as Ordinance No. 6688.

Motion made by Stavros Anthony to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

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.

65. Bill No. 2019-15 - Amends LVMC 16.16.030 and LVMC Chapter 9.28 to authorize the City to treat certain fireworks-related violations as civil violations subject to a civil penalty rather than proceeding by means of a misdemeanor prosecution. Proposed by: William L. McDonald, Chief of Fire and Rescue

Minutes:
First Reading – Referred – COUNCILMEMBERS ANTHONY, COFFIN and FIORE
06/03/2019 Recommending Committee

06/05/2019 Council Agenda

66. Bill No. 2019-16 - Amends LVMC 6.40.150 to increase the number of slot machines that can be operated at certain tavern locations within the City. Sponsored by: Councilwoman Michele Fiore

Minutes:
First Reading – Referred – COUNCILMEMBERS ANTHONY, COFFIN and FIORE
06/17/2019 Recommending Committee

06/05/2019 Council Agenda

67. Bill No. 2019-17 - An ordinance authorizing the issuance by the City of Las Vegas of its General Obligation (Limited Tax) Various Purpose Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2019C, in an amount not to exceed $26,000,000, and providing other matters relating thereto. Proposed by: Venetta Appleyard, Director of Finance

Minutes:
First Reading – Referred – COUNCILMEMBERS ANTHONY, COFFIN and FIORE
06/03/2019 Recommending Committee

06/05/2019 Council Agenda

NOT TO BE HEARD BEFORE 11 A.M. - 68 THROUGH 113

BUSINESS ITEMS - 11 A.M. Session

68. 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:
With regard to Item 69, COUNCILMAN COFFIN asked about resolution of the issues at 1000 Bracken Avenue. ROBERT SUMMERFIELD explained staff requested the item be stricken because the property has changed hands since the waiver request was submitted. In order for the Council to hear the waiver request, the new owner needs to come forward and make that request.

Motion made by Lois Tarkanian to Strike Item 69 and Hold in Abeyance Item 73 to 6/5/2019 and Item 90 to 8/21/2019

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

HEARINGS - DISCUSSION

69. Public hearing and discussion for possible action to consider a request for a waiver and/or reduction of fees totaling $2,796 in out of pocket costs, and $19,500 in civil penalties for a total of $22,296 recorded against the property located at 1000 Bracken Avenue - PROPERTY OWNER: S N V PROPERTIES, LLC - Ward 3 (Coffin)

Minutes:
See Item 68 for related discussion.

Motion made by Lois Tarkanian to Strike Item 69 and Hold in Abeyance Item 73 to 6/5/2019 and Item 90 to 8/21/2019

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

70. Public hearing and discussion for possible action to consider a request for a waiver and/or reduction of fees totaling $2,010 in out of pocket costs, and $19,500 in civil penalties for a total of $21,510 recorded against the property located at 1240 South 17th Street - PROPERTY OWNER: KATY CHEN - Ward 3 (Coffin)

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

VICKI OZUNA, Code Enforcement Section Manager, explained this item is a public hearing for a waiver of fees and civil penalties at the request of the current property owner and the owner of the property at the time of the abatement, KATY CHEN, for the property at 1240 South 17th Street. This case originated in June 2018, when Code Enforcement verified that a fence had been installed at the property which was not permitted and did not meet City requirements. A Notice and Order was issued on August 1, 2018, but after not receiving a response from the property owner, and the property not being brought into compliance, Code Enforcement removed the fence on December 6, 2018. Code Enforcement performed a total of 12 inspections during this timeframe.

Outstanding fees include $2,010 in hard costs and $19,500 in daily civil penalties for a total of $21,510. The owner was notified of the hearing on January 30, 2019 to approve the abatement liens and civil penalties, but did not show up for that hearing.

The property has not been rehabbed at this time, and the current value of the property according to Zillow is $179,462. Staff requested denial of the waiver request as the owner did not comply with requests from Code Enforcement by either obtaining a permit or removing the fence.

KATY CHEN, property owner, explained the mailbox on the property was broken and the mail stolen so she never received any notifications otherwise she would have taken care of this issue. Additionally, they called the police due to several break-ins on the property. She stated there was a misunderstanding as to the Code Enforcement Officer’s instruction. She indicated she removed a portion of the fence so she thought the problem was taken care of. She stated she called and texted but never received a reply. When she found her fence completely gone, she did not know that the City had removed it.

MS. CHEN stated she did not have any idea about the laws regarding the fence. She hired a designer and professional to install the fence. The fence looked nice and she received compliments from the neighbors, so she did not think it was a problem. She received some information from her neighbor so she went to the City and finally received a copy of the letter and started taking care of the property. She reiterated she would have taken care of the problem if she had known about it and asked for a waiver of the $19,500 penalty.

COUNCILMAN COFFIN asked if the fence was now lowered. MS. OZUNA explained the City hired a contractor and removed the fence because MS. CHEN was not responding to phone calls or messages from the Code Enforcement Officer. COUNCILMAN COFFIN stated he received a letter from MS. CHEN stating she was out of the country for part of the time. The Councilman asked if the house was for sale or if it was such that it could be occupied. MS. CHEN explained when she bought the house, there were some problems and she is still in the process of fixing it up.

COUNCILMAN COFFIN referenced the policy in Ward 3 related to waiving fees when they see something is happening with the property, but in this case, the house is still boarded up. He asked MS. CHEN if she intended to sell the house to which she replied not anytime soon as the plumbing and electrical still needed to be fixed. She paid people to perform the work, but they did not fix the problem.

The Councilman asked MS. CHEN to make an appointment with his office so they can provide some guidance as to how to get an abatement. They may qualify, but he thought it was a little premature to request a waiver of the administrative expenses until he knows the intent of having someone in that house.

MARIANA VERONOVA, real estate agent, explained the property is currently boarded due to multiple break-ins. COUNCILMAN COFFIN expressed he wanted the house to be occupied. MS. VERONOVA stated it is MS. CHEN'S intent to have the home occupied, but it is taking longer because of the problems. The Councilman wished to give the homeowner some time to take care of the problems and to come back before the Council at its June 19, 2019 meeting.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Bob Coffin to Hold in Abeyance to 6/19/2019

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

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 - CONSENT

PM Session – All items listed on the Consent Agenda are considered to be routine and have been recommended "for approval". 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.

71. EOT-76176 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: CITY OF LAS VEGAS - OWNER: PROVIEW SERIES 17, LLC - For possible action on a request for an Extension of Time of an approved Site Development Plan Review (SDR-49986) FOR A TEMPORARY PARKING LOT on 0.84 acres at 201 South 4th Street and 200 South Las Vegas Boulevard (APNs 139-34-610-023 and 031), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-76036]. Staff recommends APPROVAL.

Motion made by Lois Tarkanian to Approve the Consent Agenda Subject to Condition(s)

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

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.

72. EOT-76209 - EXTENSION OF TIME - NONCONFORMING - PUBLIC HEARING - APPLICANT/OWNER: FREMONT PROPERTIES, LLC - For possible action on a request for an Extension of Time FOR A NONCONFORMING LIQUOR ESTABLISHMENT (TAVERN) at 1930 Fremont Street (APN 139-35-803-005), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-76174]. Staff recommends APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

ROBERT SUMMERFIELD clarified this item is part of the One Motion One Vote Agenda, and this was a procedural request to move the item forward.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Bob Coffin to Approve the One Motion One Vote Agenda Subject to Condition(s)

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

73. EOT-76251 - EXTENSION OF TIME - NONCONFORMING - PUBLIC HEARING - APPLICANT: B & G EQUITIES, LLC - OWNER: JL & W, LLC - For possible action on a request for an Extension of Time FOR A NONCONFORMING LIQUOR ESTABLISHMENT (TAVERN) USE at 2425 North Rainbow Boulevard (APN 138-15-801-002), C-1 (Limited Commercial) Zone, Ward 5 (Crear) [PRJ-76099]. Staff recommends APPROVAL.

Motion made by Lois Tarkanian to Strike Item 69 and Hold in Abeyance Item 73 to 6/5/2019 and Item 90 to 8/21/2019

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

PLANNING - DISCUSSION

74. 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:
MAYOR GOODMAN declared the Public Hearing open for Items 74-77.

CHRIS THORNTON appeared representing Family Promise as the Board President. TERRY LINDEMANN, Executive Director of Family Promise, and ANNE JOHNSON of Sparkflight Studios and Lead Architect were also present.

ROBERT SUMMERFIELD stated the proposed development consists of a multi-purpose building to be utilized as a Transitional Living Facility and Resource Center for homeless families. It is compatible and sensitive to the adjacent development in the subject area. The submitted alternate Parking Demand Analysis concluded that the proposed 15 parking spaces are more than adequate to serve the proposed facility. As such, staff recommended approval of the project.

The following individuals spoke in opposition, many of who were students and teachers from Nevada's First Barber School: WILLIAM McCURDY, STANLEY WASHINGTON, ROYAL BYRON, MATTHEW BRADFORD, RAUL HERNANDEZ, MR. M. ROMERO, ANGEL GUTIERREZ, THOMAS and MATTIE HAMILTON, CHRISTIAN SOTO, JUAN LAZARO, ABRAHAM MONTANO, MANUEL NUNEZ, DANIEL MEDINA, CARLOS

HERNANDEZ, JOSEPH CATLI, JOSE MENDEZ, PEDRO CHAIDEZ, MR. L. GARCIA, TERRELL COLEMAN, GABRIEL REALICA, GREGORY FAIR, ANDY ADAME, PAUL NAKAMOTO, ALEJANDRO MADRIGAL, LINDSEY HUTCHISON, FAYE FABIO, CHRISTINA CEPEDA, RHIANNA PINKNEY, JEREMY BERMODEZ, GREGORY FAIR JR., CARLOS QUINONES and CYNTHIA JONES.

They voiced concerns regarding the schools in the neighborhood, they want to see rooftops, protecting the historic Vegas Heights area, the negative impact on property values, the number of social services agencies already in the area, and the need for more educational growth and training in the community.

TODD KESSLER shared he had the honor of being Family Promise's landlord for five years when they purchased the senior center from the City, and he experienced no problems related to their tenancy, and that they are a benefit to everything being done in the community. MAYOR GOODMAN asked if this was a transfer of a business operation that will continue to do the same type of business. MR. KESSLER confirmed stating Family Promise's mission is to help families that are homeless; it is not a typical homeless shelter.

