Carolyn G. Goodman, Mayor (At-Large)
Michele Fiore, Mayor Pro Tem (Ward 6)
Brian Knudsen (Ward 1)
Victoria Seaman (Ward 2)
Olivia Diaz (Ward 3)
Stavros S. Anthony (Ward 4)
Cedric Crear (Ward 5)

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

July 17, 2019
9:00 AM

CEREMONIAL MATTERS

1. Call to Order

Minutes:
MAYOR GOODMAN called the meeting to order at 9:06 a.m.

PRESENT: MAYOR GOODMAN, COUNCILMEMBERS FIORE, ANTHONY, CREAR, KNUDSEN, SEAMAN, and DIAZ

ALSO PRESENT: CITY MANAGER SCOTT ADAMS, CITY ATTORNEY BRAD JERBIC, DEPUTY CITY ATTORNEY JEFF DOROCAK, DEPUTY CITY ATTORNEY SETH FLOYD, and CITY CLERK LUANN D. HOLMES

2. Announcement Regarding: Compliance with Open Meeting Law

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

3. Invocation - Pastor Brett Capaci, Shadow Hills Church

Minutes:
PASTOR BRETT CAPACI, Shadow Hills Church, gave the invocation.

4. Pledge of Allegiance

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

5. Recognition of the Citizen of the Month

Minutes:
Prior to the Ceremonial portion of the agenda, MAYOR GOODMAN recognized the passing of LIEUTENANT LARRY BURNS who had served 27 years protecting the Las Vegas community before retiring in 2013. LIEUTENANT BURNS served as Captain at the Bolden Area Command in Ward 5. The Mayor spoke on behalf of everyone by sending out thoughts and prayers to LIEUTENANT BURNS' family.

MAYOR GOODMAN announced ROHIT JOSHI, owner of Neonopolis, as the July Citizen of the Month. She stated that in 2002 the Neonopolis opened at the intersection of Las Vegas Boulevard and Fremont Street. There were many issues and many tenants had departed the dining and entertainment complex when MR. JOSHI purchased the building in 2006. Since that time, he has been working enthusiastically to transform the once-vacant building, and today, MR. JOSHI has leased nearly the entire building. A video was shown of the accomplishments.

MAYOR GOODMAN commented that the artwork at the Metropolitan Gallery and Art Museum is beautiful and encouraged everyone to stop by. She noted that ESTHEFANY AROCHI, Mayor's Executive Assistant, suggested MR. JOSHI as Citizen of the Month.

A plaque was presented to MR. JOSHI signed by the Councilmembers.

MR. JOSHI thanked the Mayor for her leadership as well as the Councilmembers. He recognized CITY MANAGER SCOTT ADAMS and BILL ARENT, Director of Economic and Urban Development, for their determination and assistance. He also thanked his wife for all that she has done and asked her to join him at the podium. Lastly, he thanked several of his friends and tenants who were present in the audience.

A photograph was taken of the Mayor and Council, MR. JOSHI, MR. ADAMS and MR. ARENT as the Council honored MR. JOSHI with a ribbon cutting. The ribbon, which the Mayor asked the Councilmembers to sign, and a special pair of scissors was given to MR. JOSHI to keep.

MR JOSHI invited everyone to attend the ribbon cutting for the opening of Cat's Meow on 7/18/2019 at 4:00 p.m.

6. Recognition of the Employee of the Month

Minutes:
MAYOR GOODMAN invited CHIEF MICHELE FREEMAN, Director of Public Safety, and ROBERT AVERSA, Animal Control Officer and Employee of the Month, to the podium. The Mayor stated that MR. AVERSA embodies the city values of being kind, committed and smart and is known for bringing kindness to his duties that include helping distressed animals and pet owners. He is committed to not only providing great customer service but also to building a relationship with the community by attending community events to inform pet owners of safety. He also works to help injured animals and, for example, has responded to many calls at Floyd Lamb Park where the geese have been hooked by fishing equipment. Last fall, MR. AVERSA joined Las Vegas Fire and Rescue and the Department of Operations and Maintenance to save a cat who had been trapped in a pipe on a freeway overpass.

He was presented with a plaque, and MAYOR GOODMAN thanked him for all that he does for the city of Las Vegas. CHIEF FREEMAN said MR. AVERSA epitomizes the City's values of Kind, Committed and Smart stating that he is a man of many complexities but in the simple state. She acknowledged JENNIFER DAVIES, Sr. Public Information Officer, who nominated MR. AVERSA.

MR. AVERSA thanked Jesus Christ as without him, he did not believe anything would be possible. He thanked many people and felt blessed to be able to do what he does. He believed education was key as many people do not know how to treat their animals, and it is up to those with the badge to help and to educate. He also thanked MS. DAVIES for having nominated him.

MR. AVERSA'S wife and son joined everyone at the podium, and a photograph was taken of the Mayor and Council, MR. AVERSA and his family.

7. Recognition of Collector Car Appreciation Day

Minutes:
COUNCILMAN ANTHONY was honored to recognize the collector car hobby in the city and across the country. He explained Las Vegas is home to many car enthusiasts and businesses that support them in the industry; this

is an industry with sales of over $40 billion annually. SEMA (Specialty Equipment Market Association) is the second-largest trade show that comes to Las Vegas bringing over 140,000 visitors and $207 million in non-gaming impact every year. Recently, the House of Representatives passed a congressional resolution recognizing July 12, 2019, as Collector Car Appreciation Day. The Councilman stated that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States.

He invited SKEETER RADER, who represented all of the car enthusiasts, to the podium. MR. RADER is a resident of Las Vegas who started a collector car show and helps SEMA to organize and is active in the SEMA Action Network to raise awareness in the state legislature about the collector car hobby.

MR. RADER narrated a video of the collector cars parked in front of City Hall during the morning of July 17th stating that Collector Car Appreciation Day provides an opportunity for car enthusiasts to showcase their vehicles. He noted the car hobby brings in trillions of dollars to the United States economy; therefore, the SEMA Action Network works with legislators on legislation. He was proud to be able to have the SEMA show in Las Vegas and thanked the Councilman for the recognition.

COUNCILMAN ANTHONY presented MR. RADER with a Proclamation declaring July 17, 2019, as Collector Car Appreciation Day. Certificates of Appreciation were presented to those who participated in the car show.

A photograph was taken of the Mayor and Council, MR. RADER and the car enthusiasts in attendance.

8. Recognition of Alpha Phi Alpha Fraternity Incorporated's 95th General Convention

Minutes:
COUNCILMAN CREAR invited those members of Alpha Phi Alpha Fraternity Inc. in attendance to the podium. He shared a brief history of the fraternity stating that Alpha Phi Alpha Fraternity, Inc. was established as an intercollegiate Greek-letter fraternity on December 4, 1906, at Cornell University in Ithaca, New York by seven young men known as the Jewels. The Jewels led the way for the existence of the first African American collegiate fraternity. The Councilman listed some of the notable members including Brother Dr. Martin Luther King, Jr., Brother Justice Thurgood Marshall, Brother Jesse Owens, and many notable local members including FORMER COUNCILMAN RICKI BARLOW.

COUNCILMAN CREAR shared that Alpha Phi Alpha Fraternity, Inc. and the Theta Pi Lambda Chapter is a local chapter in Las Vegas and provides leadership to its members and respective residents in the Las Vegas community. This chapter also facilitates activities to benefit at-risk and disadvantaged youth in Southern Nevada through the mentoring group called Alpha Men and Divas of Tomorrow founded in 1925. Over the past three or four years, over $145,000 has been given out for scholarships and the group has a 100 percent college-attendance rate for the youth who participate in the mentoring program.

In celebration of the 95th anniversary, Alpha Phi Alpha Fraternity, Inc. presented a donation of $10,000 to the Mayor's Fund for Las Vegas LIFE to go towards the Kianga Isoke Palacio Park baseball field located on the grounds of the Doolitte Complex. The fields are home to the Bolden Little League and are widely used in Ward 5 and resource upgrades are few.

He introduced MICHAEL BLOW, President of Alpha Phi Alpha Fraternity, Inc., who would make a presentation on behalf of the entire fraternity throughout the nation.

MR. BLOW said one of the mottos of the fraternity is service to all mankind which also extends to children. He acknowledged that many children like to see their numbers on the scoreboard which develops a sense of pride for the participants, parents, and spectators. He was pleased to present $10,000 toward the purchase of a scoreboard at the baseball field.

The Mayor expressed her gratitude stating that it is important for children to feel recognized. She noted that the Mayor's Fund for LIFE is a 501c3 non-profit and allows donors to choose the project or entity they wish to allocate their donation to.

COUNCILMAN CREAR was thankful Alpha Phi Alpha Fraternity, Inc. chose to make a donation to upgrade the baseball field in an area in which he represents. He also expressed thanks to EVERETT B. WARD, General President of Alpha Phi Alpha Fraternity, Inc., who would be in Las Vegas during the upcoming weekend. The Councilman announced that Alpha Phi Alpha Fraternity, Inc. would be partnering with his office to host Alpha Day to be held July 20th, and he shared several events to take place in Ward 5 on that day. A proclamation would also be presented on that day to Alpha Phi Alpha Fraternity, Inc. for their donation, which COUNCILMAN CREAR read into the record and has been attached as backup.

A photograph was taken of the members, Mayor and Council.

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:
Regarding Item 55, STEVE GRAMMAS, President of the Las Vegas Police Protective Association, spoke in support of COUNCILMAN ANTHONY'S previous comments regarding the HOV (high-occupancy vehicle lane) lane and did not believe in the lanes 24-hour restriction. He was also present to share information about a supply drive for teachers and left a handout to be circulated which has been attached as backup. The goal is for Clark County School District teachers to pick up supplies they may need for the school year.

FRANK BINGHAM wished to comment on Items 79 and 81. Because he would not be able to stay to speak on the items later in the afternoon, he expressed his opposition to Item 79 as he did not wish for the three-story building in his neighborhood. Regarding Item 81, he had 146 signatures opposing the zoning change which he submitted and which has been attached as backup under Item 81.

CODY CUNNINGHAM was in support of Item 55 to remove the 24-hour restrictions on the HOV lanes.

COUNCILMAN CREAR clarified that the three-story building MR. BINGHAM was concerned about would not be three-story.

See Item 78 for related discussion.

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.

Minutes:
COUNCILWOMAN FIORE reported that there were no items requiring action under this item for the morning session.

11. For possible action to approve the Final Minutes by reference of the June 5 and 19, 2019 Regular City Council Meetings

Motion made by Michele Fiore to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

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

12. 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-17-758528-J, in the Eighth Judicial District Court concerning the denial of several land use applications for the development of a portion of the former Badlands Golf Course for an amount not to exceed $100,000 (General Fund) - Ward 2 (Seaman)

Minutes:
Prior to MAYOR GOODMAN reading the Consent Agenda, COUNCILWOMAN SEAMAN stated that she did not wish to pull this item from the Consent Agenda; however, she wished to provide comment because it involves a matter greatly affecting Ward 2. This matter is the ongoing dispute involving the Badlands Golf Course, the Councilwoman indicated the matter is impacting residents, development, and business within the ward. She hoped for the property owner and the surrounding homeowners to reach a resolution that satisfies all parties. COUNCILWOMAN SEAMAN asserted she would do everything in her power as the representative of everyone in Ward 2 to help achieve such an outcome.

In the meantime, the Councilwoman stated that she must also do what is best to defend the citizens of Las Vegas, their tax dollars and the actions taken by the City Council and city staff; therefore, she would support this request for additional funding for outside legal counsel who is defending the City in the Badlands litigation.

MAYOR GOODMAN requested a copy of COUNCILWOMAN SEAMAN'S statement.

Subsequent to the vote, MAYOR GOODMAN read Item 28 into the record noting the City approved a Liquor Manufacturer License for 7Five Brewing Co. and a partner with the company was present. She introduced RYAN REEVES, Right Wing for the Vegas Golden Knights, who thanked the Council and staff and stated that 7Five Brewing Co. was his company and the number 75 was significant as it is the only number he has worn in his 10-year career in the NHL (National Hockey League). He planned to brew with Abel Baker who was present in the audience and who he thanked for helping to launch this brand.

MR. REEVES asserted the brewing company was not a celebrity endorsement and while it is about him, it is also about the people of Las Vegas. Through branding and marketing, they planned to tell the stories of Las Vegas.

TIM O'REILLY, O'Reilly Law Group, appeared on behalf of the applicant, 7Five Brewing Co., LLC, and thanked the City, Mayor, and staff in terms of their hard work.

The Mayor asked MR. REEVES to share some information about himself.

MR. REEVES stated that he is from Winnipeg, Manitoba in Canada and played junior hockey in Brandon, Manitoba and was drafted by the St. Louis Blues. After playing with the St. Louis Blues for seven years he was traded to the Pittsburgh Penguins after which he made his way to Las Vegas.

COUNCILWOMAN DIAZ welcomed MR. REEVES to Ward 3 and the downtown area. She wished him the best of luck in his endeavors.

NOTE: The video does not reflect accurately in that Mayor Goodman abstained from voting on Items 24-27 due to her son's involvement in the marijuana industry.