MR. THORNTON stated the proposed project, which was approved by the Planning Commission and staff unanimously, and is located at the corner of north Martin Luther King Boulevard and west Miller Avenue, will provide much needed services in Ward 5. The subject site has long been a vacant parcel of land and will provide for an 8,000 square-foot facility that will serve as Family Promise of Las Vegas' center of operations for years to come.

The $2.5 million facility will contain administrative offices, training facilities and five short-term bridge apartments to help families in immediate crisis. Family Promise intends to further expand with helping homeless families with children in Clark County achieve sustainable housing and independence through a compassionate and community-based response.

Family Promise has been a long-standing partner of many organizations, including the City of Las Vegas, in helping to end homelessness in Clark County for more than 23 years. They are not a religious organization or a shelter; they are an organization that partners with religious organizations of all faiths throughout the valley. Every afternoon their families go to these congregations for sheltering and food in a warm, safe and compassionate manner. In the morning, the families are picked up from those facilities, the children are taken to school or daycare, and the adults are brought back to their day center where case management, laundry and shower facilities and a place to store their things are provided. They have seen a 70 percent success rate with these families in terms of achieving long-term sustainable housing.

Family Promise does not deal with street homeless and are not operating a soup kitchen or food pantry. The families they serve come to them in a time of crisis and are carefully screened prior to being accepted into the program. They operate by appointment only and all applicants are drug screened.

Typically they serve 10 to 20 clients at any given time; two-thirds of whom are under the age of 18. Parents of these children are often single parents or same-gender parents who sometimes find it difficult to find services from other organizations. Currently, their day site is operated from a 1,200 square-foot rented building on South Maryland Parkway. Prior to that, they occupied the building at Ninth Street and Bridger Avenue mentioned by MR. KESSLER. The subject site is in an area of commercial businesses surrounded by others, many of whom have written letters of support which confirms the great work done by Family Promise, and the respect they have for their neighbors and neighborhoods.

MR. THORNTON stated at no time has an immediate neighbor, current or past, ever had an issue in the manner in which their clients have conducted themselves nor with the manner in which their building and surrounding areas were maintained. He noted a personal invitation had been sent by MS. LINDEMANN to each of the Councilmembers to visit their current facility, and he was saddened that none were able to see their operation first hand. They would have seen that they do not serve the chronic street homeless, do not serve meals out of their facility or have anyone milling about waiting for services. They take pride in their building and provide a clean, safe and discreet building intended to beautify the neighborhood in which they occupy. They only serve those who want to help themselves, providing a hand up not a handout.

What is being proposed will allow Family Promise to further expand the services currently offered. They intend to increase their capacity as the need for services continues to grow. Additionally, the intent is to double the number of case managers that help the families navigate out of homelessness becoming productive members of society. Their facility will further provide space for training on things such as budgeting, healthy eating, being a good renter and other essential life skills. He explained the importance of the site they selected in that the location sits in the middle of three zip codes where 60 percent of the families they serve come from, sits at the crux of other vital social services necessary for these families' journey out of homelessness, it has easy access to multiple bus routes, it provides a safe homelike environment, and it will beautify a lot that has been vacant since the 1970s.

They conducted community canvassing in the surrounding areas along with a community comment meeting and received the support of everyone who attended those meetings. He reiterated the Planning Commission and staff recommend approval of the project. Congregations throughout the valley also expressed their support of the project. He thought the opposition was due to a lack of firsthand knowledge as to how they operate. Many have been invited to their facilities to open a dialogue and to education them about how they are different from other organizations that serve chronic street homeless, but many chose not to accept that invitation.

The proposed project is not a referendum to end homelessness nor is it intended to singularly end homelessness in the Las Vegas valley. It is a project that will allow a great, long-tenured, well-run organization with an impeccable reputation the opportunity to further serve those in need and to provide hope to those that need it. He asked the Council to look beyond the term "homeless" and to judge the project on its merits.

MS. LINDEMANN thanked the Mayor and Council. Having arrived to the meeting early, she commented on how many times she heard the word "homeless" and "children." She noted ARASH GHAFOORI, Nevada Partnership For Homeless Youth, was one of their community partners. It is important to her that the community know they would not want to be somewhere where people do not think they will do a good job. The subject site was selected after strategic planning that was done eight years ago, and it was decided the zip codes where most of the families were coming from was where they needed to be, which turned out to be 89106.

In the past two-and-a-half years, they have helped more than 143 families from city of Las Vegas zip codes. She commented on the accuracy of their data, noting they received an award last year from the Continuum. Sixty percent of these families are from 89106, and 67 percent of those they serve are children because they primarily serve single moms and single dads. Family Promise is the only place single dads can get help. Historically, they have been the first door gay and lesbian moms come to because no other shelters can treat them as a couple. She reiterated they do not serve chronically homeless street people.

There is an alarming homeless issue across Clark County, and while she respects those that came forward in opposition, she had difficulty understanding the barber school bringing all its students to speak out when one of the school's instructors wanted to buy the subject property. She wished the students would have come to their community meeting to express their concerns. She stated currently there are 13,790 students identified as homeless in Clark County schools, and that number is expected to rise after school closes. MS. LINDEMANN noted that may appear to be a drop from last year because of changes to the McKinney-Vento Homeless Assistance Act and this being the first school year where those children waiting for foster homes were not counted as homeless. She emphasized that the facility was not a shelter; there would be classrooms, a computer lab, a children's library and a place for businesses to volunteer. She urged the Mayor and Council to vote yes because a no vote would shut the door on hundreds of children in Ward 5 that need them to help their parents get into homes.

MS. JOHNSON shared a personal story where she cooked meals for these families. She spoke of how Family Promise keeps families together where at other organizations, the parents would be separated from their children. She stated the subject location is not zoned to be a rooftop. It is commercially zoned and is complimentary to the civic location adjacent to it; staff recognized that and made the recommendation for approval. Because of the location, families can stay within their home schools and home zip code.

LISA JONES, Vice President of Family Promise of Las Vegas, addressed the issue of fear of the unknown because the term "homeless" instills fear. For 10 years they did not have a complaint from a neighbor, and they have had neighbors for years that did not even know they were there. She reiterated that 65 percent of constituents have come from the Ward where they wish to build. She asked the Council to consider whether or not the opposition was based on this fear of the unknown. This project has been in the works for over five years. They received donations that allowed them to purchase the land, pay for the environmental assessment and surveyor and pay their architect to develop a plan for a day center specific to that property and neighborhood. She felt this was a testament to the success and value Family Promise brings to the community. It is a $2.5 million project, with almost one-quarter of a million dollars already invested with private donations for this specific location. While struggling within the city to find ways to combat homelessness, Family Promise continues to provide a solution. She asked for the Council's approval so Family Promise can provide a stable home where they can grow their impact.

BONNIE POLLEY, Deacon at Christ Church Episcopal, stated they are one of 17 host sites throughout the faith community that are involved in this program. She begged the Council to consider approving this program; she has been involved in the community for about 50 years, and she did not think there was any better program than Family Promise.

REVEREND RICK O'BRIEN , Rector of Epiphany Episcopal Church, stated they also are a host site for Family Promise and reiterated how amazing their program is. He has been involved with Family Promise for eight years in Las Vegas, but goes back 25 years on the east coast as this is a national program. What is before the Council is the local affiliate, which is where the work gets done and where people have the need which is why the subject location was selected. He asked them to remember while the homesite may be in this zip code, the congregation that services it runs throughout the entire valley. He commended the Council for voting to give a block grant to Family Promise in support of the work that they do, and he asked for them to show that same support for this request.

MARILYN PROVOST stated she has worked with nonprofits for almost 15 years in Southern Nevada. Family Promise has a very unique program, in that they are one of a few that helps single parents and their children. She has seen and commends the work that they do. With a 70 percent success rate, all families benefit. They grow and become self-sufficient again. Noting the term "fear" has been mentioned several times, she indicated "fear" simply means "false evidence appearing real." This Family Promise program has many benefits, and she hoped the Council would support it.

COUNCILMAN CREAR stated he has heard nothing but good things about Family Promise, but this agenda item does not have to do with the quality of their work. He indicated he has met with MR. THORNTON, MS. LINDEMANN and members of their Board. For decades, Ward 5 has been the dumping ground for all social services for the city of Las Vegas, of which he named several, and houses more than half of the homeless population throughout the city. He has spent a tremendous amount of time dealing with homelessness, going around the country looking at best practices, and what is and is not working. He thinks they now have a very good understanding where the homeless situation is and how to create a blueprint to end homelessness. Throughout his journeys, he has learned that putting all social services in one area is unsustainable and unfair to the community.

He spoke of Skid Row in Los Angeles that houses 5,000 homeless and which is overridden with drugs, alcohol, prostitution and mental illness. All social services cannot continually be placed in Ward 5. San Francisco has navigational centers which are spread out throughout the area which are conveniently located for the homeless. He takes a different approach to the theory that more social services need to be located in the Ward since that is where the homeless population resides. He believes the majority of the homeless population is in Ward 5 because the services are there. He respects and supports Family Promise's mission, but he does not support the project. He will continue to work with them diligently to find an alternative location to house their facility, but he cannot continue to allow more social services to be placed in Ward 5 because it is not fair to the citizens of the Ward.

MAYOR GOODMAN is in awe of what Family Promise does. In listening to the barber school students and being very familiar with the West side, she is sensitive to what Family Promise has been doing and how it has positively affected so many. Knowing their reputation, she did not think there was the need for fear. She thought there was merit in COUNCILMAN CREAR'S comments so would respect his wishes, but she committed to working with the Councilman and the Department of Economic and Urban Development in finding a suitable location so they can continue the fine work they do.

She spoke of the well-mannered students that appeared and the respect they showed the Council. Family Promise wants all young people to have the opportunity to have a bright future as these students have. She hoped they understood what Family Promise's efforts are for and that each would make a promise to lend a hand to those less fortunate.

COUNCILWOMAN FIORE indicated she would respect COUNCILMAN CREAR'S decision, but as the Councilwoman for Ward 6 in the northwest, she welcomed Family Promise in her Ward. She pointed out ATTORNEY BOB GRONAUER and DOUG RANKIN in the audience and indicated they are very knowledgeable with regard to the process and may be able to help. She reiterated that Ward 6 is open for their business.

COUNCILWOMAN TARKANIAN commented she is familiar with the work that Family Promise does and welcomed them to Ward 1 also. MAYOR GOODMAN asked that the applicant make appointments with the Ward 1 and Ward 6 offices as they consider other areas.

COUNCILMAN CREAR thanked his peers in opening up their Wards and noted conversations have already begun with KATHI THOMAS-GIBSON, Director, Office of Community Services, regarding finding another location.

Subsequent to the motion and vote, COUNCILWOMAN TARKANIAN commented it is not a denial regarding how the Council feels about Family Promise, and they will work hard to help them. MAYOR GOODMAN also commented on the positivity of the Municipal Court Specialty Courts located in Ward 1 that give people a second chance, and asked to be included in the conversations with the Ward offices.

See Items 75-77 for related backup.

Motion made by Cedric Crear to Deny

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

75. 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 Item 74 for related discussion and Items 74-77 for related backup.

Motion made by Cedric Crear to Deny

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

76. 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 Item 74 for related discussion and Items 74-77 for related backup.

NOTE: The video does not reflect the vote accurately in that Councilwoman Tarkanian voted verbally in the affirmative.

Motion made by Cedric Crear to Deny

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

77. 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 Item 74 for related discussion and Items 74-77 for related backup.

Motion made by Cedric Crear to Deny

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

78. GPA-75784 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: ASPECT HOMES - OWNER: CHARLESTON LAMB, LLC - For possible action on a request for a General Plan Amendment FROM: MLA (MEDIUM LOW ATTACHED DENSITY RESIDENTIAL) TO: ML (MEDIUM LOW DENSITY RESIDENTIAL) on 3.62 acres at the northwest corner of Wales Green Lane and Corwood Green Lane (APN 140-31-801-001), Ward 3 (Coffin) [PRJ-75766]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open for Items 78 and 79.

ATTORNEY BOB GRONAUER appeared representing the applicant. MR. GRONAUER stated the subject property is a true infill piece of property. Townhomes are already built within the property, but it has never been built out. His client is proposing to build single-family detached homes which lowers the land use density. A neighborhood meeting was held, and only a couple of people attended. It was explained to them that the developer was working closely with the HOA (Homeowners Association) and would give a financial contribution to help with some items within the HOA.

ROBERT SUMMERFIELD, Planning Director, stated the proposed General Plan land use designation and the associated zoning district are compatible with those of the surrounding area, and staff recommended approval of the applications.

See Item 79 for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 78 and 79.

NOTE: The video does not reflect the vote accurately in that Councilman Anthony voted verbally in the affirmative.

Motion made by Bob Coffin to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

79. ZON-75786 - REZONING RELATED TO GPA-75784 - PUBLIC HEARING - APPLICANT: ASPECT HOMES - OWNER: CHARLESTON LAMB, LLC - For possible action on a request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: R-CL (SINGLE FAMILY COMPACT-LOT) on 3.62 acres at the northwest corner of Wales Green Lane and Corwood Green Lane (APN 140-31-801-001), Ward 3 (Coffin) [PRJ-75766]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 78 for related discussion and Items 78 and 79 for related backup.

Motion made by Bob Coffin to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

80. GPA-75827 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: MARKS GARAGE ONE, LLC - For possible action on a request for a General Plan Amendment FROM: O (OFFICE) AND SC (SERVICE COMMERCIAL) TO: GC (GENERAL COMMERCIAL) on 2.60 acres at 1700 East Sahara Avenue (APNs 162-02-801-001 and 002), Ward 3 (Coffin) [PRJ-74677]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open for Items 80-82.

LUCY STEWART, LAS Consulting, appeared representing Auto Nation. She noted this is the Honda dealership on East Sahara Avenue on the north side between Maryland Parkway and Eastern Avenue. She believed it was built in the 1980s and no improvements have been made since then. Auto Nation has been systematically upgrading their dealerships to bring them to a more contemporary look. There is a strip at the north end of the property that functions as a driveway to the property to the east and a fence that was designed to protect the neighbors to the north. The office was also designed to protect the neighbors so the dealership would not move and encroach closer to the neighborhood. She noted staff asked the applicant to file a General Plan Amendment to make the entire property one zoning. The applicant agreed to keep the building in its current location and not move any further north. This request is simply a facelift to the property.

ROBERT SUMMERFIELD, Planning Director, stated the proposed general plan designation and zoning district will allow for the continued inventory parking on site and will bring the site into conformance with current code requirements. The proposed improvements to the buildings and landscaping will be an appropriate upgrade to the existing development. As such, staff recommended approval of all items.

COUNCILMAN COFFIN noted this is a traditional auto dealer row. He thought the request was appropriate.as it is located adjacent to the Nevada Energy right-of-way, which is not desirable to live next to.

In response to COUNCILMAN COFFIN'S question related to this being for new vehicles only, MR. SUMMERFIELD clarified a new car dealership is permitted to have some used cars as part of their inventory, but it must be an ancillary activity; it cannot exclusively sell used cars. There is no percentage assigned, but the inventory of used cars cannot exceed the inventory of new cars. MAYOR GOODMAN asked MS. STEWART to relay this to the applicant. MS. STEWART pointed out Auto Nation has a used car lot in Henderson, and the majority of used cars would be sold from that location.

See Items 81 and 82 for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 80-82.

Motion made by Bob Coffin to Approve

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

For-Michele Fiore, Bob Coffin, Carolyn Goodman, Lois Tarkanian, Stavros Anthony; Did Not Vote-Cedric Crear;

81. ZON-75828 - REZONING RELATED TO GPA-75827 - PUBLIC HEARING - APPLICANT/OWNER: MARKS GARAGE ONE, LLC - For possible action on a request for a Rezoning FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-2 (GENERAL COMMERCIAL) on 2.60 acres at 1700 East Sahara Avenue (APNs 162-02-801-001 and 002), Ward 3 (Coffin) [PRJ-74677]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 80 for related discussion and Items 80-82 for related backup.

Motion made by Bob Coffin to Approve

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

For-Michele Fiore, Bob Coffin, Carolyn Goodman, Lois Tarkanian, Stavros Anthony; Did Not Vote-Cedric Crear;

82. SDR-74835 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-75827 AND ZON-75828 - PUBLIC HEARING - APPLICANT/OWNER: MARKS GARAGE ONE, LLC - For possible action on a request for a Major Amendment to previously approved Plot Plan Reviews (Z-0071-80 and Z-71-86) FOR A PROPOSED 5,906 SQUARE-FOOT ADDITION TO AN EXISTING 28,969 SQUARE-FOOT MOTOR VEHICLE SALES (NEW) DEALERSHIP on 2.60 acres at 1700 East Sahara Avenue (APNs 162-02-801-001 and 002), C-2 (General Commercial) and P-R (Professional Office and Parking) Zones [PROPOSED: C-2 (General Commercial)], Ward 3 (Coffin) [PRJ-74677]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 80 for related discussion and Items 80-82 for related backup.

Motion made by Bob Coffin to Approve Subject to Condition(s)

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

83. GPA-75846 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: SCHOOL BOARD OF TRUSTEES - For possible action on a request for a General Plan Amendment FROM: M (MEDIUM DENSITY RESIDENTIAL) TO: PF (PUBLIC FACILITIES) on 15.64 acres at 491 North Lamb Boulevard (APN 140-31-601-002), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-75613]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open for Items 83-86.

DIMITRIOS KARAPANAGIOTIS, Clark County School District (CCSD), and FRANK GONZALEZ, Ethos Three Architecture, were present. MR. KARAPANAGIOTIS stated Items 85 and 86 were for an addition to the William K. Moore Elementary School and Items 83 and 84 were cleanup items.

MR. GONZALEZ explained this project involves adding a 14-classroom addition to the existing building on the southwest corner of the property. This school will be similar to a rendering that was displayed of another school that was done in the past. MR. GONZALEZ confirmed for MAYOR GOODMAN the building will have an elevator. There will be 14 classrooms; six classrooms on the first level for Kindergarten and the remaining classrooms for Special Education and flexible classrooms, i.e., computer labs, will be on the second floor.

MAYOR GOODMAN asked if the existing building would be demolished; MR. GONZALEZ indicated it would not as the proposal was an addition. He also informed the Mayor there were approximately 54 classrooms in that building. The Mayor noted it will be a pretty sizeable elementary school and asked if any play area would be constructed. MR. GONZALEZ pointed out the areas where the existing equipment will be replaced and another equipment area that is being added.

PETER LOWENSTEIN, Deputy Planning Director, stated the proposed General Plan land use designation, zoning district and proposed redevelopment of the site is compatible and harmonious with what is currently on the site as well as the surrounding residential neighborhood. As such, staff recommended approval of all applications.

COUNCILMAN COFFIN stated this is a good use of land that is next to a wash, and it is important to use every square inch possible. Odd-shaped lots are welcome, and he thanked CCSD. Additionally, he pointed out the Planning Commission recommended approval of all four items.

COUNCILWOMAN TARKANIAN wanted to put on the record that she feels these schools are too large, and that studies show that large schools are one of the greatest contributors of problems associated with students getting along together. COUNCILMAN COFFIN commented the new two-story building concept is now being followed throughout Ward 3. It is very popular and allows more space for turf for kids to play. He appreciates what the school district is doing because there was a long-standing prejudice against having two stories.

COUNCILWOMAN TARKANIAN asked if what was presented architecturally was the same plan for Wasden Elementary School. MR. GONZALEZ named other schools he has been involved in with the same prototype. The Councilwoman always thought better achievement and behavior would come with fewer students per teacher, but research now shows it is not related to how many children are in a classroom, but rather how large the school is.

MR. GONZALEZ corrected a previous statement he made in that the number of existing classrooms is 48. He informed the Mayor construction would start in August.

See Items 84-86 for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 83-86.