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

COMMUNITY SERVICES - CONSENT

13. For possible action to approve the allocation of $315,769.52 of Low Income Housing Trust Funds to Accessible Space Inc. for the rehabilitation of Ruby Duncan Manor Affordable Senior Housing, located at 500 West Owens Avenue - Ward 5 (Crear)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

14. For possible action to approve an agreement between City of Las Vegas and Veterans Village 4 LLC for the master lease of 10 rental units, located at 2512 Fremont Street, to serve as bridge and/or transitional housing for homeless individuals in the City of Las Vegas ($101,000 - General Fund/Redevelopment Set-Aside) - Ward 3 (Diaz)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

15. For possible action to approve an agreement between City of Las Vegas and Women's Development Center (a nonprofit organization) for the master lease of 15 scattered rental units to serve as bridge and/or transitional housing for homeless individuals in the City of Las Vegas ($125,499 - General Fund/Redevelopment Set-Aside) - All Wards

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

ECONOMIC AND URBAN DEVELOPMENT - CONSENT

16. For possible action to approve an Amended and Restated Parking License Agreement between FAEC Holdings Wirrulla, LLC and the City of Las Vegas (City) regarding the structured parking garage beneath the retail development commonly known as Neonopolis located at 450 Fremont Street (APN 139-34-513-003) - Ward 5 (Crear)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

FINANCE - PURCHASING AND CONTRACTS - CONSENT

17. For possible action to approve an increase to Purchase Order No. 388718 to increase the Construction Conflicts and Contingency Reserve for Contract No. 17.60005-JL, Symphony Park Parcels B and L, which are generally bounded by Symphony Park Avenue to the north, Union Pacific Railway to the east, West Clark Avenue to the south, and South Grand Central Parkway to the west - Department of Public Works - Award

recommended to: THE WHITING-TURNER CONTRACTING COMPANY ($800,000 - General Capital Projects Fund) - Ward 5 (Crear)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

18. For possible action to approve award of Amendment No. 4 to Contract No. 170126-JH, Professional Services Contract for Form-Based Code to Implement Downtown Master Plan - Department of Planning - Award recommended to: LISA WISE CONSULTING, INC. ($101,780 - General Capital Projects Fund) - Wards 1, 3 and 5 (Knudsen, Diaz and Crear)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

19. For possible action to approve award of Contract No. 190335-JH, Blanket Services Agreement for Architectural Consulting Services - Department of Public Works - Award recommended to: GEORGE M. ROGERS CHARTERED dba GEORGE M. ROGERS, ARCHITECT (Not-to-Exceed $150,000 Annually - Various Funds) - All Wards

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

LEGISLATIVE AFFAIRS - CONSENT

20. For possible action to approve the ratification of Dorian Stonebarger in a Council support position as a Special Assistant to Council in the Ward 1 office ($63,203 annual salary + Benefits - General Fund) - Ward 1 (Knudsen)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

21. For possible action to approve the ratification of Bryan Baltazar in a Council support position as a Special Assistant to Council in the Ward 2 office ($63,203 annual salary + Benefits - General Fund) - Ward 2 (Seaman)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

22. For possible action to approve the ratification of David McGowan in a Council support position as a Special Assistant to Council in the Ward 2 office ($66,995 annual salary + Benefits - General Fund) - Ward 2 (Seaman)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

OPERATIONS AND MAINTENANCE - CONSENT

23. For possible action to approve an Interlocal Agreement between the City of Las Vegas and the Las Vegas Redevelopment Agency for the Lease of the Fifth Street School, located at 401 South 4th Street - Ward 3 (Diaz) [NOTE: This item is related to Redevelopment Agency Item 5]

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

PLANNING - BUSINESS LICENSING - CONSENT

24. For possible action to approve a New Compliance Permit for a Retail Marijuana Store for NEVADA ORGANIC REMEDIES, LLC dba THE SOURCE at 1725 South Rainbow Boulevard, Suite #21 - Ward 1 (Knudsen)

NOTE: The video does not reflect accurately in that Mayor Goodman abstained from voting on Items 24-27 due to her son's involvement in the marijuana industry.

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 6; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Michele Fiore, Brian Knudsen, Olivia Diaz; Abstain-Carolyn Goodman;

25. For possible action to approve a Marijuana Production Establishment License (Medical/Recreational) for GTI NEVADA, LLC dba GTI NEVADA, LLC at 3130 North Deer Run Road - Carson City, Nevada

NOTE: The video does not reflect accurately in that Mayor Goodman abstained from voting on Items 24-27 due to her son's involvement in the marijuana industry.

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 6; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Michele Fiore, Brian Knudsen, Olivia Diaz; Abstain-Carolyn Goodman;

26. For possible action to approve a Marijuana Cultivation Establishment License (Medical/Recreational) for HELIOS NV, LLC dba HELIOS NV at 800 Stillwell Avenue, Suite #60 - Reno, Nevada

NOTE: The video does not reflect accurately in that Mayor Goodman abstained from voting on Items 24-27 due to her son's involvement in the marijuana industry.

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 6; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Michele Fiore, Brian Knudsen, Olivia Diaz; Abstain-Carolyn Goodman;

27. For possible action to approve a Marijuana Cultivation Establishment License (Medical/Recreational) for NLV WELLNESS, LLC dba ETHCX at 41 West Mayflower Avenue - North Las Vegas, Nevada

NOTE: The video does not reflect accurately in that Mayor Goodman abstained from voting on Items 24-27 due to her son’s involvement in the marijuana industry.

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 6; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Michele Fiore, Brian Knudsen, Olivia Diaz; Abstain-Carolyn Goodman;

28. For possible action to approve a Liquor Manufacturer License for 7FIVE BREWING CO, LLC dba 7FIVE BREWING CO, LLC at 1510 South Main Street - Ward 3 (Diaz)

Minutes:
See Item 12 for related discussion.

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

29. For possible action to approve an Ancillary Brew Pub License for ABLE BAKER BREWING COMPANY, LLC dba ABLE BAKER BREWING COMPANY at 1510 South Main Street - Ward 3 (Diaz)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

30. For possible action to approve a Beer Wine Room License for ABLE BAKER BREWING COMPANY, LLC dba ABLE BAKER BREWING COMPANY at 1510 South Main Street - Ward 3 (Diaz)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

31. For possible action to approve a Package License for a Change of Ownership FROM: STOP N SHOP 5 OPERATOR, LLC TO: TERRIBLE HERBST, INC. dba TERRIBLE'S #383 at 6660 Vegas Drive - Ward 5 (Crear)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

32. For possible action to approve a Package License for a Change of Ownership FROM: STOP N SHOP 3 OPERATOR, LLC TO: TERRIBLE HERBST, INC. dba TERRIBLE'S #384 at 7600 Westcliff Drive - Ward 2 (Seaman)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

33. For possible action to approve a Temporary Alcoholic Beverage Caterer License for VILLAGE HOSPITALITY FURNISHINGS, INC. dba VILLAGE CATERING at 1214 South Third Street [David Litvak, President, Secretary, Treasurer, Director, Shareholder] - Ward 3 (Diaz)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

34. For possible action to approve a Beer/Wine/Cooler On-Sale License for NYREE, LLC dba NAPOLI PIZZERIA at 6121 West Lake Mead Boulevard, Suite #160 [Vahan Balian, Managing Member] - Ward 5 (Crear)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

35. For possible action to approve a Beer/Wine/Cooler On-Sale License for M D HWANG, LLC dba KAIZEN REVOLVING SUSHI at 7450 West Lake Mead Boulevard, Suite #2 [Chom Su Hwang, Managing Member] - Ward 4 (Anthony)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

36. For possible action to approve a Temporary Beer/Wine/Cooler On-Sale License NEVADA TACO COMPANY, INC. dba SALUD at 2411 West Sahara Avenue - Ward 1 (Knudsen)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

37. For possible action to approve a Temporary Beer/Wine/Cooler Off-Sale License for a Change of Ownership FROM: PLATINUM MANAGEMENT GROUP 2, LLC TO: DELIGHTFUL INVESTMENT GROUP, LLC dba DIG MART at 1958 East Charleston Boulevard - Ward 3 (Diaz)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

38. For possible action to approve a Beer/Wine/Cooler Off-Sale License for a Change of Ownership FROM: 7-ELEVEN OF NEVADA, INC. TO: S&S FUELS MANAGEMENT IV, LLC dba 7-ELEVEN STORE #29646 at 4235 West Sahara Avenue [Amar Preet Puri, Managing Member] - Ward 1 (Knudsen)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

39. For possible action to approve a Beer/Wine/Cooler Off-Sale License for TERRIBLE HERBST, INC. dba HERBST MARKET #371 at 10591 West Lone Mountain Road - Ward 4 (Anthony)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

40. For possible action to approve a Restricted Gaming License JETT GAMING, LLC dba JETT GAMING, LLC db at HERBST MARKET #371 at 10591 West Lone Mountain Road - Ward 4 (Anthony)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

41. For possible action to approve a Temporary Massage Establishment License NEKO MASSAGE STUDIO, LLC dba NEKO MASSAGE STUDIO at 124 South 6th Street, Suite #170 [Kangcheng Yin, Managing Member] - Ward 3 (Diaz)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

PUBLIC WORKS - CONSENT

42. For possible action to approve staff to negotiate and purchase property rights, as well as grant utility easements on City owned property and dedicate right-of-way on portions of City property for the Shadow Lane Improvements - Alta to Charleston project, multiple APN’s ($500,000 - Road and Flood Capital Project Fund [CPF]) - Ward 1 (Knudsen)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

43. For possible action to approve a right-of-way dedication from Fairfield Loreto LLC to the City of Las Vegas (City), located in the vicinity of Severence Lane and Oso Blanca Road, APN 125-17-301-008 - Ward 6 (Fiore)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

44. For possible action to approve Supplemental Interlocal Contract No. 7 - 462g between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase total project funding for engineering design for the Sheep Mountain Parkway, CC215 to Kyle Canyon Road project ($500,000 - Road and Flood Capital Project Fund [CPF]) - Ward 6 (Fiore)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

45. For possible action to approve Supplemental Interlocal Contract No. 2 - 1038b between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase total project funding for engineering for the Symphony Park Pedestrian Bridge project ($150,000 - Traffic Improvements Capital Project Fund [CPF]) - Ward 5 (Crear)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

46. For possible action to approve Interlocal Contract 1088 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to provide funding for construction for the Bradley Road, Whispering Sands Drive to Grand Teton Drive project ($970,000 - Road and Flood Capital Project Fund [CPF]) - Ward 6 (Fiore) and Clark County

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

47. For possible action to approve Cooperative Agreement NM315-19-816 between the City of Las Vegas and the State of Nevada Department of Transportation (NDOT) for intersection improvements along the Eastern Avenue Corridor - Ward 3 (Diaz)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

RESOLUTIONS - CONSENT

48. R-29-2019 - For possible action to approve a Resolution updating the procedure for filing objections to City ordinances or resolutions which have an impact on business - All Wards

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

49. R-30-2019 - For possible action to approve a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Office Tenant Incentive Program (OTIP) Agreement between the RDA and Parkway Center, LLC (Owner) located at 100 North City Parkway, Suite 1750 (APN 139-27-410-021), to be in compliance with and in furtherance of the goals and objectives of the RDA - Redevelopment Area Ward 5 (Crear) [NOTE: This item is related to RDA Item 6 (RA-6-2019)]

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

50. R-31-2019 - For possible action to approve a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the RDA and Ten15 Huntridge, LLC (Owner) located at 1118 East Bonneville Avenue (APN 139-34-801-013), to be in compliance with and in furtherance of the goals and objectives of the RDA - Redevelopment Area Ward 3 (Diaz) [NOTE: This item is related to RDA Item 7 (RA-7-2019)]

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

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

Minutes:
CITY MANAGER SCOTT ADAMS wished to recognize CHIEF COMMUNITY SERVICES OFFICER KAREN DUDDLESTEN and the major contribution she has made to the city. MS. DUDDLESTEN started with the City of Las Vegas in May of 2011 as a Business Planning Manager, was later promoted in December of 2014 to Deputy Director of Planning, and was promoted in July of 2017 to Chief Community Services Officer.

He stated that MS. DUDDLESTEN changed the way business licensing is done in the city of Las Vegas by making it more customer-friendly, cutting down red tape, and being more efficient. When MS. DUDDLESTEN started with the City, there were over 460 business license categories in the city; a few years later she was able to reduce that number by half and the time it took to obtain a license from 20 business days to five business days. Additionally, for the first time, under her administration, applicants were able to apply for business licenses online; MS. DUDDLESTEN was also responsible for moving a large share of the City’s business licensing activities to an online system. She also tackled one the city’s most challenging licensing issues which was the cannabis industry. Aside from those administrative accomplishments, MS. DUDDLESTEN spent countless hours mentoring her staff.

He presented MS. DUDDLESTEN with a City flag and a bouquet of flowers.

MS. DUDDLESTEN expressed her gratitude stating that she spent 22 years in public administration and has been able to serve at the state, county and city levels. She thanked the Mayor and Council, the executive management team and her family.

MAYOR GOODMAN spoke kindly of what MS. DUDDLESTEN has done stating she admired her and cherished her friendship.

COUNCILMAN ANTHONY stated that he is a close neighbor of MS. DUDDLESTEN and joked that he would like to be invited over for a barbeque.

COMMUNITY SERVICES - DISCUSSION

52. Discussion for possible action regarding the Neighborhood Partners Fund (NPF) Board recommendations to allocate $67,487.47 for 17 neighborhood projects (General Fund) - All Wards

Minutes:
KATHI THOMAS-GIBSON, Director of Community Service, introduced herself and BOARD MEMBER GREG TOUSSAINT who would present the recommended funding amounts for the Neighborhood Partners Fund (NPF) Board.

Through a PowerPoint presentation, which has been attached as backup, MS. THOMAS-GIBSON spoke of the Neighborhood Partners Fund Program which encourages neighborhoods to take an active role in their communities. The Council has allocated funding to support activities related to physical improvement, public safety, cultural, recreational and educational programming/tutoring that align with the Council's strategic priorities for the community.

Each neighborhood association or homeowners association is eligible to apply for up to $5,000 and must match the funds with cash, volunteer labor, in-kind donations, or professional services.

MS. THOMAS-GIBSON said with the Council's support, this program has created more than $4 million in investment in city neighborhoods and $1.3 million in city investment has yielded $3.3 million in community-matching investment.

This year, the Board was recommending 17 neighborhood projects with over $67,000 in matching funds.

MR. TOUSSAINT introduced himself stating that he was this year's Chair of the Board and spoke of serving on the Board. He recognized and thanked his fellow Board members who worked together to review and evaluate all of the projects. He thanked the Mayor for reappointing him to the Board as he has enjoyed serving.

He recognized and thanked ALMA ESTRADA, Community Program Technician, who has worked to promote the program and has provided coordination of the Board.

MR. TOUSSAINT listed the 17 NPF projects and associations for recommendation in the categories of landscaping improvement, security safety, community garden, beautification, mural, social gathering, dog bag cleanup, and street signage.

Subsequent to the vote, COUNCILMAN KNUDSEN thanked the Board for its recommendations.

Motion made by Michele Fiore to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

PLANNING - BUSINESS LICENSING - DISCUSSION

53. Discussion for possible action regarding a request for a Massage Establishment License for YAN TANG, HONGFONG WU-LIU dba SAM'S SPA at 6340 West Charleston Boulevard, Suite #130 - Ward 1 (Knudsen)

Minutes:
MARY McELHONE, Deputy Director of Planning, stated that the applicant first appeared before the Council on January 16, 2019. The background check had not yet been completed and staff could not verify the source of funding. At that time, the Council denied the requested Temporary Massage Establishment License and wanted a Metro (Las Vegas Metropolitan Police Department) background check to be completed. That background check has now been completed. The Metro report was received on June 6, 2019, with an area of

concern. Both applicants have clean criminal histories; however, the source of funding could not be verified with either applicant.

MS. McELHONE reported that MS. TANG had a friend in China borrow money from her and that friend wired the money back to her in October of 2018 in the amount of $17,200, but it could not be verified. MS. WU-LIU had money given to her from a family member for $70,000, but that money could not be verified, either. On July 9th, MS. TANG provided wiring information and the identification of the person who wired her the $17,200 from China. MS. WU-LIU provided the Charles Schwab account documents where the $70,000 was withdrawn. She also provided a promissory note showing she had borrowed the money from her sister-in-law, BETTY WANG (phonetic), with the intent to pay it back at three percent interest. While the given documentation provided on July 9th still does not provide absolute verification, it does provide a better understanding of where the money has come from.

She noted the subject property has been licensed as a previous massage establishment that operated without evidence of prostitution or human trafficking and operated with very little compliance issues.

ATTORNEY MITCHELL BISSON, Callister Law Group, appeared representing the applicants who were also present with MS. WU-LIU'S son who would be appling to be the key manager and help to run the business. MR. BISSON noted that the applicant was seeking a six-month Temporary Massage Establishment License for this location and believed funding concerns have been satisfied. He asserted his applicants were serious business owners and have already invested a significant amount of money into the location and have purchased equipment and materials. He asserted the applicants have familiarized themselves with Las Vegas ordinances and Nevada laws pertaining to massage establishments with the help of MR. BISSON'S law firm. The applicants understood this was a privileged license and the license can be revoked should there be any issues.

MAYOR GOODMAN asked what the major cross streets are. MR. BISSON believed Charleston Boulevard and Torey Pines Drive. The business is in the process of hiring employees after which the operating hours will be determined; however, he believed the hours to be between 6:00 a.m. and 10:00 p.m. MS. McELHONE confirmed this establishment is allowed to operate between 6:00 a.m. and 10:00 p.m. unless the Council wished to impose additional restrictive hours. She informed the Mayor that the applicants do not own any other establishments in Southern Nevada adding that MS. TANG immigrated to the United States in April of 2016 and MS. WU-LIU immigrated in 1998.

MS. TANG stated that a lot of money has been spent and the applicants have tried hard. She asked for the Council to trust her and asked for the chance to prove herself.

COUNCILMAN KNUDSEN stated that he met with the applicants and noted that there were some concerns he has spoken to staff about. He would hold the applicants and MR. BISSON accountable.

In response to the Councilman's motion for approval, MS. McELHONE clarified that two, six-month licenses could be approved through the Council, and she recommended the applicants be left on as a temporary license for at least 12 months; however, it was the Council's decision. COUNCILMAN CREAR added that a one-year review could also be requested.

To show her support her business, COUNCILWOMAN FIORE informed MS. TANG that she would schedule a massage.

Motion made by Brian Knudsen to Approve a temporary Massage Establishment License with the authority of the Director or designee to issue a permanent license if there are no compliance concerns for the first 12 months from the date of issuance

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

RESOLUTIONS - DISCUSSION

54. R-32-2019 - Public hearing and discussion for possible action regarding a Resolution establishing an environmental surcharge pertaining to the collection of solid waste and residential recyclables

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

Through a PowerPoint presentation, which has been attached as backup, KAREN DUDDLESTEN stated that in 2017, the City Council entered into a new franchise agreement with Republic Services for the collection of trash and recyclables; it is a 15-year agreement and implemented single-stream recycling in October of 2018. The agreement also provides for the adoption and implementation of environmental and optional franchise fees. The agreement allows the City Council to charge up to a five percent surcharge of a franchisee's gross receipts for the following purposes: remedial action, removal or related activities at a solid waste disposal site; environmentally sound solid waste collection and disposal; and other environmental programs and activities as may benefit the public health, safety and welfare of the community.

MS. DUDDLESTEN indicated there is an increase in environmental and health clean-up issues across the city. These issues are visible in all areas of the city and have an impact on neighborhoods. The excess debris creates hazardous, safety, environmental and health concerns for pedestrians, vehicles, businesses, and the environment. She showed a graph of city response to picking up debris which has increased significantly to 3,000 tons versus 600 tons in 2014. A significant increase was also reflected in staff time in addition to the additional cost of $250,000 in materials and contractors.

The new revenue to the City of Las Vegas, as proposed in this resolution, would be implemented October 1, 2019, and would raise over $3 million in Fiscal Year 2020 and over $4 million in Fiscal Year 2021. The resolution is specific so that funds would be placed in a special revenue fund for environmental programs and activities that benefit the public health safety and welfare as determined by the City Council.

The impact on residents, which would be applied to the trash and garbage pickup rate, would be a quarterly increase of $2.28 which equates to about 78 cents per month. The fees generated from this special revenue fund could be considered by the City Council for clean and safe city programs as listed on the PowerPoint slide.

COUNCILMAN CREAR wished to reiterate the amount of waste the City picks up adding that his office receives phone calls daily about leftover debris. The Councilman was in support of the resolution as this is a public safety issue and hazard.

COUNCILWOMAN DIAZ also expressed her support commenting that she sees a lot of the same issues mentioned by COUNCILMAN CREAR.

COUNCILMAN KNUDSEN was supportive of the effort but commented that this was a temporary issue and hoped the City will take the time to look at the systemic issues and challenges that plague the community that result in homelessness. While he recognized that this funding is necessary to clean up some immediate solutions, he would like to focus on some of the more long-term strategies. The Councilman expressed gratitude towards Republic Services as the company has served as an avenue to finding additional revenue for this problem the community faces.

COUNCILWOMAN SEAMAN would be in support of the resolution if she could ensure the funding would go into a special revenue fund specifically for the cleanup. MS. DUDDLESTEN confirmed the Resolution is specific that it goes into a special revenue fund for health and safety programs which would be determined by the City Council.

COUNCILMAN ANTHONY stated that there was no doubt there was a problem and many areas needed to be cleaned up; however, he had an issue with the way the agenda item was written. He thought it should read as a public hearing and discussion for possible action on raising residential and commercial trash bills by five percent in order to do whatever it is that needs to be done. The Councilman directed staff to be more transparent and clear in writing the agenda items so that those reading it could have an understanding of what is to be discussed. He could not support the resolution today and believed public outreach needed to be made to the residents informing them that their bills would increase. Should there be a positive response through public outreach, COUNCILMAN ANTHONY indicated he could support the resolution.

COUNCILWOMAN FIORE concurred with COUNCILMAN ANTHONY; however, she was in support of the resolution as she believed the increase in fee was minimal to its positive impact for the community as a whole. She motioned for Approval.

MAYOR GOODMAN asked if this addressed recyclables and was only applicable to residents. MS. DUDDLESTEN said the resolution does not address recyclables and is on the gross revenue of the franchisee. She explained the trash bill is for solid waste and recyclable pickup and the percentage increase will go onto that bill; therefore, it is not directly related to recyclables. She informed the Mayor that under the contract, the environmental fee can only be up to five percent and would run the length of the contract which will go to 2031. MS. DUDDLESTEN noted Republic Services does have an annual CPI (consumer price index) increase built into the contract and has clauses that if there is an unforeseen economic situation, Republic Services can come before the City Council and prove they have had an economic change in circumstances and discuss their base rates with the City Council. She added that Henderson currently has a fee of 4.2 percent and has adopted a resolution to be at five percent, as well. She did not believe Clark County and North Las Vegas had the fee in their agreement with the franchisee; she would have to verify. When negotiating, the environmental fee was brought up as an idea by the franchisee in those discussions.

MAYOR GOODMAN agreed with COUNCILMAN ANTHONY philosophically but felt it was a responsibility of the City Council to attend to the issue. She imagined Clark County and North Las Vegas would follow shortly after. The Mayor would support the resolution but would be opposed to continuous fee increases without good reason.

MS. DUDDLESTEN said the contract allows the City Council a surcharge for environmental purposes up to five percent which is what the resolution would implement. Any other fee increase would have to be justified by Republic Services. She asserted the City is requesting the fee increase, not Republic Services.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Michele Fiore to Approve

Passed For: 6; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz; Against-Stavros Anthony;

55. R-33-2019 - Discussion for possible action regarding a Resolution opposing the 24/7 enforcement of high-occupancy vehicle lanes on Interstate 15 and U.S. Route 95 and supporting the return to peak-hour enforcement - All Wards

Minutes:
DEPUTY CITY ATTORNEY JEFF DOROCAK said everything was in order from the City Attorney's Office.

MAYOR GOODMAN asked for an explanation of the resolution.

MR. DOROCAK said that the resolution if passed, would express the City's opposition to 24/7 enforcement of the HOV (high-occupancy vehicle) lanes and would like to see it return to peak hour enforcement which is 6:00 a.m. to 10:00 a.m. and 2:00 p.m. to 7:00 p.m. He reminded that the City does not have much control over HOV lanes but the resolution can offer a policy resolution to the Transportation Board to express what the City Council, as the elected representatives, thinks of the current situation. If the resolution passes, it will be sent to the Transportation Board to let it know the City Council's opinion.

COUNCILMAN ANTHONY commended the Nevada Department of Transportation (NDOT) on Project Neon which has come in under budget and ahead of schedule; however, he felt the HOV lanes were a problem. When first put into place, people became upset as the lanes were paid for by taxpayer dollars and people were angry because the lanes could only be used by a select few. He believed the HOV lanes were created to change driving habits and to encourage drivers to carpool. Additionally, flyovers were created but have also been designated as HOV lanes; these lanes are usually empty, even during rush hour traffic. What has happened is single-occupant vehicles are using the lanes because they need to get somewhere but are violating the law as the risk of getting caught is a lot smaller than the reward of getting somewhere faster.

The Councilman felt when the HOV lanes were first created with specific enforcement hours, drivers could still use the lanes during specific time periods. Noting he has received many forms of communication from upset residents. COUNCILMAN ANTHONY believed converting the lanes back to specific enforcement hours would be a good start.

The Councilman mentioned he has spoken to many police officers who are not interested in enforcing HOV lanes as they want to address public safety issues.

COUNCILWOMAN SEAMAN stated that during her campaign she heard many oppositions regarding the HOV lanes and agreed with COUNCILMAN ANTHONY'S comments. She also agreed with comments made by the LVPPA (Las Vegas Police Protective Association) that HOV lanes will not help the environment but will create necessary enforcement and citations. She supported converting the lanes back to the specific enforcement hours removing the 24/7 restriction.

COUNCILWOMAN FIORE supported the resolution as there is a long drive from the northwest into the city. She disagreed with some of the goals written when the HOV lanes were created and urged her fellow colleagues to support the resolution.

MAYOR GOODMAN tended to agree with COUNCILMAN ANTHONY and thought HOV lanes would be purposeful for longer distance roads such as from Nevada to California. She believed data was being collected by NDOT and the right thing would be done.

Subsequent to the vote, COUNCILMAN ANTHONY thanked the City Council for its support on the resolution.

See Item 9 for related discussion.

Motion made by Stavros Anthony to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Olivia Diaz; Did Not Vote-Brian Knudsen;

56. R-34-2019 - Discussion for possible action regarding a Resolution adopting the Downtown Las Vegas Open Space and Trails Plan - Wards 1, 3 and 5 (Knudsen, Diaz and Crear)

Minutes:
ROBERT SUMMERFIELD, Director of Planning, introduced SIDNEY NOYCE, Planner II, and STEVE NOLL, Design Workshop, who would present on the Downtown Civic Space and Trails Plan. MR. SUMMERFIELD pointed out this was a new name for the plan and wished for this to be reflected in the motion.