Motion made by Bob Coffin to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

84. ZON-75847 - REZONING RELATED TO GPA-75846 - PUBLIC HEARING - APPLICANT/OWNER: SCHOOL BOARD OF TRUSTEES - For possible action on a request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: C-V (CIVIC) on 15.64 acres at 491 North Lamb Boulevard (APN 140-31-601-002), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-75613]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 83 for related discussion and Items 83-86 for related backup.

Motion made by Bob Coffin to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

85. VAR-75848 - VARIANCE RELATED TO GPA-75846 AND ZON-75847 - PUBLIC HEARING - APPLICANT/OWNER: SCHOOL BOARD OF TRUSTEES - For possible action on a request for a Variance TO ALLOW DEVIATIONS FROM TITLE 19.10.020 C-V (CIVIC) DEVELOPMENT STANDARDS on 15.64 acres at 491 North Lamb Boulevard (APN 140-31-601-002), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-75613]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 83 for related discussion and Items 83-86 for related backup.

Motion made by Bob Coffin to Approve Subject to Condition(s)

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

86. SDR-75849 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-75846, ZON-75847 AND VAR-75848 - PUBLIC HEARING - APPLICANT/OWNER: SCHOOL BOARD OF TRUSTEES - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 22,927 SQUARE-FOOT BUILDING ADDITION TO AN EXISTING 69,315 SQUARE-FOOT PUBLIC SCHOOL, PRIMARY DEVELOPMENT on 15.64 acres at 491 North Lamb Boulevard (APN 140-31-601-002), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-75613]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 83 for related discussion and Items 83-86 for related backup.

Motion made by Bob Coffin to Approve Subject to Condition(s)

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

87. GPA-74312 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: CENTURA DEVELOPMENT - OWNER: CHARLIE RAH RAH IRREVOCABLE BUSINESS TRUST, ET AL - For possible action on a request for a General Plan Amendment FROM: SC (SERVICE COMMERCIAL) TO: H (HIGH DENSITY RESIDENTIAL) on 4.62 acres at the southeast corner of Charleston Boulevard and Lindell Road (APNs 163-01-501-001 and 002), Ward 1 (Tarkanian) [PRJ-74089]. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open for Items 87-89.

LUCY STEWART, LAS Consulting, appeared representing the applicant. When the application was originally submitted in the fall, it was submitted as a request for R-3 (Medium Density Residential) and for a family complex. However, during the neighborhood meeting, concerns were expressed with overcrowding in the schools and traffic in the area. Because of these concerns, the project was changed to an age-restricted senior housing project. Because of these changes, MS. STEWART noted two required neighborhood meetings were held along with one meeting that was not required. Additionally, the applicant went around the neighborhood. She displayed a map of those homes in support and opposed both before and after the neighborhood meetings, most of which were now in support of the project, including the homes immediately to the south of the site. She indicated there was an individual in the audience who represented four businesses in the area adjacent to the site and who now supported the project.

MS. STEWART noted many of the changes were the result of the neighborhood meetings and going out to talk to the neighborhood. The landscaping was increased along the southern boundary and the windows were removed on the two southern buildings so no one can overlook the homes, the mix of one- and two-bedroom units changed so there are now more one-bedroom units. Another concern was that once Lindell Road was built, people would park on the street. This is a gated community providing 145 parking spaces where 108 are required. The intent is for the architecture to be Santa Barbara Mission Style with an entry feature with landscaping and a monument sign at the intersection of Lindell Road, providing a sense of arrival. The half-streets will be built, and there will be a full-time activity coordinator onsite and a shuttle to take the residents to the store and to run errands.

They understand staff's concern that if it is designated senior or age-restricted apartments, it could convert to market if not built. Because of this, the applicant has agreed to deed restrict the property for age restricted. Originally there were two buildings by the pool, but they have been combined into one. They also provided the Regional Transportation Commission (RTC) turnout. The one item the developer could not accommodate is the neighbors' request to have a driveway onto Charleston Boulevard because the RTC and Traffic Engineering will not allow that. They have however widened the drive aisle per staff's request. The plans were reviewed with staff, and she submitted a copy for the record, which is included in the backup.

MAYOR GOODMAN asked about the number of stories and if there was an elevator in the building. MS. STEWART responded the buildings will be three stories and will have elevators.

PETER LOWENSTEIN, Deputy Planning Director, stated staff does not support the requested General Plan Amendment and Rezoning as the proposed density is not compatible with the surrounding development in the area. As such, staff could not support the proposed development and recommended denial of all applications. He added staff received and reviewed the revised plans and did not find any further conflict with those plans. If approved, staff requested Condition 3 of SDR-75858 be amended. MS. STEWART agreed to the amended condition as read by MR. LOWENSTEIN.

COUNCILWOMAN TARKANIAN thought the applicant had done a very good job reaching out to the neighbors, alleviating their concerns and gaining their support.

See Items 88 and 89 for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 87-89.

Motion made by Lois Tarkanian to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

88. ZON-74313 - REZONING RELATED TO GPA-74312 - PUBLIC HEARING - APPLICANT: CENTURA DEVELOPMENT - OWNER: CHARLIE RAH RAH IRREVOCABLE BUSINESS TRUST, ET AL - For possible action on a request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: R-4 (HIGH DENSITY RESIDENTIAL) on 4.62 acres at the southeast corner of Charleston Boulevard and Lindell Road (APNs 163-01-501-001 and 002), Ward 1 (Tarkanian) [PRJ-74089]. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

Minutes:
See Item 87 for related discussion and Items 87-89 for related backup.

Motion made by Lois Tarkanian to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

89. SDR-75858 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-74312 AND ZON-74313 - PUBLIC HEARING - APPLICANT/OWNER: CHARLIE RAH RAH IRREVOCABLE BUSINESS TRUST, ET AL - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 144-UNIT SENIOR CITIZEN APARTMENTS DEVELOPMENT on 4.62 acres at the southeast corner of Charleston Boulevard and Lindell Road (APNs 163-01-501-001 and 002), C-1 (Limited Commercial) Zone [PROPOSED: R-4 (High Density

Residential)], Ward 1 (Tarkanian) [PRJ-75792]. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

Minutes:
See Item 87 for related discussion and Items 87-89 for related backup.

Motion made by Lois Tarkanian to Approve Subject to Condition(s) and amending Condition 3 as read for the record:

3. All development shall be in conformance with the site plan, landscape plan and building elevations date stamped 5/15/19, except as amended by condition herein.

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

90. GPA-75814 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request for a General Plan Amendment to amend portions of the Southeast Sector Land Use Map of the General Plan FROM: C (COMMERCIAL) AND MXU (MIXED USE) TO: FBC (FORM-BASED CODE) on approximately 226 acres in the Fremont East District generally located south of Interstate 515, west of Eastern Avenue, north of Carson Avenue, and east of Las Vegas Boulevard (APNs Multiple), Wards 3 (Coffin) and 5 (Crear) [PRJ-75868]. The Planning Commission (6-0 vote) and Staff recommend APPROVAL.

Motion made by Lois Tarkanian to Strike Item 69 and Hold in Abeyance Item 73 to 6/5/2019 and Item 90 to 8/21/2019

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

91. ZON-75886 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: ROMAN CATHOLIC BISHOP LAS VEGAS - For possible action on a request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL) on 55.52 acres at the southeast corner of Elkhorn Road and Jones Boulevard (APNs 125-24-101-001 and 125-24-201-001), Ward 6 (Fiore) [PRJ-75680]. The Planning Commission (6-0 vote) and Staff recommend APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open for Items 91-93.

ATTORNEY CHRIS KAEMPFER and CHIP MAXWELL appeared on behalf of the Las Vegas Diocese of the Roman Catholic Church. DOUG RANKIN appeared on behalf of Renaldo Tiberti and the Mafee interest. MR. KAEMPFER thought it important to note they have worked hard with the neighbors and staff to come up with an application that complies with the City's General Plan. They believe it addresses virtually all of the neighborhood concerns and conditions which were raised during the three neighborhood meetings held prior to filing any applications. All parties stressed the importance of working with the neighbors.

One component insisted upon was that there be no General Plan Amendment with regard to this property. MR. KAEMPFER displayed a map pointing out Leon Avenue, rural development in the area, and associated surrounding zoning, which is consistent with what is being proposed. The neighbors asked that Leon Avenue be developed to rural standards. There will still be an eight-foot block wall with landscaping on both sides and a 10- to 12-foot crushed granite path. While staff believes that streets should be developed with curb, gutter, sidewalks, full paving and streetlights where appropriate, the neighbors do not want these things.

MR. KAEMPFER thought R-1 (Single Family Residential) zoning was appropriate because of the location of the site and the fact that the surrounding properties are either zoned R-1 or RPD-3 which are 3.49 units per acre or greater and consistent with the zoning being requested. Additionally, the subject site is located along two major streets, Jones Boulevard and Elkhorn Road. Up to 199 lots are allowed which is what they are proposing. He displayed the tentative map and pointed out those lots that are 11,000 square feet or greater and those homes that will be single story. He read into the record the numerous condition requests made by the neighbors to which they agreed to accommodate.

MR. RANKIN stated he appreciated working with the Council Office and Public Works' staff on a condition relating to the sewer, and he described what those options were. He stated BART ANDERSON, Engineering Project Manager, had an added condition of approval related to the Tentative Map addressing this.

MAYOR GOODMAN commented often the Council is asked to approve developments without streetlights, curb or gutter and asked what the City's obligation was in the future if new neighbors decided they would like these features. MR. ANDERSON explained that the City recently enacted a new ordinance that requires the applicant to contribute money towards future construction if such improvements are wanted down the road. He noted Condition 18 addresses this for Leon Avenue. Staff was amenable to this location not be developed to rural standards at this time, but the applicant has to contribute monies in the event it is brought up to those standards in the future. Future taxpayers should not be saddled with these costs which is why the Council adopted such a code. He went on to explain for the Mayor how that contribution was determined and that these monies are put into an interest-bearing account that is marked for this development and this street. These monies are intended to supplement a possible Special Improvement District that may be necessary to improve the street in the future. SIDs do not always capture all of the cost, and these monies are intended to fill that gap. MAYOR GOODMAN asked about retroactivity in the northwest. MR. ANDERSON explained the ordinance is not retroactive. For those developments that were approved without any requirement for improvements years ago, a SID may be offered that can capture much of the cost, but generally does not cover all. Staff may have to investigate other methods on a case-by-case basis. MAYOR GOODMAN highly recommended staff take a look at that due to the form-based code, and changes to communities, densities, etc. so they are prepared for the future as the city grows.