MR. NOYCE stated that the plan was an outgrowth of the Vision 2045 Downtown Master Plan which wishes to address the lack of green, trails and open space in the downtown area. In order to strategically address this need, the Department of Planning would like to purpose adopting the Downtown Civic Space and Trails Plan.

MR. NOLL, Principal of Design Workshop, introduced himself stating that Design Workshop is a landscape architecture and planning firm based out of Stateline, Nevada. He introduced KUANG XIN who has worked with staff, the community and stakeholders to develop the plan. Through a PowerPoint presentation, which has been attached as backup, MR. NOLL would provide a high-level overview of the plan which has been posted on the City's website for four to six months and has been available for public input and comment.

Over the last 18 months, they have worked with contingency groups to help shape this plan. Nothing in the plan is cast in stone but is available to assist the City Council in its decision-making process for the downtown area.

Early in the process, overall goals were set such as attractive and comfortable spaces; environmental cultural and economic value; and establishing a safe and welcoming environment for residents and visitors. To support those goals, there were a number of objectives created such as economic value and investment, art and culture, identify opportunities for public-private partnership, enhance the outdoor environment, and connect communities regionally and within each one of the districts.

MR. NOLL noted there was a robust public outreach process and through that criteria was established in addition to design recommendations. With that, a series of reports were drafted and a final draft was ready for the City Council's consideration.

He showed a diagram of the planning districts of the Downtown Civic Space and Trails Plan which are the Downtown Core, the Downtown North, the Downtown South, the Downtown East, and the Medical District. Each district was quickly reviewed by MR. NOLL.

The Downtown Core is the majority of the employment base when it comes to civic venues, the resort element and those types of support businesses. There has been an increase in potential residential space but, because of the cost of land, there will be an increase in higher density development. The value of land in this district is also higher recognizing the opportunity for public/private investments.

The Downtown North encompasses the Historic Westside District and, because of the land, has historically been an area of neighborhoods and families. The types of parks seen within this district would be different than what would be seen in the Downtown Core area. This district also encompasses the Cashman District which is a big commodity for the city and there are some opportunities to begin to create more regional aspects that might support whatever reinvestment happens within the area.

The Downtown South is an interesting industrial area that is evolving into the Arts District. As there is not much residential within this district, it is more of a day-use type of urban environment with plazas and open spaces. As the residential space begins to grow within this district, it will have to be revisited to determine what type of improvements will be needed to support the development of park facilities.

The Downtown East is a historic entrance into the city. MR. NOLL believed the Fremont Street improvement project would help to spark reinvestment along the corridor; the Downtown Civic Space and Trails Plan recognizes this and acknowledges opportunities to embrace such things as parades and events within this area.

The Medical District has a lot of professional built offices and businesses, and there is the presence of UNLV (University of Nevada, Las Vegas). There is not a lot of residential space in this area; however, more residential projects will bring outdoor space and amenities that will embrace the district.

MR. NOLL reviewed the next steps in the process which included prioritization of the recommendations and allocating funding. He noted there were always opportunities to look at the private sector to assist the public sector in some of these endeavors. He encouraged public engagement and stated that maintenance operation was not addressed in this document but the City was well aware fleshing out a plan was part of the next steps in the process.

MR. SUMMERFIELD requested approval of the resolution and, as part of the motion, the plan is identified as the Downtown Civic Space and Trails Master Plan. The name change would be reflected in the published document.

COUNCILMAN KNUDSEN saw many opportunities such as connecting the Medical District to the Arts District and noticed the demographics in that area have shifted and thinks connecting the districts via walkability for locals is important.

COUNCILWOMAN DIAZ stated that many of her constituents wished to see more civic spaces as many people are beginning to become aware of the health benefits of walkable communities. She hoped to see many more public/private partnerships.

MAYOR GOODMAN spoke about traffic flow and the synchronization of traffic lights. She thought the plan looked wonderfully done and asked if the name change could be included as part of the motion. MR. DOROCAK replied in the affirmative.

Motion made by Michele Fiore to Approve and amending the title of the plan to the Downtown Civic Space and Trails Plan

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

BOARDS AND COMMISSIONS - DISCUSSION

57. Discussion for possible action regarding new appointments of Mayor Carolyn Goodman and Councilmembers Michele Fiore, Stavros Anthony, Cedric Crear, Brian Knudsen, Victoria Seaman and Olivia Diaz as representatives on the following boards: Chief Local Elected Officials Consortium (Diaz); City of Las Vegas Audit Oversight Committee (Knudsen and Seaman); Commission for the Las Vegas Centennial (Crear); Debt Management Commission (Seaman); Las Vegas Springs Preserve Board of Trustees (Seaman); Metropolitan Police Committee on Fiscal Affairs (Crear); Nellis Civilian Military Council Executive Board (Fiore as Alternate); Las Vegas Global Economic Alliance (Knudsen); Nevada League of Cities (Knudsen); Oversight Panel for School Facilities (Diaz); Regional Flood Control District Board of Directors (Goodman and Anthony); Regional Transportation Commission Board of Commissioners (Goodman and Anthony); Southern Nevada Enterprise Community Board (Crear); Southern Nevada Health District (Diaz and Knudsen); Southern Nevada Regional Housing Authority (Diaz); Southern Nevada Regional Planning Coalition (Seaman); Southern Nevada Water Authority (Crear) and the Yucca Mountain Nuclear Repository Committee (Seaman)

Minutes:
MAYOR GOODMAN corrected that COUNCILMAN ANTHONY would be serving alongside COUNCILMAN CREAR on the Metropolitan Police Committee on Fiscal Affairs noting this item is calendared after each election cycle to update appointments. Not all seats intended for the City of Las Vegas representation require adjustment at this time and the backup attached should be referenced for that information.

Motion made by Carolyn Goodman to Approve as read and indicated on the backup

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

58. Discussion for possible action regarding the reappointments of Audrey Asselin and Briceida Castro to the Regional Transportation Commission of Southern Nevada (RTC) Advisory Committee on Bus Bench/Shelter Construction and Maintenance

Motion made by Carolyn Goodman to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

59. Discussion for possible action regarding the reappointment of John Perazzo to the Ward 5 seat of the Senior Citizens Advisory Board

Motion made by Cedric Crear to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

60. Discussion for possible action regarding the appointment of nominee Sigal Chattah to the Ward 2 seat of the Planning Commission

Motion made by Victoria Seaman to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

61. Bill No. 2019-19 - For possible action - Repeals LVMC 19.10.105, pertaining to the repurposing of certain golf courses and open spaces. Sponsored by: Councilwoman Michele Fiore

Motion made by Michele Fiore to Strike

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

62. Bill No. 2019-21 - For possible action - Amends LVMC Chapter 9.38 to establish an additional City procedure for retrieving shopping carts and laundry carts that have been abandoned or used without authorization. Sponsored by: Councilman Cedric Crear

Minutes:
Second reading and Bill adopted as Ordinance No. 6694.

Motion made by Michele Fiore to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

63. Bill No. 2019-22 - For possible action - Amends LVMC Chapter 10.48 to establish prohibitions regarding the attaching of certain items to trees, poles, structures, amenities, walls and fences within or near public rights-of-way, along with associated authority to remove such items. Sponsored by: Councilman Cedric Crear

Minutes:
Second reading and Bill adopted as Ordinance No. 6695.

Motion made by Michele Fiore to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

64. Bill No. 2019-23 - For possible action - Amends LVMC Title 13 to add a new Chapter 60 to authorize the removal and disposition of signs and attention gaining devices that have placed on City property or in public rights-of-way illegally. Sponsored by: Councilman Cedric Crear

Minutes:
Second reading and Bill adopted as Ordinance No. 6696.

DEPUTY CITY ATTORNEY JEFF DOROCAK stated that the Second Amendment would correct where the word “been” was omitted from the title and summary of the Bill.

Motion made by Michele Fiore to Approve as a Second Amendment

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

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

65. Bill No. 2019-24 - Adopts that certain document entitled “Fifth Amendment and Restatement to the Development Agreement for Skye Canyon Master Planned Community,” regarding property generally located at the northwest corner of Grand Teton Drive and Grand Canyon Drive. Proposed by: Robert Summerfield, Director of Planning

    Minutes:
    Recommendation noted.

    08/07/2019 Council Agenda

66. Bill No. 2019-25 - Adopts that certain document entitled “Amended and Restated Development Agreement for Sunstone Master Planned Community,” regarding property generally located at the southwest corner of North Skye Canyon Park Drive and Moccasin Road. Proposed by: Robert Summerfield, Director of Planning

    Minutes:
    Recommendation noted.

    08/07/2019 Council Agenda

67. Bill No. 2019-26 - Amends LVMC Chapter 6.39 to exempt from licensing and regulation as a nightclub any establishment with a tavern-limited license within the Downtown Entertainment Overlay District, and amends LVMC 6.50.250 to authorize conditions to be imposed on such establishments regarding outdoor patron lines and outdoor speakers. Proposed by: Bradford R. Jerbic, City Attorney

    Minutes:
    Recommendation noted.

    08/07/2019 Council Agenda

NEW BILLS

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

68. Bill No. 2019-27 - Grants to Zayo Group, LLC a non-exclusive franchise for the purpose of installing, operating and maintaining a telecommunications service within the City, subject to and in accordance with the terms and conditions of the Franchise Agreement incorporated by reference into this Ordinance. Proposed by: Jorge Cervantes, Chief Operations and Development Officer

    Minutes:
    DEPUTY CITY ATTORNEY JEFF DOROCAK clarified that although the Bill is proposed by CHIEF FINANCIAL OFFICER GARY AMELING, CHIEF OPERATIONS AND DEVELOPMENT OFFICER JORGE CERVANTES

has been incorrectly written on the Agenda Summary Page and item title on the agenda and a correction should be noted.

First Reading - Referred – MAYOR PRO TEM FIORE and COUNCILMEN ANTHONY and KNUDSEN

08/05/2019 Recommending Committee
08/07/2019 Council Agenda

CLOSED SESSION

69. Closed Session - A closed meeting is called in accordance with NRS 241.015(3)(b)(2) to receive information from the City Attorney about potential and existing litigation

Minutes:
This item was called subsequent to Item 60.

MAYOR GOODMAN announced that the City Council would be going into Closed Session.

The meeting was recessed at 11:53 a.m. to go into Closed Session and was reconvened at 1:16 p.m.

NOT TO BE HEARD BEFORE 11 A.M. - 70 THROUGH 101

BUSINESS ITEMS - 11 A.M. Session

70. 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.

Motion made by Michele Fiore to Withdraw without prejudice Item 84 and to Hold in abeyance Item 92 to 8/21/2019

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

HEARINGS - DISCUSSION

71. ABEYANCE ITEM - Public hearing and discussion for possible action to consider a request for a waiver and/or reduction of fees totaling $47,851.10 in out of pocket costs, and $97,500 in civil penalties for a total of $145,351.10 recorded against the property located at 4550 East Van Buren Avenue - PROPERTY OWNER: REALTY DATA GROUP, LLC - Ward 3 (Coffin)

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

Through a PowerPoint presentation, which has been attached as backup, VICKI OZUNA, Code Enforcement Section Manager, reported the item for consideration.

The City of Las Vegas had to complete five abatements from 2013 to 2018. Several of these abatements required the property to be secured and cleaned and another abatement required the demolishing of a damaged structure on the site and to re-clean the property several times. The total outstanding for hard costs is $47,851.10 which is not a waivable amount; outstanding daily civil penalties are $97,500 for a total of $145,351.10. The item was previously heard at the June 19, 2019, City Council meeting but due to the property having been out of compliance, the item was held in abeyance. The property is vacant and currently in a state of compliance. Staff recommended denial of the requested waiver.

DANNY GARCIA, Principal for Realty Data Group LLC, introduced himself.

ROBERT SUMMERFIELD, Director of Planning, stated that the applicant did address the concerns that were brought up at the last meeting and has cleaned up the property in order to get their active case closed.

COUNCILWOMAN DIAZ asked MR. GARCIA about his vision for the subject property. MR. GARCIA stated that a house was to be built and having the high abatement fees would inhibit this. The Councilwoman spoke of the time and effort staff must put into maintaining the property. She wished for MR. GARCIA to agree to his commitment to maintaining the property. MR. GARCIA agreed to do this noting that after June 19th, the property had been cleaned numerous time and the applicant would try to maintain the cleanliness.

MR. GARCIA informed MAYOR GOODMAN he purchased the property on February 21, 2019. The penalties were on the property prior to purchasing it, and MR. GARCIA said he was aware of some of them but not all.

The Mayor wondered if something would be done about ensuring liens against properties are paid prior to the finalization of purchase. MS. OZUNA said property owners are not required to check back with the Code Enforcement Division and in many cases, title companies are aware that payoff demands are needed if a Notice and Order or lien is recorded against the property; however, this is only if someone is going through escrow. She did not believe the applicant had gone through escrow in this situation adding that often properties are quick claimed between individuals claimed and that does not go through any official process.

The Mayor wondered how to get in front of this issue instead of remaining behind it. MS. OZUNA believed possible changes at the legislature may have to be reviewed or somehow that would require owners to verify with the City prior to purchasing a property.

MS. OZUNA confirmed for COUNCILWOMAN FIORE that the property was quick claimed and had not gone through a regular escrow. MR. GARCIA confirmed the property was quick claimed to him by a business partner, and he was aware of the liens but not of the entire amounts. COUNCILWOMAN FIORE thought this to be suspicious.

MS. OZUNA explained for COUNCILWOMAN DIAZ the purposed of civil penalties which are utilized to encourage maintenance and upkeep of a neglected property and to keep property owners responsible. In this case, although she wants to see something positive happen with the subject property, she believed the city would be remiss in not collecting some of the civil penaltiesgiven the property’s history.

COUNCILWOMAN SEAMAN asked MR. GARCIA if he had gone through a national title company as, if he did, he would have been aware of the liens. MR. GARCIA said a title company was only used to acquire a title-approved notary to conduct the transfer.

COUNCILWOMAN DIAZ hoped MR. GARCIA would keep his word and would revitalize the property. He confirmed he was in agreement with the Councilwoman’s motion.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Olivia Diaz to Approve an assessment of $47,851.10 in out of pocket costs and civil penalties in the amount of $24,375 for a total assessment of $72,226.10 to be paid within 30 days

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

72. Public hearing and discussion for possible action to consider a request for a Wavier and/or reduction of fees totaling $6,501.50 in out of pocket costs and $16,500 in civil penalties for a total of $23,001.50 recorded against the property at 5805 Carl Avenue - PROPERTY OWNER: PARRENO JESUS D DOMINGUEZ - Ward 5 (Crear)

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

Through a PowerPoint presentation, which has been attached as backup, VICKI OZUNA, Code Enforcement Section Manager, reported the item for consideration.

A Notice and Order was issued on May 10, 2017, and was recorded on May 25, 2017, on the property that was owned by TERESA SANCHEZ. WILLIAM RICHARDSON purchased the property on June 21, 2017, for $175,000 at a trustee sale. On June 15, 2017, a Code Enforcement Supervisor spoke with MR. RICHARDSON who advised he would have the property secured and cleaned within a week. On June 21, 2017, it was verified that no cleanup activity or securing of the property had taken place; therefore, it was determined the abatement would move forward on the property due to noncompliance by MR. RICHARDSON. The City of Las Vegas had two abatement violations due on July 18, 2017, that were completed on August 8, 2017, by a contractor. A letter was sent to MR. RICHARDSON advising him of a hearing being conducted to approve the liens for the out-of-pocket costs to the City of $6,501.50 and the daily civil penalties of $16,500; both liens were recorded. MR. RICHARDSON did not attend the hearing which has followed by Code Enforcement receiving a waiver request from MR. RICHARDSON; a hearing was scheduled for April 25, 2018, and staff verified ownership information before the hearing determining the property had been sold on April 18, 2018, to the current property owner. The hearing was conducted as scheduled and denied by the designee who ruled that MR. RICHARDSON no longer had legal standing to request a waiver. MS. OZUNA noted MR. RICHARDSON could have filed for judicial review in district court if he disagreed with this determination. Staff recommended denial of the requested waiver.

ATTORNEY JOHN SULLIVAN appeared representing the current owner and MR. RICHARDSON. MR. SULLIVAN indicated the request had been filed by his partner, ATTORNEY BOB GRONAUER, who was out of the country. MR. SULLIVAN stated that the property was under the ownership of a bad actor, was then purchased and rehabilitated, and sold to the current owner noting the expense of the rehabilitation was $71,600 just in construction and closing costs. He displayed several images of what the interior of the home looks like now. He acknowledged that MS. OZUNA was correct in some of her statements but believed the civil penalties should be charged to the bad actor and not the property. He asserted MR. RICHARDSON and the current property owner were not bad actors.

MR. SULLIVAN asked to pay hard costs and to remove the civil penalties. In response to COUNCILMAN CREAR'S motion, MR. SULLIVAN voices his opinion as to the assessment amount but felt it was at the discretion of the Council.

See Item 73 for related discussion.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Cedric Crear to Approve an assessment of $6,501.50 in out of pocket costs and civil penalties in the amount of $8,250 for a total assessment of $14,751.50 to be paid within 30 days

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

73. Public hearing and discussion for possible action to consider a request for a waiver and/or reduction of fees totaling $6,162.61 in out of pocket costs and $19,500 in civil penalties for a total of $25,662.61 recorded against the property at 1617 Yellow Rose Street - PROPERTY OWNER: MANANDIK ANTHONY MARK JR and GOC-ONG JOAN GARCIA - Ward 5 (Crear)

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

Through a PowerPoint presentation, which has been attached as backup, VICKI OZUNA, Code Enforcement Section Manager, reported the item for consideration.

DEPUTY CITY ATTORNEY JEFF DOROCAK stated that an e-mail had been received on June 3rd from ANTHONY MANANDIK who wrote that he is not represented by ATTORNEY BOB GRONAUER. He wished to determine if this was true. MS. OZUNA replied in the affirmative stating that MR. MANANDIK e-mailed her last week to find out if he should be present at this hearing. She had informed him that it was at his discretion as he had not requested the hearing.

MR. DOROCAK wondered who was appealing the Code Enforcement action if MR. MANANDIK did not wish to be involved. MS. OZUNA indicated ATTORNEY JOHN SULLIVAN, appearing on behalf of MR. GRONAUER, and WILLIAM RICHARDSON who was the previous property owner.

If the current property owner was not appealing the Code Enforcement action, MR. DOROCAK advised rejecting the request for the waiver and to Strike the item. To that effect, COUNCILMAN CREAR motioned to Strike the item.

MR. SULLIVAN said the current property owner signed off on having the Code Enforcement action appealed in September of 2018. He confirmed there was an Act of Appeal filed by MR. GRONAUER with the current property owner's signature, and he was unsure why this would no longer be valid.

COUNCILMAN CREAR wondered if it would be better to abey the item until the August 21st City Council meeting. MR. DOROCAK said this could be done; however, the City was aware, via e-mail, the property owner has no interest in an appeal; therefore, he advised a Strike would be appropriate. MS. OZUNA added that the property owner was concerned as he wished for the liens to be paid to avoid the property being put up for auction. She noted the property owner expressed to her that he was unaware of the liens when he closed on the property and was unhappy to discover and outstanding amount of $19,500 on the property.

Further, MS. OZUNA explained that three waiver requests were submitted to the Code Enforcement Division, including one for the subject property. As she contacted each property owner to verify that they were being represented by MR. GRONAUER, MS. OZUNA was informed by this property owner that he was not being represented.

Discussion ensued regarding the validity of the document signed by the property owner and the e-mail received by staff.

MR. SULLIVAN asserted MR. RICHARDSON has agreed to pay whatever the Council's final decision was; therefore, the current property owner had an economic interest in the matter.

Acknowledging that three of the applications for waiver requests (Items 72-74) utilized the same title company, COUNCILWOMAN FIORE asked MS. OZUNA to provide an accurate history of the property.

In this instance when the applications were received, and MS. OZUNA found there was one title company all involved, she was advised by the title company that the different property owners were friends of MR. RICHARDSON. She was unsure of how this was legal.

MR. SULLIVAN clarified that the property owners are not friends but that MR. RICHARDSON uses this specific title company and is in the business of rehabilitating homes. He added that the title company was not at risk and there was money sitting in escrow at the title company to pay for the liens as part of closing.

CITY MANAGER SCOTT ADAMS was confused as to how someone could get to a closed real estate without the satisfaction of the liens. The funds sitting in escrow, without coming back to the City, in his opinion, is not a satisfaction of the liens. He thought there was an issue present that the attorneys can explore so that such a situation does not occur again.

MR. DOROCAK said the motion to abey was a good move as unless the current property owner requested the waiver request, there was no obligation for a hearing option to be held.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Cedric Crear to Hold in Abeyance to 8/21/2019

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

74. Public hearing and discussion for possible action to consider a request for waiver and/or reduction of fees totaling $5,064 in out of pocket costs and $19,500 in civil penalties for a total of $24,564 recorded against the property at 4995 Irene Avenue - PROPERTY OWNER: CEBALLOS XAVIER & ELISA PULIDO ETAL and BALCARCEL JANETH - Ward 3 (Diaz)

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

Through a PowerPoint presentation, which has been attached as backup, VICKI OZUNA, Code Enforcement Section Manager, reported the item for consideration.

A Notice and Order was issued on October 5, 2016, to the owner LUIS JOSE and MAYRA MAGANA. Code Enforcement hired a contractor to perform the abatement due to non-compliance on January 5, 2017. The abatement includes securing all open doors and windows, removal of high weeds, removal of refuse waste and graffiti and a depleted shed in the rear yard. The abatement lien and civil penalties were approved on March 29, 2017. The out-of-pocket costs were $5,064 and were recorded on the property on April 13, 2017. Civil penalties of $19,500 were approved and recorded on the property on September 21, 2017. WILLIAM RICHARDSON purchased the property on August 28, 2017, for $205,000 and was sold to the current owner, XAVIER CEBALLOS, on May 1, 2018, for $365,000. Code Enforcement received a requested waiver on April 25, 2019, from MR. RICHARDSON and JOHN SULLIVAN, his attorney. The current property owner requested this hearing. Staff recommended denial of the requested waiver.

ATTORNEY JEFF DOROCAK confirmed the property owner is interested in the waiver hearing.

MR. SULLIVAN shared several images the work that has been completed on the subject property noting almost $125,000 had been spent. He requests waiving the $19,500 in civil penalties as MR. RICHARDSON has completely renovated the property.

Although she appreciated seeing a blighted property being made into a beautiful property, COUNCILWOMAN DIAZ believed there to be a pattern developing and wondered why liens were not being addressed prior to the property owner being transferred.

MR. SULLIVAN stated that when an individual purchases a property in foreclosure, they are oftentimes not made aware of the liens.

See Item 73 for related discussion.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Olivia Diaz to Approve an assessment of $5,064 in out of pocket costs and civil penalties in the amount of $4,375 for a total assessment of $9,939 to be paid within 30 days

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

PLANNING

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

PLANNING - ONE MOTION/ONE VOTE

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

75. MOD-76339 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT/OWNER: KB HOME NV ACQUISITION, LLC - For possible action on a request for a Major Modification of the Town Center Land Use Plan FROM: MC-TC (MONTECITO - TOWN CENTER) TO: UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) on a 2.96 acre portion of 5.19 acres generally located east of Grand Montecito Parkway, on the west side of Doe Brook Trail alignment (Portion of APNs 125-20-603-002 and 004), Ward 6 (Fiore) [PRJ-76273]. The Planning Commission (5-0 vote) and Staff recommend APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open for Items 75-77.

There being no one present to speak, she declared the Public Hearing closed for Items 75-77.

See Item 76 for related backup.

Motion made by Michele Fiore to Approve the One Motion One Vote subject to condition(s) except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

76. VAC-76340 - VACATION RELATED TO MOD-76339 - PUBLIC HEARING - APPLICANT/OWNER: KB HOME NV ACQUISITION, LLC - For possible action on a request for a Petition to Vacate public right-of-way, public drainage, public utility and patent easements generally located east of Grand Montecito Parkway, on the west side of Oso Blanca Road (APNs Multiple), Ward 6 (Fiore) [PRJ-76273]. The Planning Commission (5-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 75 for related discussion and Items 75 and 76 for related backup.

Motion made by Michele Fiore to Approve the One Motion One Vote subject to condition(s) except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

77. RQR-76626 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: HELLFIRE MEDIA, LLC - For a possible action on a Required Review of an approved Special Use Permit (SUP-61802) FOR AN EXISTING 10,248 SQUARE-FOOT MUSEUM, ART DISPLAY, OR ART SALES (PRIVATE) USE at 600 East Charleston Boulevard (APN 162-03-501-001), P-R (Professional Office and Parking) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:
See Item 75 for related discussion.

Motion made by Michele Fiore to Approve the One Motion One Vote subject to condition(s) except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

PLANNING - DISCUSSION

78. VAR-75819 - ABEYANCE ITEM - 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 78-82.

JOHN HAMILTON and CSABA MEISZBURGER, representing SK USA, LLC, were present.

COUNCILMAN CREAR stated that there have been some amendments since a neighborhood meeting was held and staff has changed their recommendation for denial to approval.

MR. HAMILTON thanked COUNCILMAN CREAR for his suggestion to have a neighborhood meeting where support was received for the project. In communication with the neighbors, he was able to put to rest the rumor of three-story units and confirmed two-story units would be built. The other item committed to in the neighborhood meeting was to eliminate the rear balconies. Another item of interest was that many neighbors were not aware a redundancy wall would be built adjacent to the existing wall. MR. HAMILTON confirmed there would be a four-inch gap between the two walls and to further address privacy concerns, the applicant was making the offer of a nine-foot wall; the applicant wished to have a three-foot wall with a six-foot screen wall on top. As it stands now, the applicant is compliant with all zoning requirements but was requesting a Variance in regards to the security gates. MR. HAMILTON said he did not recollect any opposition to the gates and believed some of the nearby residents were in support as the gates would add security.

He requested VAR-75819 and VAR-75820 be withdrawn as they are no longer applicable, and the applicant was requesting approval for the gated community noting the lot is 47.5-feet wide where 50 feet is required. To accommodate first responders, the sidewalk will break on a portion of the site which MR. HAMILTON demonstrated on a site plan.

ROBERT SUMMERFIELD, Director of Planning, stated that staff has received revised plans as of May 7th and July 16th that eliminated the need for VAR-75819 and VAR-75820 which sought to have three-story building heights, and as such staff requested those items be stricken. The subject lot is a flag-shaped lot which impedes the proper configuration for a gate. The applicant cannot address connectivity because of the existing development patterns surrounding the site, so staff could support the Variance request for the gate and the connectivity ratio. As such, staff recommended approval of the Site Development Plan Review, Tentative Map and the remaining Variance. Staff wished to make an amendment to Condition 3 on SDR-75822 if there is a motion for approval.