PETER LOWENSTEIN, Deputy Director of Planning, reported that the proposed Rezoning would allow a minimum lot size of 6,500 square feet while limiting the density to 3.59 dwelling units per acre due to the underlying Rural Density Residential General Plan Designation. Staff found this allowed lot size and density to be comparable to other developments in the local area and supported the Rezoning request. However, staff found no evidence to support the associated Variance and Waiver requests. Any associated hardships could be eliminated by redesign of the site and installation of off-site improvements. As such, staff recommended approval of the Rezoning but denial of the Variance and Tentative Map. If approved, he noted Public Works would like to amend Condition 17 of the Tentative Map.

COUNCILWOMAN FIORE commented the applicant worked diligently which is reflected by no one being present to protest. She was proud how all parties worked together.

Subsequent to the vote on Item 92, MR. ANDERSON read into the record the amended condition pertaining to the Tentative Map (Item 93), to which MR. KAEMPFER agreed. MR. KAEMPFER noted MR. STRICKLAND, one of the neighbors to the south, was present but had to leave, and asked that all of the conditions be read into the record, which was already done. Additionally, at MR. STRICKLAND'S request, a foam barrier will be placed between the two walls to prevent animals or anything else getting in that space.

MR. KAEMPFER gave a special thanks to COUNCILWOMAN FIORE for working with them and the neighbors.

See Items 92 and 93 for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 91-93.

Motion made by Michele Fiore to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

92. VAR-75956 - VARIANCE RELATED TO ZON-75886 - PUBLIC HEARING - APPLICANT/OWNER: ROMAN CATHOLIC BISHOP LAS VEGAS - For possible action on a request for a Variance TO ALLOW A 1.09 CONNECTIVITY RATIO WHERE 1.30 IS REQUIRED on 55.52 acres at the southeast corner of Elkhorn Road and Jones Boulevard (APNs 125-24-101-001 and 125-24-201-001), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 6 (Fiore) [PRJ-75680]. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

Minutes:
See Item 91 for related discussion and Items 91-93 for related backup.

Motion made by Michele Fiore to Approve Subject to Condition(s)

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

93. TMP-75888 - TENTATIVE MAP RELATED TO ZON-75886 AND VAR-75956 - JONES / ELKHORN - PUBLIC HEARING - APPLICANT/OWNER: ROMAN CATHOLIC BISHOP LAS VEGAS - For possible action on a request for a Tentative Map FOR A PROPOSED 199-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION WITH WAIVERS TO ALLOW NON-STANDARD PUBLIC STREET IMPROVEMENTS INCLUDING NO CURB, GUTTER OR SIDEWALK AND NO EXTERIOR STREETLIGHTS FOR LEON AVENUE WHERE SUCH ARE REQUIRED FOR A PROPOSED SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 55.52 acres at the southeast corner of Elkhorn Road and Jones Boulevard (APNs 125-24-101-001 and 125-24-201-001), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 6 (Fiore) [PRJ-75680]. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

Minutes:
See Item 91 for related discussion and Items 91-93 for related backup.

Motion made by Michele Fiore to Approve Subject to Condition(s) and amending Condition 17 as read for the record:

17. The Developer shall construct a public sewer in Leon Avenue north to Donald Road, or alternatively, extend the existing public sewer lines in Donald Road to approximately 300-feet west of Jeanette Street, and in Dorrell Lane to approximately 490 feet west of Jeanette Street, at a size and location acceptable to the Sanitary Sewer Section of the Department of Public Works.

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

94. VAR-75819 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Variance TO ALLOW RESIDENTIAL BUILDINGS TO HAVE A HEIGHT OF THREE STORIES WHERE TWO STORIES IS THE MAXIMUM ALLOWED ON LOT ONE OF A TWO LOT PROPOSED RESIDENTIAL SUBDIVISION on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open for Items 94-98.

JOHN HAMILTON, Civil Engineer, appeared along with the applicant, CSABA MEISZBURGER, representing SK USA, LLC. MR. HAMILTON provided a brief history explaining the General Plan Amendment and Rezoning was originally brought forth in September 2017. There was overwhelming support from the community and these were approved by the City Council so they were surprised in April 2019 with the opposition to their architectural plan. What was originally proposed were three-story units around the bow of the cul-de-sac with a maximum height of 35 feet. The applicant did not think this would present a problem because the code allows two-story units with a maximum height of 35 feet. The applicant wished to use the first level for a two-car garage with living space on the two floors above. However, due to opposition revised plans were submitted on May 7, 2019 eliminating the three-story units and making the entire development two stories with a maximum height of 26 feet. As this now complies with the code, Items 94 and 95 are no longer necessary.

Approval of Item 96 is still being requested with regard to the gate entry. A 50-foot gate is required, but due to the unique lot configuration, the entry to the parcel is only 47 ½ feet wide. He explained the layout of the sidewalks and landscaping and stated they wish to have gates to keep it nice for the residents and because they are near a church and school.

MR. HAMILTON did not recollect any opposition to the installation of the gates except from Public Works regarding the nonconforming street section and the Sewer Division's contention to ensure there is a 10-foot separation between sight objects which would be the gate itself. Other than that, they believe they have complied with the intent of the code and listened to the community to eliminate the opposition. He also noted that to make the product work, they went from a two-car to a one-car garage. He reiterated Items 94 and 95 were no longer necessary, and they were looking for approval of Items 96-98.

ROBERT SUMMERFIELD, Planning Director, reported that revised plans were submitted the week prior to this meeting that eliminates the need for Items 94 and 95. As such, staff recommended those items be stricken from the agenda. In regards to the project, staff found although the subject site is a flag-shaped lot, it provides an adequate buildable area, which would allow compliance with Title 19 development standards. Additionally, staff noted the subject site does not provide a significant hardship to warrant approval of the remaining requested Variances, as the development could be redesigned to provide further compliance with Title 19. As the proposed development is inconsistent with Title 19 development standards, specifically Title 19.04 Complete Street development standards, staff recommended denial of the remaining Variance, Site Development Plan Review and associated Tentative Map.

COUNCILMAN CREAR indicated he did not become aware of this project until May 14, 2019 when he drove by and saw the notice sign on the lot. MR. HAMILTON indicated it was former Councilman RICKI BARLOW'S project, but COUNCILMAN CREAR stated there was ample time for the applicant to have met with him. He is not familiar with previous conversations that have taken place with the neighbors, and he has received some opposition. He does not like to piecemeal things and thought these items should be abeyed in order to better vet the project and for him and his staff to understand the implications to the neighborhood.

LOLLIE and JOHN NAPOLEON and KIMBERLY JONES spoke in opposition expressing concerns with density, privacy, increased traffic and crime, noise and pedestrian safety as it relates to the schools in the area.

COUNCILMAN CREAR stated he could not support the project at this time but was willing to abey it in order to get more information because the location does not seem appropriate for what the applicant is trying to do. MR. HAMILTON further clarified the opposition they were aware of and the changes to the project that were made because of that opposition. With regard to the roadway, they already coordinated with the Fire Department for emergency access and will sprinkle the buildings to comply with Fire Code requirements. They wish to provide gates for the security of the residents and to prevent high school students from coming into the community. With regard to privacy encroachment, they intend to build a six-foot redundancy wall on the property which will provide additional screening.

MAYOR GOODMAN reiterated that COUNCILMAN CREAR indicated he knows nothing about the project and suggested the applicant meet with the Councilman. The Councilman stated he also had questions for staff and thought there needed to be more conversation with the neighbors because of the changes made to the project since 2017.

The Mayor expressed concern after COUNCILMAN CREAR suggested abeying these items for 60 days because with the election taking place in June, those Councilmembers that were familiar with the project from when it was presented in 2017 would no longer be on the Council. MR. SUMMERFIELD explained the timeline involved with properly noticing and holding a required neighborhood meeting and that abeying these for 30 days may not provide enough time unless the applicant was ready prior to close of business on May 16, 2019. An informational meeting could be done in 30 days, but if the expectation is action, then 30 days is not long enough.

COUNCILMAN CREAR understood the Mayor's concern regarding new Councilmembers but thought the neighbors needed adequate time to understand what is being presented and requested a 60-day abeyance.

MR. MEISZBURGER stated there was a neighborhood meeting prior to them purchasing the lot. He thought there was some confusion with the neighbors over what was originally proposed versus what is currently being proposed because everything was reduced to comply with the code. He noted there are signatures on record of those that support the project. He asked if the Councilman would consider shortening the time in which to hold the items. COUNCILMAN CREAR disagreed stating he has received postcards in opposition to the project as proposed. MR. MEISZBURGER reiterated he thought the opposition was from years ago. The Councilman again disagreed and stated the applicant was welcome to meet with him, otherwise he would move for denial at this point. MR. MEISZBURGER indicated his willingness to meet with the Councilman.

See Items 95-98 for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 94-98.

Motion made by Cedric Crear to Hold in Abeyance Items 94-98 to 7/17/2019

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

95. VAR-75820 - VARIANCE RELATED TO VAR-75819 - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Variance TO ALLOW RESIDENTIAL BUILDINGS TO HAVE A HEIGHT OF THREE STORIES WHERE TWO STORIES IS THE MAXIMUM ALLOWED ON LOT TWO OF A TWO LOT PROPOSED RESIDENTIAL SUBDIVISION on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

Minutes:
See Item 94 for related discussion and Items 94-98 for related backup.

Motion made by Cedric Crear to Hold in Abeyance Items 94-98 to 7/17/2019

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

96. VAR-75821 - VARIANCE RELATED TO VAR-75819 AND VAR-75820 - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Variance TO ALLOW A 47-FOOT WIDE ACCESS CONTROL GATE WHERE 50 FEET IS REQUIRED; TO ALLOW SIDEWALKS ON ONE SIDE WHERE SIDEWALKS ON BOTH SIDES ARE REQUIRED AND TO ALLOW A CONNECTIVITY RATIO OF 1.00 WHERE 1.30 IS REQUIRED on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

Minutes:
See Item 94 for related discussion and Items 94-98 for related backup.