KIMBERLY JONES, JOHN NAPOLEON, and FILMORENA GEORGIEVA spoke in opposition to the project citing concerns of safety, privacy, noise, limited access for emergency response vehicles, the potential negative effects on the surrounding property value, and many of the elderly residents having not been aware of the neighborhood meeting. MS. JONES also had the signatures of residents in opposition to the project which she submitted for the record; these were in addition to the signatures submitted by FRANK BINGHAM earlier in the meeting.

VINCE HERRERA spoke in support of the project stating that he has lived in the subject area for over 25 years and was one of the original homeowners. He believed if the applicant is not allowed to build at the property, someone else would.

MR. HAMILTON explained where the redundancy wall would be constructed and a Waiver of the sidewalk was being requested. MR. MEISZBURGER added that prior to developing the project, a meeting was held with the Fire Department.

MR. SUMMERFIELD clarified that apartments were not being built; the project will consist of single-family residences which are attached.

Discussion ensued on how COUNCILMAN CREAR should move forward with voting on the items. COUNCILMAN CREAR appreciated the applicants meeting with him and expressed the challenge of having such a unique lot. The Councilman said he is familiar with many of the people who live in the neighborhood and acknowledged the general consensus that the community does not want the project; he understood the neighbors' concerns.

He provided the option of tabling or denying the project. If the project is denied, the applicant would have to re-apply within a year but if it is tabled, the applicant could return at a later date. MR. SUMMERFIELD confirmed that was accurate.

MR. MEISZBURGER took the option to table the items. COUNCILMAN CREAR hoped to be able to work with the neighbors to provide a solution. He addressed the neighbors who were present stating that this parcel has been abandoned for quite some time and more residents are needed within the community. He urged them to work with the applicant to find a solution.

The Councilman asked MR. SUMMERFIELD about a time frame. MR. SUMMERFIELD said there is no time certain established at the meeting, but normally it is not more than six months. He asked for the applicant to work with his staff noting the project would have to be re-agendized and re-noticed.

See Item 9 for related discussion and Items 79-81 for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 78-82.

Motion made by Cedric Crear to Table

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

79. VAR-75820 - ABEYANCE ITEM - 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 Items 9 and 78 for related discussion and Items 78-82 for related backup.

Motion made by Cedric Crear to Table

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

80. VAR-75821 - ABEYANCE ITEM - 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 Items 9 and 78 for related discussion and Items 78-82 for related backup.

Motion made by Cedric Crear to Table

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

81. SDR-75822 - ABEYANCE ITEM - 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 Items 9 and 78 for related discussion and Items 78-82 for related backup.

Motion made by Cedric Crear to Table

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

82. TMP-75823 - ABEYANCE ITEM - 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 Items 9 and 78 for related discussion and Items 78-82 for related backup.

Motion made by Cedric Crear to Table

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

83. SUP-75722 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CWNEVADA - OWNER: L CHAIM 24 FREMONT PROPERTIES, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 3,600 SQUARE-FOOT MARIJUANA DISPENSARY USE in a portion of 2424 South Las Vegas Boulevard (APN 162-04-812-002), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-75666]. The Planning Commission (4-0-2 vote) and Staff recommend APPROVAL.

Minutes:
MAYOR PRO TEM FIORE declared the Public Hearing open.

GEORGE GARCIA and DR. PEJMAN BADY were present. MR. GARCIA stated that this was a typical Special Use Permit application for an existing dispensary license located on 3rd Street. This dispensary will relocate to the subject site. He referenced the 12 requirements of the code pertaining to dispensaries noting the 12 requirements had been provided by staff. He believed the applicant was in full compliance with the requirements and would like to address any concerns raised by those present to speak.

ROBERT SUMMERFIELD, Director of Planning, reported that the subject site complies with all minimum distance requirements as set forth by Title 19.12, and therefore the use can be conducted in a compatible and harmonious manner with the surrounding existing uses located in the shopping center. As such, staff recommended approval of the proposed use subject to conditions. He introduced MARY McELHONE, Deputy Director of Planning, who had additional information.

MS. McELHONE indicated due to the recent legislative changes, the only use that can exist at the subject site is for retail/recreational marijuana. Medical marijuana may not exist at this site because of the 1,500-foot distance separation from gaming. She noted the applicant has an existing location which is medical and retail; so he could only move the retail portion of his license. Regarding the recent legislative change, MR. BADY is only able to do that up until the November 23, 2019 deadline.

MAYOR PRO TEM FIORE wondered what the effective date of the legislative change was. MS. McELHONE informed her immediately or July 1, 2019. She explained that the retail/recreational portion was not in effect yet due to the ballot initiative which could not be changed until it was voted on for three years. This concludes in November which is why it does not affect the retail/recreational portion with the recent legislative change. The Mayor Pro Tem asked MS. McELHONE to ensure the date was not July 1, 2020, which she agreed she would.

PASTOR JERRY PAGE, Greater Faith Baptist Church, spoke in support of the application as the applicant demonstrated his support for the community by holding several neighborhood meetings.

ATTORNEY JEFF SILVER, Counsel for the Nevada Resort Association, recognized VIRGINIA VALENTINE, President of the Nevada Resort Association, in the audience. MR. SILVER displayed a location map, demonstrating locations of non-restricted gaming facilities and the festival grounds owned by MGM Resorts, so essentially there were members of the Nevada Resort Association that have a great interest in the subject site.

He pointed out Las Vegas Boulevard on the location map and stated that, to him, the Strip is anywhere where non-restricted gaming is located which extends past the Stratosphere Casino, Hotel and Tower (The Strat); MR. SILVER said this is what the Nevada Resort Association is trying to protect. The Nevada Resort Association is also trying to protect the integrity of AB533 (Assembly Bill) intended to affirm the 1,500-foot distance separation requirement between medical and recreational facilities from the resort industry.

MR. SILVER disagreed with MR. GARCIA in that he did not believe this to be a typical Special Use Permit application stating that no Special Use Permit should be taken lightly. In this particular case, he asserted that a cannabis corridor is not wanted while heading downtown as there is already a heavy concentration.

MR. SILVER shared several photographs of various dispensary signage in the area opining that when recreational marijuana is purchased it is used in inappropriate locations. He shared another photograph of the Bonanza Gift Shop stating that the door to the proposed dispensary would be close to the children's area of the gift shop.

SEAN HIGGINS, Chief Legal Officer for Golden Entertainment, operator of The Strat, stated that both personally and as a company, he was not opposed to medical and recreational marijuana, but to the subject location. The Strat has put over $65 million into the building and was trying to revitalize the whole corridor in addition to working with the City on an archway and with the City, County and the RTC (Regional Transportation Commission of Southern Nevada) on a pedestrian bridge in the area. MR. HIGGINS indicated state law prohibits moving a medical marijuana license and noted the only reason the entire law did not take effect is that an initiative cannot be changed for a three-year period. Additionally, one criterion of the City addressed the concentration of licenses; he pointed out the proposed dispensary would be the fourth dispensary in the area and the eleventh dispensary less than a mile from the Strat.

Furthermore, MR. HIGGENS said the neighborhood surrounding the Strat is challenging, and he believed they would see many problems and there will be the smell of cannabis too. He hoped the Council would vote in opposition.

ANDREW DISS, Vice President of Government Affairs for Meruelo Gaming which owns and operates the SLS Las Vegas, was also opposed to the proposed dispensary noting it is kitty-corner to their location.

Acknowledging MR. HIGGINS' comments, MR. DISS stated that they have also invested a substantial amount of money to revitalize their property. He also stressed that the subject location is already a busy and dangerous intersection.

RUSSELL ROWE appeared on behalf of Boyd Gaming Corporation and stated that, although they do not have a property in proximity to the subject location, it is of concern to them as a member of the gaming community and they have worked hard at the Legislature to get legislation passed, supported by the Nevada Dispensary Association, which included a 1,500-foot distance separation requirement. He believed this distance separation requirement was needed as the distribution of these facilities around Las Vegas is congregating around the resort corridor. MR. ROWE asked that the application be denied.

CAPTAIN LAZ CHAVEZ, Las Vegas Metropolitan Police Department (Metro), Bureau Commander for the Downtown Area Command, welcomed the new Councilmembers. He spoke in opposition to the application stating that he has spent a lot of his life working for the Police Department to keep this area, known as Naked City, safe. He asked the Council to take into consideration the families who live in the surrounding areas as he believed this area to be the gateway to the city.

MARGARET PRESLEY read two letters, one by DAN SCHINHOFIN, former Nye County Commissioner and Planning Commissioner, and NICK SPIRTOS, M.D. who were in support of the application and spoke positively of DR. BADY'S experience.

ANTHONY CASABIANCA stated that he was not opposed to marijuana but agreed with CAPTAIN CHAVEZ'S comments about the area.

MOLLY GABAY appeared representing the landlord stating that her family has been doing business in Las Vegas since 1997 and would like to continue doing business and investing in the city for years to come. She spoke of her family's investment in the Bonanza Gift Shop and described the upgrades they made to the property stating that the property has the land use for a dispensary. The property is not located within any distance restrictions and fulfills all requirements as approved by the Department of Planning. The entire building on the property is over 36,000 square feet and the proposed dispensary is less than 10 percent of that space.

MS. GABAY stated that many different dispensary owners approached the landlords to lease the space; however, they liked DR. BADY because of his involvement with the healthcare aspect of cannabis, which they agreed with. She shared an image of the management company of the dispensary, Urban Leaf, which she believed looked professional and fits in with the property.

MS. GABY shared, briefly, some information about DR. BADY and his patented technology, VESIsorb, which allows for the CBD (cannabidiol) benefits to be five-times more absorbed into the body.

As owner and operator, MS. GABAY stated that her family is on the property every day and the shopping center's success is their livelihood. She addressed some of the assumptions made by those in opposition.

MAYOR PRO TEM FIORE thought it was important to consider that the zoning was correct for this type of use and the location was not within the radius of any distance restrictions.

MR. GARCIA responded that the law is not changing because voters approved the use of marijuana as a permissible use. He referenced a letter from AMANDA CONNOR confirming what MS. McELHONE had said which is that the amendment will take effect November 23, 2019, regarding AB533; he provided this letter for the record. He also asked that the Planning Commission and application materials be included as part of the record, as well. Additionally, MR. GARCIA submitted copies of a support petition for the record. He believed the property owner would be helping to improve the property, DR. BADY'S business will help to invest in the property, and it will help to bring tourism into the city.

He addressed MR. SILVER'S comments that this was not a typical Special Use Permit agreeing that the requirements for a dispensary are much greater than a typical Special Use Permit. In the Staff Report and Planning Commission's recommendation, those 12 requirements have been vetted and met.

MR. GARCIA understood and the compliance issues the resort industry is obligated to abide by; however, he pointed out that the State has separated itself from the federal requirements and the use of marijuana has been voted upon and approved by the voters as desirable within the community.

He displayed an exhibit and pointed out nearby dispensaries to the subject site some of which were closer to The Strat property. He noted there were no rules adopted by the City pertaining to the concentration; therefore, the applicant was in compliance with the rules as they were at the present moment. MR. GARCIA thought it would be unfair and inequitable having approved the other dispensaries and find that the application was uniquely different. He submitted this exhibit for the record as well as many more photographs of the aforementioned dispensaries.

MR. GARCIA indicated the applicant would be glad to come back and work with COUNCILWOMAN DIAZ'S office on the signage and aesthetic design of the proposed dispensary. The applicant was also willing to work with Metro and the other nearby dispensaries to help fund enforcement efforts for the area.

DR. BADY stated that he was before the Council five years ago and since then has been active in keeping cannabis as clean and as available for his patients as possible as he got into this type of business for medicinal reasons. He will continue to be involved in this business for medicinal reasons; however, to be effective, he said he will need to be able to support his efforts financially. He shared that his family lives less than one and one-half mile away from the proposed location. He intends to be a good neighbor and wants to help the area thrive.

COUNCILWOMAN DIAZ asked MS. GABAY about the effects of the two nearby dispensaries from her establishment. MS. GABAY stated that there have been no negative effects adding that they have spent time observing the area and have seen no issues; this prompted them to consider leasing the space. She denied smelling the aroma of cannabis near the subject location.

COUNCILWOMAN DIAZ acknowledged Naked City is a rough area and asked how another dispensary would affect the area. MS. GABAY said many of the clientele are tourists. She believed the area will slowly improve and mentioned the selling of two nearby by properties for future development.

MR. BADY informed the Councilwoman the hours of operation will be equivalent to the existing hours of 8:00 a.m. to 12:00 a.m. but believed it would increase. He will have 24-hour security and noted the security plan for his 3rd Street location is more aggressive than other dispensaries.

COUNCILMAN KNUDSEN asked if the City has considered restrictions on the concentration of dispensaries. MR. SUMMERFIELD replied that is a policy decision of the City Council and, at this time, there are no distance separation requirements between like uses.

COUNCILMAN KNUDSEN thought this was a complicated issue. He wished the dispensary was coming to Ward 1 as he thought the applicant has followed all guidelines set forth. He supported the Councilwoman's decision. The Councilman also expressed his opinion on the importance of being transparent and the need for consistency in regulations between jurisdictions.

In his efforts to learn about his ward, COUNCILMAN KNUDSEN said he heard support for the cannabis industry and jobs.

MAYOR PRO TEM FIORE would also support the Councilwoman's decision.

COUNCILMAN ANTHONY said he has listened to what has been said and believed there were good arguments on both sides; however, looking at the support petition, he noticed the addresses were not in the adjacent neighborhood. Those in the neighborhood are the gaming industry. He also acknowledged the Captain's concerns about having another dispensary in the area. The Councilman was aware of the desire to make cannabis available to people, but it is already available to people in that area.

COUNCILWOMAN SEAMAN believed DR. BADY has complied with all requirements. MR. SUMMEFIELD confirmed that under current codes and current requirements the application was fully compliant. The Councilwoman would support COUNCILWOMAN DIAZ'S decision.

COUNCILMAN CREAR did not think this was an appropriate space for another dispensary and believed a high concentration of dispensaries was not the look the City wanted heading into the downtown area. He found it interesting that a number of gaming properties have issues with smoking on the property but were in opposition to legislation that would allow social use venues. He could support the application at this time.

Acknowledging COUNCILMAN ANTHONY'S comments, DR. BADY said he collected many of the signatures on the support petition from around the neighborhood. He respected having the casinos around; however, he believed the city is growing and will not always be a casino state.

COUNCILWOMAN DIAZ appreciated DR. BADY'S interest to move to Ward 3 as she was aware that the proposed location is a difficult part of the ward. She agreed with COUNCILMAN KNUDSEN that it is difficult to rent any type of space and noted there are a lot of vacant spaces. She understood the gaming industry's perspective but it was the will of the voters to allow the use of cannabis. She thought the location was appropriate in terms of ingress and egress; however, she wished to abey the item in order to do her due diligence before making a decision.

MR. GARCIA wished to keep the abeyance as short as possible.

MAYOR PRO TEM FIORE declared the Public Hearing closed.

Motion made by Olivia Diaz to Hold in Abeyance to 8/7/2019

Passed For: 6; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Michele Fiore, Brian Knudsen, Olivia Diaz; Abstain-Carolyn Goodman;

84. SUP-76080 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: 121 NORTH FOURTH STREET, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 4,433 SQUARE-FOOT MARIJUANA DISPENSARY USE at 121 North 4th Street (APN 139-34-510-029), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-75796]. The Planning Commission (3-1-1 vote) recommends DENIAL. Staff recommends APPROVAL.

Motion made by Michele Fiore to Withdraw without prejudice Item 84 and to Hold in abeyance Item 92 to 8/21/2019

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

85. GPA-75219 - ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST - For possible action on a request for a General Plan Amendment FROM: RNP (RURAL NEIGHBORHOOD PRESERVATION) TO: L (LOW DENSITY RESIDENTIAL) on 5.00 acres at the southwest corner of Centennial Parkway and Jensen Street (APN 125-30-101-006), Ward 6 (Fiore) [PRJ-75024]. The Planning Commission (6-0 vote) and Staff recommend APPROVAL. NOTE: THE REQUEST WAS AMENDED AT PLANNING COMMISSION FROM: RNP (RURAL NEIGHBORHOOD PRESERVATION) TO: R (RURAL)

Minutes:
MAYOR GOODMAN declared the Public Hearing open for Items 85-89.

ATTORNEY TONY CELESTE appeared on behalf of D.R. Horton and stated that the item was abeyed to hold additional meetings. He discussed the property is five acres located on the south side of Centennial Parkway and Jensen Street and the north side of Regena Avenue. Multiple neighborhood meetings have been held with the residents and the existing development adjacent to the subject site. He appreciated COUNCILWOMAN FIORE'S office and staff in helping to coordinate the meetings. Ultimately, MR. CELESTE believed the surrounding property owners supported what was trying to be done. He asserted the development would be all single-story homes, and the GPA (General Plan Amendment) request had been reduced from what was originally requested at the Planning Commission meeting. He respectfully requested approval.

ROBERT SUMMERFIELD, Director of Planning, reported that the proposed amendment to the General Plan, as revised by the applicant and recommended for approval by the Planning Commission would allow a density of 3.59 units per acre adjacent to some properties that are limited to 3.59 units per acre and other properties that are limited to 2.0 units per acre; therefore staff recommended approval of the General Plan Amendment.

The proposed rezoning would allow for minimum lot sizes of 6,500 square feet and therefore, would be in violation of the 2016 Interlocal Agreement between the City of Las Vegas and Clark County, which limits development within "Planning Area B" within the city of Las Vegas boundaries to maintain a minimum buildable lot of 10,000 square feet. As such, staff is recommended denial of the Rezoning.

The applicant also requested a Variance and Waivers to not gate a private street or to meet public street standards; to not provide required street connectivity; to provide no street lights where required; to defer offsite improvements, and to not provide the minimal external intersection offset distance. Staff finds the applicant's hardships to be self-imposed and that the requested Variance and Waivers reinforce the unsuitability of the site design with that of the surrounding residential developments. Therefore, staff recommended denial of the Variance and associated Tentative Map.

Staff had no objection to the Vacation request and recommended approval of that application.

Prior to the vote on Item 89 (TMP-75223), MR. SUMMERFIELD indicated staff proposed adding a condition which he read into the record. MR. CELESTE agreed to the added condition.

See Items 86-89 for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 85-89.

Motion made by Michele Fiore to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

86. ZON-75220 - ABEYANCE ITEM - REZONING RELATED TO GPA-75219 - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST - For possible action on a request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL) on 5.00 acres at the southwest corner of Centennial Parkway and Jensen Street (APN 125-30-101-006), Ward 6 (Fiore) [PRJ-75024]. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

Minutes:
See Item 85 for related discussion and Items 85-89 for related backup.

Motion made by Michele Fiore to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

87. VAR-75221 - ABEYANCE ITEM - VARIANCE RELATED TO GPA-75219 AND ZON-75220 - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST - For possible action

on a request for a Variance TO ALLOW A 43-FOOT WIDE PRIVATE STREET WITHOUT A GATE, SIDEWALK ON ONE SIDE WHERE A 47-FOOT WIDE STREET WITH SIDEWALK ON BOTH SIDES IS REQUIRED, AND A CONNECTIVITY RATIO OF 1.0 WHERE 1.30 IS REQUIRED on 5.00 acres at the southwest corner of Centennial Parkway and Jensen Street (APN 125-30-101-006), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 6 (Fiore) [PRJ-75024]. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

Minutes:
See Item 85 for related discussion and Items 85-89 for related backup.

Motion made by Michele Fiore to Approve subject to condition(s)

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

88. VAC-75222 - ABEYANCE ITEM - VACATION RELATED TO GPA-75219, ZON-75220 AND VAR-75221 - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST - For possible action on a request for a Petition to Vacate U.S. Government Patent Easements generally located at the southwest corner of Centennial Parkway and Jensen Street (APN 125-30-101-006), Ward 6 (Fiore) [PRJ-75024]. The Planning Commission (6-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 85 for related discussion and Items 85-89 for related backup.

Motion made by Michele Fiore to Approve subject to condition(s)

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

89. TMP-75223 - ABEYANCE ITEM - TENTATIVE MAP RELATED TO GPA-75219, ZON-75220, VAR-75221 AND VAC-75222 - CENTENNIAL JENSEN 5 - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST - For possible action on a request for a Tentative Map FOR AN 18-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION WITH WAIVERS TO ALLOW NO INTERIOR OR EXTERIOR STREETLIGHTS WHERE SUCH IS REQUIRED, DEFERRAL OF OFFSITE IMPROVEMENTS ON REGENA AVENUE AND JENSEN STREET AND A 184-FOOT EXTERNAL INTERSECTION OFFSET WHERE 220 FEET IS REQUIRED on 5.00 acres at the southwest corner of Centennial Parkway and Jensen Street (APN 125-30-101-006), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 6 (Fiore) [PRJ-75024]. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

Minutes:
See Item 85 for related discussion and Items 85-89 for related backup.

Motion made by Michele Fiore to Approve subject to condition(s) and adding the following condition as read for the record:

A. All homes within the subdivision are to be single story.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

90. SUP-76224 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: TASTE OF AFRICA - OWNER: FAEC HOLDINGS WIRRULLA, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 12,741 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT USE WITH A 1,245

SQUARE-FOOT OUTDOOR PATIO at 450 Fremont Street, Suite #295 (APN 139-34-513-002), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-75602]. The Planning Commission (5-0 vote) and Staff recommend APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

RICKI BARLOW appeared representing the applicant. He recognized ROHIT JOSHI, July Citizen of the Month, and EARLIE KING, July Employee of the Month, and he congratulated and welcomed the new Councilmembers.

MR. BARLOW stated that Taste of Africa is an African-themed restaurant to occupy part of the second and third floors of Neonopolis. There will be an entertainment venue with the entire theme of being from Africa. The owners CHRIS and FAVOR USIGBE are from Nigeria, Africa and have many businesses through Africa and Southern Nevada. The location of the subject property will be above Denny's in Neonopolis and MR. BARLOW expressed excitement in being part of the many things happening in downtown Las Vegas. He thanked COUNCILWOMAN FIORE for some of her guidance and comments and recognized COUNCILMAN CREAR, his staff, MARY McELHONE, Deputy Director of Planning, and MINERVA GOMEZ, Business License Section Manager. Additionally, he recognized JO CATO, Periwinkle Media Group, for her leadership as the applicant was looking at locating their venue in Clark County.

He asked for the Council to follow staff's recommendation for approval.

PETER LOWENSTEIN, Deputy Director of Planning, reported that the proposed use meets the goals of the Downtown Las Vegas Master Plan and the Las Vegas 2020 Master Plan by providing new opportunities for entertainment and commercial venues; therefore, staff recommended approval of the proposed Special Use Permit.

MAYOR GOODMAN wondered about the timeline to get the venue open should the applicant be recommended for approval. MR. BARLOW said approximately six to eight months, and he believed construction would begin within the next 60 to 90 days and would open in the first quarter of 2020.

The restaurant will serve lunch and dinner and will be open 24 hours with hookah and entertainment periodically throughout the month.

COUNCILWOMAN FIORE thought it was exciting to see MR. BARLOW as she knows he loves the city.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Cedric Crear to Approve subject to condition(s)

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

91. ZON-76105 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: S. & D. GRAHAM PROPERTIES, LLC - For possible action on a request for a Rezoning FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-1 (LIMITED COMMERCIAL) on 1.00 acre at 1353 Arville Street (APN 162-06-510-015), Ward 1 (Tarkanian) [PRJ-76094]. The Planning Commission (5-0 vote) and Staff recommend APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

DARLA GRAHAM identified herself as the applicant and stated that she was requesting a zoning change. She indicated she had owned a business which occupied the building on the property, has sold the business and was now looking to lease the property.

ROBERT SUMMERFIELD, Director of Planning, reported that the proposed zoning district is in compliance with the existing Service Commercial General Plan designation, as well as the surrounding land uses contain a mix of office, retail, and educational land uses, consistent with C-1 (Limited Commercial) zoning district; as such, staff recommended approval of this rezoning request.

COUNCILMAN KNUDSEN said he has driven by the property but was unsure what the applicant wished to do with the property and he had concerns as there are a child's playground and school behind the property.

MS. GRAHAM said they were not looking to change anything with the vacant space but looking to lease the building to someone that would be compatible with the neighborhood.

The Councilman asked staff to explain how changing the zoning would be helpful in leasing out the vacant space.

MR. SUMMERFIELD explained that with the zone change, any use is permitted or is applicable for a Special Use Permit in a C-1 zone could be requested at the location. This is an existing building, so there were a number of appropriate uses. He noted the P-R (Professional Office and Parking) zoning district is meant to be a transitional zone between single-family residential and commercial and is typically not where one would see an office building of this structural stature. MR. SUMMERFIELD believed it would not be inappropriate to hold the item in abeyance to meet with the property owner. He advised that if the property is rezoned, it will be eligible for any C-1 permitted conditional use or Special Use Permit.

MS. GRAHAM confirmed for COUNCILMAN KNUDSEN that there were two potential tenants who were ready to make an offer to lease but were not willing to until the property had C-1 zoning. MS. GRAHAM expressed that it creates a personal hardship for her to continue to abey the item and wished to answer any questions the Council may have. She indicated they have operated a medical equipment business from the property for 24 years and have always complied with city, county and state regulations.

Acknowledging the Councilman's concerns regarding the nearby school, MS. GRAHAM said she has spoken to the rabbi and who also thought it important to find a tenant so the building is not vacant; MS. GRAHAM felt the continued vacancy creates a security problem for the nearby school.

Since it is vacant, MR. SUMMERFIELD pointed out that a new Site Development Plan Review would be needed for any changes to occur on the rear portion of the property.

COUNCILWOMAN FIORE suggested the Councilman obtain copies of the LOIs (Letters of Intent) from the potential tenants so he may become aware of the types of businesses that wish to be placed there.

If the item is approved, COUNCILMAN KNUDSEN wished to meet with the applicant to discuss potential tenants.

MAYOR GOODMAN commented that the applicant was not in question but it was the ability of the City to help vet through some issues that may help the applicant in making her selection of a tenant.

COUNCILMAN CREAR said when a property is rezoned from P-R to C-1, it opens up a lot of opportunities to many different types of businesses. He asked what type of business would be going in.

MS. GRAHAM informed the Councilman that the building does not lend its self to a heavily commercial use like retail and has a lot of warehouse space. She mentioned two potential tenants.