Motion made by Cedric Crear to Hold in Abeyance Items 94-98 to 7/17/2019

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

97. SDR-75822 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-75819, VAR-75820 AND VAR-75821 - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Site

Development Plan Review FOR A PROPOSED 18-UNIT RESIDENTIAL SUBDIVISION on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

Minutes:
See Item 94 for related discussion and Items 94-98 for related backup.

Motion made by Cedric Crear to Hold in Abeyance Items 94-98 to 7/17/2019

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

98. TMP-75823 - TENTATIVE MAP RELATED TO VAR-75819, VAR-75820, VAR-75821 AND SDR-75822 - MONTAGE ESTATES - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Tentative Map FOR A THREE-LOT RESIDENTIAL SUBDIVISION on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

Minutes:
See Item 94 for related discussion and Items 94-98 for related backup.

Motion made by Cedric Crear to Hold in Abeyance Items 94-98 to 7/17/2019

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

99. VAR-75829 - VARIANCE - PUBLIC HEARING - APPLICANT: JASON MAHEU - OWNER: MICHAEL AND DIANA MOORE TRUST AND MATTHEWS FAMILY TRUST - For possible action on a request for a Variance TO ALLOW 20 PARKING SPACES WHERE 32 PARKING SPACES ARE REQUIRED on 0.42 acres at 1807 West Charleston Boulevard (APN 162-04-112-021), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-75798]. Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open for Items 99-101.

JASON MAHEU, KC Camis Architect, appeared representing the owners of the property. He explained the property had an old house on it that was starting to get run down with overgrown landscaping, and after suffering two fires, it was decided to tear it down and rebuild a new building on the property. The decision to tear it down was made prior to finding out about the Charleston Boulevard road widening project which has held this project up. He explained the blank facades being requested are on the sides that are adjacent to an existing building and on the rear of the building which is adjacent to another commercial property. They do not feel decorating those sides of the building will affect anything because no one will see those facades. However, the facades on the street side and front will be decorated very nicely.

MR. MAHEU noted that two sisters own this particular property, the family owns the other two parcels, and at some point, depending on what happens with the Charleston Boulevard road widening project, they would like to update the facade of the other two buildings on the property. The facade for this building was designed to also be placed on the other two buildings at some point in the future to update the corner as time and money allow.

He pointed out the joint access driveway on the north side of the property which provides access to Del Taco and the other two buildings which is the reason for the Waiver request for the zero-foot landscape buffer along the north perimeter. He further described the landscaping on the west and south sides of the property as well as along Shadow Lane to make it more appealing.

With regard to reduced parking, there is joint access parking through the entire corner. He explained the required number of parking spaces includes parking from the adjacent buildings, not just this particular site. They are able to provide 20 spaces on the property; if they were to add the extra landscape islands, the parking would be reduced more. MAYOR GOODMAN asked what would happen if the other properties were sold, and they lost those parking spaces. MR. MAHEU stated there is a joint access parking agreement that would have to be in effect, but he did not foresee there being any problems since those parcels are owned by the same family.

MR. MAHEU explained for COUNCILWOMAN TARKANIAN there is a 24-foot access easement granted across the north side of the property. He confirmed for the Councilwoman that there was no room for additional parking on the property due to this access. Further discussion took place between COUNCILWOMAN TARKANIAN and MR. MAHEU with regard to where the cars would park and the cross-access parking agreement. The Councilwoman stated there is already a significant problem with parking in this area, and she did not think she could approve the requested reduction with more development expected in that area.

ROBERT SUMMERFIELD, Planning Director, stated the subject site is not part of a commercial subdivision but does have cross parking. Because it is not part of a commercial subdivision, it must conform to all development standards associated with landscape buffers and building proximity to parcel lines. The proposed development fails to comply with development standards that would apply to the site regardless if it was within a commercial subdivision or not, which is evidenced by the self-imposed proposed deficiencies. As such, staff recommended denial of all applications.

MR. MAHEU confirmed for MAYOR GOODMAN and COUNCILWOMAN TARKANIAN that this was a residence at one point which was converted to commercial years ago. The large trees have since been cut down and removed, and the property is now dirt. The Councilwoman respects the applicant and their desire to do this, but she is still concerned with the parking and thought the applicant was asking for too many Variances. The Medical District is a special area, and they are trying to make it desirable in all ways, which is why the landscaping is important. At this point, she could not support the requests.

MR. MAHEU explained why the building is situated where it is, and that they are trying to keep some consistency with the existing building on the corner. COUNCILWOMAN TARKANIAN made a suggestion, but he indicated that would not increase the parking. The site is a difficult one where they have a very small area in which to work.

Noting they were on Shadow Lane, COUNCILWOMAN TARKANIAN stated this is going to be one of the major streets going into the Medical District. She was afraid people would end up parking in front of the residences, which would result in complaints. MAYOR GOODMAN stated she is familiar with this area. It is in the heart of all of the redevelopment going on, and she suggested these items be abeyed so that the applicant can make an appointment with the Councilwoman to discuss it further.

Discussion also took place with regard to the possibility of the donut shop, DiBella Flowers and McDonalds moving due to the widening project.

See Items 100 and 101 for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 99-101.

NOTE: Due to technical difficulties, the video does not reflect the vote accurately in that Councilwoman Fiore voted verbally in the affirmative.

Motion made by Lois Tarkanian to Hold in Abeyance Items 99-101 to 6/5/2019

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

100. VAR-75832 - VARIANCE RELATED TO VAR-75829 - PUBLIC HEARING - APPLICANT: JASON MAHEU - OWNER: MICHAEL AND DIANA MOORE TRUST AND MATTHEWS FAMILY TRUST - For possible action on a request for a Variance TO ALLOW A FIVE-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED AND TO ALLOW A SIX-FOOT REAR YARD SETBACK WHERE 20 FEET IS REQUIRED on 0.42 acres at 1807 West Charleston Boulevard (APN 162-04-112-021), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-75798]. Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL.

Minutes:
See Item 99 for related discussion and Items 99-101 for related backup.

Motion made by Lois Tarkanian to Hold in Abeyance Items 99-101 to 6/5/2019

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

101. SDR-75833 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-75829 AND VAR-75832 - PUBLIC HEARING - APPLICANT: JASON MAHEU - OWNER: MICHAEL AND DIANA MOORE TRUST AND MATTHEWS FAMILY TRUST - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 4,860 SQUARE-FOOT MEDICAL OFFICE DEVELOPMENT WITH WAIVERS TO ALLOW A SIX-FOOT LANDSCAPE BUFFER ALONG A PORTION OF THE EAST PROPERTY LINE WHERE 15 FEET IS REQUIRED; TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE NORTH, SOUTH AND WEST PROPERTY LINE WHERE EIGHT FEET IS REQUIRED; TO ALLOW BLANK FACADES WHERE SUCH IS NOT ALLOWED; AND TO ALLOW LESS PARKING LOT LANDSCAPING THAN WHAT IS ALLOWED on 0.42 acres at 1807 West Charleston Boulevard (APN 162-04-112-021), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-75798]. Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL.

Minutes:
See Item 99 for related discussion and Items 99-101 for related backup.

Motion made by Lois Tarkanian to Hold in Abeyance Items 99-101 to 6/5/2019

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

102. VAR-75869 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JEANNINE LEE, ET AL - For possible action on a request for a Variance TO ALLOW FIVE PARKING SPACES WHERE 12 ARE REQUIRED on 0.16 acres at 2517 Valley Street (APN 139-36-410-015), R-3 (Medium Density Residential) Zone, Ward 3 (Coffin) [PRJ-75270]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open for Items 102 and 103.

There was no applicant or representative present.

ROBERT SUMMERFIELD, Planning Director, stated while the multi-family residential development is an appropriate use in the R-3 (Medium Density Residential) zoning district, staff had not been presented any evidence of hardship imposed by the site's physical characteristics and that any hardships were self-imposed. By reducing the number of dwelling units, the applicant could redesign the site to meet Title 19 requirements. Due to the requested Variance, staff recommended denial of both entitlements.

COUNCILMAN COFFIN was not sure why the applicant was not present. MR. SUMMERFIELD explained an action letter was mailed to the applicants following the decision of the Planning Commission notifying them of this City Council hearing date.

As staff and the Planning Commission recommended denial, COUNCILWOMAN FIORE indicated the applicant may have gotten confused and thought they were denied and that sending a letter may not always suffice. MR. SUMMERFIELD acknowledged this, but as part of his duties as Secretary for the Planning Commission, he informs every applicant at the Planning Commission meeting that their item will move forward and be heard at a specific City Council date.

COUNCILWOMAN FIORE asked MR. SUMMERFIELD if he recalled this applicant and if they spoke English. MR. SUMMERFIELD recalled the applicant, but could not say with certainty if there was a language barrier. He also informed COUNCILMAN COFFIN this application was not signified as final action when it was heard by the Planning Commission, so it was moving forward to the City Council for consideration regardless, and this was not an appeal. The Councilman wished to abey the item in order to reach out to the applicant.

See Item 103 for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 102 and 103.

Motion made by Bob Coffin to Hold in Abeyance Items 102 and 103 to 6/5/2019

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

103. SDR-75870- SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-75869 - PUBLIC HEARING - APPLICANT/OWNER: JEANNINE LEE, ET AL - For possible action on a request for a Site Development Plan Review FOR A PROPOSED SIX-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS TO ALLOW A THREE-FOOT LANDSCAPE BUFFER WIDTH ALONG THE EAST AND WEST PROPERTY LINES WHERE SIX FEET IS REQUIRED AND A FOUR-FOOT LANDSCAPE BUFFER WIDTH ALONG THE SOUTH PROPERTY LINE WHERE 10 FEET IS REQUIRED on 0.16 acres at 2517 Valley Street (APN 139-36-410-015), R-3 (Medium Density Residential) Zone, Ward 3 (Coffin) [PRJ-75270]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

Minutes:
See Item 102 for related discussion and Items 102 and 103 for related backup.