COUNCILMAN KNUDSEN said he would be most comfortable if MS. GRAHAM was to make him aware of who she chooses to lease to.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Brian Knudsen to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

92. VAR-75824 - VARIANCE - PUBLIC HEARING - APPLICANT: RAD MANAGEMENT, LLC - OWNER: DSRS PROPERTIES, LLC - For possible action on a request for a Variance TO ALLOW REDUCED LOT SIZES AND WIDTHS FOR THREE PROPOSED LOTS WHERE A 20,000 SQUARE-FOOT LOT SIZE AND A 100-FOOT LOT WIDTH ARE REQUIRED AND TO ALLOW A REAR YARD SETBACK OF 26 FEET WHERE 35 FEET IS THE MINIMUM REQUIRED on 0.70 acres at 835 Shetland Road (APN 139-32-802-025), R-E (Residence Estates) Zone, Ward 1 (Tarkanian) [PRJ-75738]. The Planning Commission (5-0 vote) and Staff recommend DENIAL.

Motion made by Michele Fiore to Withdraw without prejudice Item 84 and to Hold in abeyance Item 92 to 8/21/2019

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

93. VAR-76335 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: PATRON INVESTMENTS, LLC - For possible action on a request for a Variance TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED on 0.39 acres at 1618 and 1622 East Charleston Boulevard (APNs 162-02-113-001 and 002), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-76284]. Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open for Items 93-95.

PETER LOWENSTEIN, Deputy Director of Planning, reported that the proposed development does not meet Title 19 setback, parking, and landscape buffer requirements. No evidence of a unique or extraordinary circumstance had been presented, and staff concluded that the site is being overbuilt as evidenced by the associate Variance requests. As the applicant’s hardships were preferential in nature, staff recommended denial of all applications.

COUNCILWOMAN DIAZ had questions she would like to ask the applicant; therefore, she wished to hold the items in abeyance for two weeks.

See Items 94 and 95 for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 93-95.

Motion made by Olivia Diaz to Hold in Abeyance to 8/7/2019

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

For-Victoria Seaman, Cedric Crear, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz; Did Not Vote-Stavros Anthony;

94. VAR-76336 - VARIANCE RELATED TO VAR-76335 - PUBLIC HEARING - APPLICANT/OWNER: PATRON INVESTMENTS, LLC - For possible action on a request for a Variance TO ALLOW 30 PARKING SPACES WHERE 32 PARKING SPACES ARE REQUIRED on 0.39 acres at 1618 and 1622 East Charleston Boulevard (APNs 162-02-113-001 and 002), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-76284]. Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL.

Minutes:
See Item 93 for related discussion and Items 93-95 for related backup.

Motion made by Olivia Diaz to Hold in Abeyance to 8/7/2019

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

For-Victoria Seaman, Cedric Crear, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz; Did Not Vote-Stavros Anthony;

95. SDR-76337 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-76335 and VAR-76336 - PUBLIC HEARING - APPLICANT/OWNER: PATRON INVESTMENTS, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 871 SQUARE-FOOT ADDITION TO AN EXISTING BUILDING WITH A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE NORTH PERIMETER WHERE 15 FEET IS REQUIRED AND A ZERO-FOOT LANDSCAPE BUFFER ALONG THE EAST PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.39 acres at 1618 and 1622 East Charleston Boulevard (APNs 162-02-113-001 and 002), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-76284]. Staff recommends DENIAL. The Planning Commission (4-1 vote) recommends APPROVAL.

Minutes:
See Item 93 for related discussion and Items 93-95 for related backup.

Motion made by Olivia Diaz to Hold in Abeyance to 8/7/2019

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

For-Victoria Seaman, Cedric Crear, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz; Did Not Vote-Stavros Anthony;

96. VAR-76293 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CYPRUS SUB 2, LLC - For possible action on a request for a Variance TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED; A 10-FOOT REAR YARD AND A 12-FOOT CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED FOR A PROPOSED SINGLE FAMILY DWELLING on 0.14 acres at the northeast corner of Ogden Avenue and 18th Street (APN 139-35-711-013), R-1 (Single Family Residential) Zone, Ward 3 (Coffin) [PRJ-76106]. Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

STAVROS GEORGIOU stated that his project is on the corner of 18th Street and Ogden Avenue. The parcel has been vacant and he is looking to build a home built out of shipping containers; it will be a green design incorporating solar panels, and MR. GEORGIOU was looking to make the property a net-zero in energy consumption. He will be living at the property which will be a contemporary design with an open courtyard, and he wished to dedicate the external portion of the shipping containers to local artists for mural work.

He mentioned there is a right-of-way on 18th Street and on Ogden Avenue but he spoke to STEVE GEBEKE, Planning Supervisor, who did not see any reason to widen 18th Street. He hoped for approval given the Variance for a five-foot setback in the front yard noting there will still be 23 feet to the curb. Along Ogden Avenue, there will be 19 feet with the right-of-way currently in place.

Acknowledging that streets are being widened on Fremont East, MAYOR GOODMAN asked if the subject area had the potential to be widened in the future. BART ANDERSON, Engineering Project Manager, said it is conceivable but that would be contained within the existing right-of-way. He pointed out the applicant was not trying to vacate that right-of-way but had indicated the amount of distance as a means to justify his reduced onsite setbacks.

MR. GEORGIOU planned on adding lush landscaping.

MAYOR GOODMAN shared the name of ARNOLD STALK, Ph.D., who is an architect and has been working with cargo containers with MR. GEORGIOU.

ROBERT SUMMERFIELD, Director of Planning, reported that the proposed development does not meet Title 19 setback requirements. No evidence of a unique or extraordinary circumstance had been presented, and staff concluded that the applicant's hardship is preferential in nature. Staff recommended denial of the Variance request. He mentioned that if the applicant wished to do lush landscaping within the right-of-way, he would need to work with staff within the Land Development section of the Department of Building and Safety as it would require an encroachment agreement.

COUNCILMAN CREAR noticed that there was nothing in the backup showing MR. GEORGIOU'S specific example. MR. GEORGIOU showed a rendering of the proposed design.

COUNCILMAN CREAR asked if MR. GEORGIOU had spoken to the neighbors as his project would not be a traditional home. MR. GEORGIOU stated that he has spoken to some of the neighbors who have expressed their support. The Councilman was interested to hear his colleagues' opinions as the project was untraditional in an established neighborhood. He thought this might be a culture shock to some people.

COUNCILWOMAN DIAZ said she held a meeting with MR. GEORGIOU and asked if he reached out to his neighbors. He confirmed he had tried to reach out to some of the surrounding neighbors but had no luck; he denied holding any neighborhood meetings, as well. MR. GEORGIOU thought that as long as he is within the perimeters of the building code, there would be no issue.

The Councilwoman asked if those standards had been satisfied. MR. SUMMERFIELD said the applicant's building permit submittal package has not yet been submitted and would need the Variance in order to do that. The Department of Building and Safety will review MR. GEORGIOU'S documentation and he will have to show he is meeting structural and electrical energy code as part of his building permit submittal package.

COUNCILWOMAN DIAZ pointed out how close the parcel is to an elementary school noting she and the applicant discussed how the exterior must be tastefully done.

In response to a question by COUNCILMAN CREAR, MR. SUMMERFIELD stated that because the applicant is designating the structure as his primary residence, it will satisfy the requirement of having a primary residence prior to an accessory structure. He added that the City does not have any aesthetic controls on residential structures outside of HOA (homeowners associations) requirements. MR. GEORGIOU noted the artwork will be congruent of what is going on downtown.

COUNCILWOMAN DIAZ wished to have MR. GEORGIOU'S commitment on ensuring he would do his best to garner community meetings with neighbor input on the external aesthetic of the structure.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Olivia Diaz to Approve subject to condition(s)

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

97. VAR-76344 - VARIANCE - PUBLIC HEARING - APPLICANT: BEN SILLITOE - OWNER: 1800 INDUSTRIAL, LLC - For possible action on a request for a Variance TO ALLOW A ZERO-FOOT SETBACK WHERE FIVE FEET IS REQUIRED FOR TWO PROPOSED MONUMENT SIGNS at 1800 Industrial Road (APN 162-04-704-003), M (Industrial) Zone, Ward 3 (Coffin) [PRJ-76245]. The Planning Commission (4-0-1 vote) and Staff recommend DENIAL.

Minutes:
MAYOR PRO TEM FIORE declared the Public Hearing open.

BEN SILLITOE appeared representing the applicant, Oasis Cannabis Dispensary, along with CHARLES FOX who is the property owner. MR. SILLITOE spoke about the increase in traffic to the subject property noting there is no signage to identify the proper ingress and egress to the property. The increase in traffic has begun to affect the other 40 tenants in the building and with the way the traffic flows, the current parking configuration in the front of the building has parking spaces designed for a north to south flow. He identified on an aerial view of the subject site the various ways in which patrons are accessing the property which is causing traffic jams. It was the desire of the applicant to add signage that would indicate the proper entrance points. MR. SILLITOE believed this would alleviate some of the traffic congestion.

He showed another image of surrounding landscaped trees inside of the points where the signage would be put. Because a five-foot setback would put the signage into the driveway, the applicant was requesting a Variance for a zero-foot setback so that the signage can be seen from the road.

Feedback was received from the Planning Commission to keep the trees in place in the limited landscaping on the property. The applicant was in support of that condition.

PETER LOWENSTEIN, Deputy Director of Planning, reported that the applicant is proposing to install two double-sided monument signs at an existing Marijuana Dispensary. The proposed monument signs are positioned over two landscape islands containing trees thus requiring removal of existing planting materials. While moving the proposed monument signs five feet from the property line would allow conformance with Title 19 requirements, this would result in encroachment onto the existing drive aisle. However, an existing wall sign for the Marijuana Dispensary is contained on the subject site; additionally, the use is advertised on a billboard located adjacent to the subject site facing Industrial Road. As such, staff has determined that the proposed signage is inconsistent with the intent of the Title 19 Commercial and Industrial District Sign development standards; therefore, staff recommended denial of this project.

MR. FOX stated that Oasis Cannabis Dispensary has been a great tenant and agreed that traffic has been discombobulated because of the dispensary’s success thus the signage would help with the traffic flow.

Now that the landscaping would remain and the signage would be smaller, COUNCILWOMAN DIAZ asked if the request would be acceptable to help manage traffic in the area. MR. LOWENSTEIN stated that per the code, there is incidental signage which is limited in its square footage and what can be displayed on it. He noted he had not seen the renderings MR. SILLITOE displayed until this meeting and hedged to say that the application still fails to meet the minimum setback requirements and the Variance would still be required.

He noted the subject site is a multi-tenant building and the traffic flow from the southern ingress/egress point can go directly back to the dispensary, and the other tenants in the front of the building rely upon the one-way traffic flow from the north ingress down to the south. MR. LOWENSTEIN pointed out that the applicant’s revised rendering showed where the traffic can go but it also features the dispensary’s commercial logo in a multi-tenant building. In summary, the Variance would be required, but he would need the revised elevations submitted so that when a permit is submitted staff could review it against the elevations.

COUNCILWOMAN DIAZ visited the location and understood the confusion of the traffic flow and the convenience of the signage. She said she heard from MR. SILLITOE that if the logo was not acceptable, an enter/exit sign would be used. MR. LOWENSTEIN stated that if the intent was to have directional signage, then he would suggest approving the Variance to allow the setback requirement but then work with staff in the permitting process to maintain the landscaping.

The Councilwoman asked MR. SILLITOE if he was willing to work with staff to ensure the signage could be installed per the needs of the tenants and the landlord. He confirmed he was adding that the new elevations showed a four-foot height and he was happy to submit the revised renderings for review.

MAYOR PRO TEM FIORE declared the Public Hearing closed.

NOTE: Mayor Goodman abstained from voting on this item due to her son’s involvement in the marijuana industry.

Motion made by Olivia Diaz to Approve subject to condition(s)

Passed For: 6; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Michele Fiore, Brian Knudsen, Olivia Diaz; Abstain-Carolyn Goodman;

98. SUP-76351 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: I NEED CASH NOW - OWNER: RED FEATHER PROPERTY, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,730 SQUARE-FOOT FINANCIAL INSTITUTION, SPECIFIED USE WITH WAIVERS TO ALLOW A 59-FOOT DISTANCE SEPARATION FROM A PARCEL ZONED FOR RESIDENTIAL USE WHERE 200 FEET IS REQUIRED AND A 660-FOOT DISTANCE SEPARATION FROM ANOTHER FINANCIAL INSTITUTION, SPECIFIED WHERE 1,000 FEET IS REQUIRED at 3281 North Decatur Boulevard, Suites #250 and #260 (APN 138-12-813-001), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-76172]. The Planning Commission (3-2 vote) and Staff recommend DENIAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY TONY CELESTE appeared on behalf of the applicant and, after consultation with the Councilman's office, wished to withdraw this item without prejudice to continue working to find a more appropriate location for the use.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Cedric Crear to Withdraw without prejudice

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

SET DATE

99. 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.

CITIZENS PARTICIPATION

100. 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

101. 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 SEAMAN, CREAR, ANTHONY, DIAZ, and FIORE announced the various events taking place in their wards on various dates throughout the months of July and August. Some of the Councilmembers submitted flyers, which are attached as backup, regarding their events and points of interest.

The meeting was recessed at 9:53 a.m., reconvened at 10:03 a.m., recessed again at 11:53 a.m. to go into Closed Session, reconvened at 1:16 p.m. and was adjourned at 5:09 p.m.

Respectfully submitted:

____
Ashley Foster, Deputy City Clerk

____
LuAnn D. Holmes, MMC, City Clerk

THIS MEETING WAS PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:
City Hall, 495 South Main Street, 1st Floor
Clark County Government Center, 500 South Grand Central Parkway
Grant Sawyer Building, 555 East Washington Avenue
City of Las Vegas Development Services Center, 333 North Rancho Drive