Motion made by Bob Coffin to Hold in Abeyance Items 102 and 103 to 6/5/2019

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

104. VAR-75818 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SERENITY BIRTH CENTER, LLC - For possible action on a request for a Variance TO ALLOW A ZERO-FOOT SETBACK WHERE A FIVE-FOOT SETBACK IS THE MINIMUM REQUIRED FOR A PROPOSED MONUMENT SIGN at 332 South Jones Boulevard (APN 138-36-210-008), O (Office) Zone, Ward 1 (Tarkanian) [PRJ-75764]. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

DOUG RANKIN appeared on behalf of the applicant. He explained this birthing center was before the Council a few months ago for their zoning entitlement. As the project moved forward, they realized it was impractical to place their sign where needed in order to meet the required setback, and he pointed out the most likely place to put it, which requires this Variance. The monument sign is seven feet in height, stone veneer, and is indirectly lit with landscape lighting.

PETER LOWENSTEIN, Deputy Planning Director, stated staff was presented with no evidence of a unique or extraordinary circumstance to support the zero-foot setback request and recommended denial.

MR. RANKIN confirmed for COUNCILWOMAN TARKANIAN the height of the sign would be seven feet and would fall in line with the other signs along Jones Boulevard. The Councilwoman did not see any problems with this and thought the applicant had done a good job with the building.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Lois Tarkanian to Approve Subject to Condition(s)

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

105. VAR-75834 - VARIANCE - PUBLIC HEARING - APPLICANT: OSEVENA NOEL - OWNER: MARIE GENISTE - For possible action on a request for a Variance TO ALLOW A TWO-FOOT CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED FOR AN EXISTING ADDITION TO A SINGLE FAMILY DWELLING AND AN EXISTING NINE-FOOT TALL PERIMETER WALL WHERE EIGHT FEET IS THE MAXIMUM ALLOWED at 500 Vincent Way (APN 138-34-711-009), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-75747]. The Planning Commission (5-0 vote) and Staff recommend DENIAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

OSEVENA NOEL, applicant, stated with regard to the setback, the homeowner spent a lot of money and built a small room about 10 years ago but did not realize she had to comply with the building code. He explained the height of the fence is due to the difference in elevation on Vincent Way and Alta Drive.

COUNCILWOMAN TARKANIAN stated the wall did not concern her, but the addition that was built without a permit and inspections does. MR. NOEL stressed the owner hired a structural and civil engineer and everything was built to code.

PETER LOWENSTEIN, Deputy Planning Director, stated the applicant created a self-imposed hardship by illegally constructing a room addition without obtaining a building permit. As such, staff recommended denial of the Variance request. He read an added condition of approval into the record if the Council voted to approve the Variance.

MR. NOEL noted he had a business card for ROD CLARK, Plans and Permits Supervisor. MR. LOWENSTEIN added a building permit was being processed on November 28, 2018 for the residential room addition, but it cannot be approved until such time as this Variance is approved. He further explained the timeframes associated with the required building permit and inspections.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Lois Tarkanian to Approve Subject to Condition(s) and adding the following condition as read for the record:

A. All necessary building permits shall be obtained within 60 days from the date of final approval and final inspections of such permits shall be accomplished within 30 days of the issuance of the building permits, unless extended by the Building Official.

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

106. SUP-75757 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LAUREN OWENS - OWNER: CIM/116 N. 3RD LV, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 90 SQUARE-FOOT OFF-PREMISE SIGN USE at 116 North 3rd Street (APN 139-34-510-021), C-2 (General

Commercial) Zone, Ward 5 (Crear) [PRJ-75622]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

HOLLY CASH appeared stating she hoped the Council would approve this request.

PETER LOWENSTEIN, Deputy Planning Director, stated the proposed sign complies with the Downtown Casino Overlay District Special Signage requirements and is appropriate in the area. As such, staff recommended approval of the application.

COUNCILMAN CREAR stated he has not heard from the applicant regarding this project, and asked MS. CASH if she worked for the Downtown Grand. MS. CASH confirmed she was representing the Downtown Grand and that the sign was already installed when she started working there in November. They are trying to obtain a permit as the sign was put up without first obtaining one.

MR. LOWENSTEIN clarified this is an existing sign that has been a part of that structure for some time, and they want to re-face it with an off-premise message. It has been used for on-premise messaging, and the Special Use Permit is to allow for the off-premise message which is a directional to the Downtown Grand.

COUNCILMAN CREAR asked if this request would have to go through the Downtown Design Review Committee. He mentioned an ordinance that allows for signage advertising on-property for the Downtown Corridor. The Councilman noted since BILL DOAK left the Downtown Grand, no one has reached out to him on various issues related to the expansion. He asked MS. CASH what she did; MS. CASH indicated she handles the vendor contracts and licensing. She explained this started before she came onboard; it was originally denied, but then she worked with the Planning Commission to get it approved. COUNCILMAN CREAR stated he would like to speak to whoever now runs their operation, and as the applicant moves forward, it would be appropriate for them to make an appointment with his office so he is kept apprised and has a better understanding of what is occurring.

MAYOR GOODMAN welcomed CIM and the Downtown Grand and all they have done. COUNCILMAN CREAR indicated he was just trying to understand what would be displayed on the sign. MS. CASH stated it will say Downtown Grand with an arrow and lights.

The Councilman asked why approval was needed for a refacing of the sign. ROBERT SUMMERFIELD, Planning Director, explained the applicant does not need permission to change the face, but they are converting it from an on-premise to an off-premise sign, which requires Council approval. He noted once approval for an off-premise sign is obtained, the face can be changed to appropriate messaging. COUNCILMAN CREAR expressed concern with the sign being turned into a billboard to market things other than what the original intent was and with setting a precedent.

MAYOR GOODMAN thought there were restrictions with regard to advertising on off-premise signs. MR. SUMMERFIELD explained there are two different types of advertising. There is super graphic signage and due to its enhanced nature, there are additional limitations. There is also a requirement within the Downtown Casino Overlay that requires at least 75 percent of off-premise signage be used to advertise places, products, goods, services and idea statements that are available or located within the area. The proposed message achieves that goal, but once approved, the applicant would have the ability to change it to something else. However, if it were changed to something that did not achieve that requirement, staff would review it and Code Enforcement would get involved. MS. CASH clarified it would only be used for a directional.

COUNCILMAN CREAR asked if there was other signage in the Downtown Overlay District authorized for off-premise signage. MR. SUMMERFIELD stated there have been other off-premise signs permitted in downtown, but this would be the first one that is unique in its shape and reusing an existing sign in this manner.

COUNCILMAN COFFIN thought MS. CASH should advise management that the City does not have information as to who to call if there is a problem; MS. CASH indicated she would let the Downtown Grand know.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: Due to technical difficulties, verbal votes were taken, and the video did not capture the final vote.

Motion made by Cedric Crear to Approve Subject to Condition(s)

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

107. SUP-75838 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: ROMMEL V. FAJARDO AND LORENA DE LIOS FAJARDO - For possible action on a request for a Special Use Permit FOR A COMMUNITY RESIDENCE USE WITH A WAIVER TO ALLOW A 455-FOOT DISTANCE SEPARATION FROM A SIMILAR USE WHERE 660 FEET IS REQUIRED at 125 Antelope Way (APN 138-34-514-001), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-75806]. Staff recommends DENIAL. The Planning Commission (4-1 vote) recommends APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

ROVIRIC FAJARDO requested approval for a Special Use Permit to operate a community residence with six bedrooms and three bathrooms for up to 10 individuals with Alzheimer's.

ROBERT SUMMERFIELD, Planning Director, stated the applicant proposes to use an existing six-bedroom, three-bath, single-story, detached residential home as a community residence. The proposed use is approximately 455 feet away from an existing community residence where 660 feet is required. Because of the decreased distance separation, staff found the proposed use incompatible with neighboring development and recommended denial of the application.

MAYOR GOODMAN asked if this had to do with the use because COUNCILMAN COFFIN mentioned there was no fence, and the residents will have Alzheimer's. MR. SUMMERFIELD stated these types of facilities are licensed at the State level and he was unfamiliar with their licensing requirements. From a planning and land use aspect, the impacts to any residential neighborhood should be minimized by intrusions of other types of activities. While this is technically a residential activity, it is a much more intense activity which is why the distance separation is in place.

MAYOR GOODMAN thought approval of the use of the facility by the State should come first. MR. SUMMERFIELD deferred to MARY McELHONE, Deputy Planning Director, but believed the State requires local zoning approval prior to it issuing a license. MS. McELHONE reiterated Business Licensing does not license these establishments, and that the applicant needs to obtain land use approval prior to going through the State process to get licensed. This item is to consider whether or not the activity is compatible with the neighborhood. MAYOR GOODMAN thought the process was backwards.

COUNCILWOMAN TARKANIAN stated there is also the issue of the subject property being 200 feet too close to a similar use, and the residents do not want to be overloaded. She asked if the State challenged this. MR. SUMMERFIELD stated based on court proceedings, modifications were made to the code, but the distance separation was upheld and is at the Council's discretion whether to waive or not. The distance separation is in place for consistency of the neighborhood and not to tax the neighborhood with too many homes that are not single-family units.

COUNCILWOMAN TARKANIAN also asked about the layout of the sixth bedroom to which MR. SUMMERFIELD stated staff reviewed the floor plan, and that is still an issue. Staff needs to do an inspection to verify if the floor plan is correct. If the one bedroom does not have internal access to the home, it will create a different concern for staff that will need to be addressed down the road if this is approved.

COUNCILWOMAN TARKANIAN asked about the square footage of the home. MR. SUMMERFIELD stated the documentation supplied by the applicant indicates it is 3,000 square feet, and the discrepancy with this figure as compared to that of the Clark County Assessor is believed to be the conversion of a garage into two additional bedrooms. However, it appears one of those bedrooms does not have internal access to the home, so it may not qualify as a bedroom. The Councilwoman thought it was wonderful what the applicant was trying to do, but she was concerned with the size of the bedrooms and asked if she could visit the home prior to making a decision on this item.

MR. FAJARDO was agreeable to this, but asked for clarification on the access requirements relating to a bedroom. MR. SUMMERFIELD stated the floor plan did not demonstrate internal access for bedroom number six and only has a door that enters immediately off of the area designated for parking, making it an attached accessory structure per the code. COUNCILWOMAN TARKANIAN expressed concern with this because Alzheimer's patients tend to wander. She wished to visit the location along with Planning staff. MR. FAJARDO stated prior to any approval from the State, they need local approvals. He also noted fire sprinklers would be installed as part of the process.

COUNCILMAN COFFIN asked MR. FAJARDO what his experience was with community residences. MR. FAJARDO stated they currently operate two facilities with Alzheimer's patients in Clark County's jurisdiction. The Councilman was concerned with there not being a fence and questioned access to the backyard. MR. FAJARDO explained access to the backyard is through the home, and the backyard is large enough for a pool. COUNCILMAN COFFIN stated he could not support the request regarding the distance separation and reiterated his concern with the lack of a fence and the tendency of Alzheimer's patients to wander off.

COUNCILWOMAN TARKANIAN stated she could not support the request because of the distance separation. MR. FAJARDO wished the Planning Commission had told him there was no way to get approval if they did not meet the distance separation requirement.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: Due to technical difficulties, verbal votes were taken, and the video did not capture the final vote.

Motion made by Lois Tarkanian to Deny

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

108. VAC-75859 - VACATION - PUBLIC HEARING - APPLICANT: BP HOLDINGS, INC. - OWNER: VFR-SOUTHWEST DESERT EQUITIES, LLC - For possible action on a request for a Petition to Vacate a U.S. Government Patent Easement located on the north and east perimeter of the site and a 30-foot portion of the north half of Darling Road located east of Hualapai Way, Ward 6 (Fiore) [PRJ-75736]. Staff recommends DENIAL. The Planning Commission (4-1 vote) recommends APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open for Items 108 and 109.

JULIA IZZOLO, Zenith Engineering, stated this project was previously approved for a Rezoning, Special Use Permit, and Site Development Plan Review (SDR). The request before the Council is to vacate the north 30 feet of right-of-way on Darling Road and in conjunction with that to amend the SDR to remove the condition to construct half-street improvements on Darling Road and to reduce the landscape buffer requirement down to eight feet which would be required for an interior lot line.

MR. SUMMERFIELD, Planning Director, stated the proposed Vacation of the Darling Road right-of-way could eliminate public street access to the parcel to the east of the subject site and result in a landlocked parcel. Additionally, staff found no evidence of a unique or extraordinary circumstance to support the decreased landscape buffer along the south property line. As such, staff found the proposed development to be inharmonious with surrounding properties and future development in this area and recommended denial of both applications.

COUNCILWOMAN FIORE spoke of the Vacation abandonment of Darling Road and the patent easements to the east of Hualapai Road.

See Item 109 for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 108 and 109.

NOTE: Due to technical difficulties, verbal votes were taken, and the video did not capture the final vote.

Motion made by Michele Fiore to Approve Subject to Condition(s)

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

109. SDR-75860 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAC-75859 - PUBLIC HEARING - APPLICANT: BP HOLDINGS, INC. - OWNER: VFR-SOUTHWEST DESERT EQUITIES, LLC - For possible action on a request for a Major Amendment to a previously approved Site Development Plan Review (SDR-73576) FOR THE PROPOSED EXPANSION OF THE SUBJECT SITE AND PARKING LOT RECONFIGURATION FOR A 9,043 SQUARE-FOOT COMMERCIAL DEVELOPMENT WITH A WAIVER TO ALLOW AN EIGHT-FOOT LANDSCAPE BUFFER ON THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED on 2.02 acres at 6840 North Hualapai Way (APN 125-19-401-002), C-1 (Limited Commercial) Zone, Ward 6 (Fiore) [PRJ-75736]. Staff recommends DENIAL. The Planning Commission (4-1 vote) recommends APPROVAL.

See Item 108 for related discussion and Items 108 and 109 for related backup.

NOTE: Due to technical difficulties, verbal votes were taken, and the video did not capture the final vote.

Motion made by Michele Fiore to Approve Subject to Condition(s)

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

110. DIR-76328 - PUBLIC HEARING - For possible action on an Appeal of Director's decision regarding non-acceptance of an application based upon an interpretation of qualifying "public access" as it relates to a Marijuana Dispensary use located at the northwest corner of Craig Road and Tenaya Way (APN 138-03-611-014), C-1 (Limited Commercial) Zone, Ward 4 (Anthony) [PRJ-76330]. Staff recommends DENIAL.

Minutes:
Prior to declaring the Public Hearing open, MAYOR GOODMAN noted the dispensary use is located at the northeast corner of Craig Road and Tenaya Way, not the northwest corner as stated in the line item.

MAYOR GOODMAN asked about the definition of “access” and when that definition was established. ROBERT SUMMERFIELD, Planning Director, read the definition as stated in Title 19.18. Based on staff’s research, that definition was introduced into the code in 1997 with the adoption of what was then called Title 19A. The Mayor asked if the definition meant vehicular or pedestrian. MR. SUMMERFIELD explained it is a catch-all term instead of defining them separately. In various places in the code, the context determines whether it refers to vehicular, pedestrian or vehicular and pedestrian. How the term “or” is used is also defined in the code. Based on the area access is used, in this context, “or” can signify vehicular, pedestrian or vehicular and pedestrian.

MAYOR GOODMAN asked if there have been past projects that considered pedestrian only as access or if there has always been an inference of vehicular. EXECUTIVE DIRECTOR OF COMMUNITY DEVELOPMENT

TOM PERRIGO thought MR. SUMMERFIELD articulated the code provision clearly, and during his tenure as Planning Director, that is how it was interpreted. There were some applications where the provisions of the code were speaking directly to pedestrian access and sometimes vehicular access; it can be either, but the intent depends on the portion of the code they are dealing with.

MAYOR GOODMAN asked if this was clear to any applicant or if it needed to be clarified when an application is submitted to be consistent. MR. SUMMERFIELD stated staff has been consistent in their interpretation. While marijuana has only existed in the code since 2014, the provisions in question have existed relative to other uses in the code for much longer. Staff has consistently interpreted that section for access to be vehicular. This is the first time where an applicant has come forward and questioned that definition. Any planner or engineer would not see the ambiguity, but when looking solely at the definition, there is grounds for staff to make a clarification in the code. For a layperson who does not have the expertise of a planner or engineer, the intent of that section of code may not be as clear. He requested direction for staff to make a clarification if the Council felt there was some ambiguity in this section.

MAYOR GOODMAN asked if he meant ambiguity from Council, the applicant or staff. MR. SUMMERFIELD replied all, but mainly from Council since the code is the Council's code and staff delivers that code. As a body, if the Council feels the code requires some clarification, then staff would make the necessary adjustments and bring forth an amendment. The Mayor thought from a layperson's view, the word "or" means one or the other. MR. SUMMERFIELD agreed, but reiterated the code provides additional language how the term "or" is to be used in the code. As former legislators, he thought COUNCILMEMBERS COFFIN and FIORE were aware that in code, terms are defined differently than how Webster might otherwise use them.

COUNCILWOMAN TARKANIAN thought the applicant found ambiguity in the way it is worded in the code, so the applicant's request should be approved, but she also thought staff should make changes to eliminate the ambiguity moving forward. MR. SUMMERFIELD clarified staff's way of reading the context in which the word "access" is used in this case is referring to the vehicular part of the definition; however, if the Council feels there is ambiguity, staff would prefer to clarify to ensure the intent of Council is clear.

LUCY STEWART, LAS Consulting, and ATTORNEY JAY BROWN were present.

COUNCILMAN ANTHONY summarized there is an applicant who wants to put an application in for a marijuana dispensary in his Ward, but a question came up regarding the distance separation. MR. BROWN looked at the distance separation requirements which are different when considering a vehicular entrance or a pedestrian entrance; one disqualifies the applicant, while the other does not. After speaking with staff, he agreed the code is ambiguous, and because of that, he directed staff to go through the process of clarifying the code. Additionally, because the code is ambiguous, he motioned to grant the appeal which means the applicant can move forward to the next step.

MR. SUMMERFIELD wished to make the Council aware there is the potential for more applications to be submitted while waiting for the code amendment to be approved. However, the applications are discretionary, so submitting an application does not guarantee approval of such.

COUNCILWOMAN FIORE reiterated even though more applications may be submitted prior to the code being amended, the Council has the final authority whether to approve those applications.

Based on the discussion, CITY ATTORNEY BRAD JERBIC clarified the motion would be to grant the appeal that was requested. MAYOR GOODMAN reiterated there was direction to staff to clarify the code.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: MAYOR GOODMAN disclosed although she has a son in the marijuana industry, because this item relates to access and policy/procedure and is not specific to marijuana, she was advised she could vote. CITY ATTORNEY BRAD JERBIC added ASSISTANT CITY ATTORNEY BRYAN SCOTT had spoken to the Mayor regarding this issue, and the item before the Council relates to whether or not to grant an appeal and whether or not an application can be submitted and accepted by the City of Las Vegas. If the appeal is granted and an application is processed that appears before the Council, the Mayor would not be able to vote on that. This item is unrelated to an actual dispensary, the Mayor made her disclosure and is not disqualified and can participate. Due to technical difficulties, verbal votes were taken, and the video did not capture the final vote.

Motion made by Stavros Anthony to Grant the Appeal

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

SET DATE

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

Minutes:
MAYOR GOODMAN advised the City Clerk, LUANN D. HOLMES, to set the date for all applicable items.

VAR-75906 - 6/5/2019 Agenda

SDR-75907 - 6/5/2019 Agenda

Nuisance Notice and Order – 3808 Fairway Circle – 6/5/2019 Agenda

Nuisance Notice and Order – 1325 Pyramid Drive – 6/5/2019 Agenda

CITIZENS PARTICIPATION

112. 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:
None.

COUNCIL MEMBER RECOGNITION

113. 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:
MAYOR GOODMAN and COUNCILMEMBERS TARKANIAN and ANTHONY and COUNCILMAN CREAR for Ward 5 and on behalf of COUNCILWOMAN FIORE announced the various events taking place in their wards on various dates throughout the months of May and June. Some of the Councilmembers submitted flyers, which are attached as backup, regarding their events and points of interest.

The meeting was recessed at 9:52 a.m., reconvened at 9:58 a.m., recessed at 12:10 p.m., reconvened at 12:33 p.m. and was adjourned at 5:23 p.m.

Respectfully submitted:

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Debra A. Outland, Deputy City Clerk

____
LuAnn D. Holmes, MMC, City Clerk

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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