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

City Manager Jorge Cervantes
City Attorney Bryan K. Scott
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

August 3, 2022
9:00 AM

CEREMONIAL MATTERS

1. Call to Order

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

PRESENT: MAYOR GOODMAN and COUNCILMEMBERS ANTHONY, FIORE, CREAR (excused until 9:05 a.m.), KNUDSEN, SEAMAN (excused at 11:42 a.m.) and DIAZ

ALSO PRESENT: CITY MANAGER JORGE CERVANTES, CITY ATTORNEY BRYAN SCOTT, ASSISTANT CITY ATTORNEY JEFF DOROCAK 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 in accordance with the noticing standards as outlined in NRS 241.020: City Hall, 495 South Main Street, 1st Floor; The City of Las Vegas website – www.lasvegasnevada.gov; and The Nevada Public Notice website – notice.nv.gov

3. Invocation - Reverend Sean Taylor, Victory Missionary Baptist Church

Minutes:
REVEREND MARY BREDLAU, Clark County Coroner's Office, gave the invocation.

4. Pledge of Allegiance

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

5. Recognition of the Citizens of the Month

Minutes:
MAYOR GOODMAN mourned the passing of VIN SCULLY, former Sportscaster for the Los Angeles Dodgers. She noted the San Diego Padres have a new uniform that is designed to unite the cultures of Mexico and the United States.

COUNCILWOMAN DIAZ said she has family in Tijuana and felt proud to represent them. She expressed concern regarding rainfall and flooding, and she reported about a dozen homes were flooded in the Mayfair community. She noted an upcoming community cleanup effort and projects to alleviate storm drain issues.

The Councilwoman recognized SALVADOR MUNOZ and OSCAR CABRERA as the August 2022 Citizens of the Month for their leadership and engagement in the Mayfair community. She invited MR. MUNOZ to the podium, and noted MR. CABRERA was unable to make it to the City Council meeting. She first met with MR. MUNOZ and MR. CABRERA after they reported concerns regarding activities at Mayfair Place Park. They helped COUNCILWOMAN DIAZ host a neighborhood meeting to address public safety, and that helped lead to the park being designated a children's only park. Further, there was a park and community cleanup and tree planting event at Mayfair in the spring. The Councilwoman said MR. MUNOZ and MR. CABRERA consistently report safety concerns to City Marshals, squatting issues to Metro COPS (Community Oriented Policing Services) and also keep her office informed. She felt thankful for their volunteering efforts and dedication to the community, and she presented MR. MUNOZ with the Certificate for Citizens of the Month, a copy of which was submitted for the record.

MR. MUNOZ advised they work with the City to curb drug activities at Mayfair Place Park, and they want families to come back and feel safe at the park. He thanked the Councilwoman, City Marshals and ANASTACIO DEL REAL, Special Assistant to Council, for working with them on their initiative to make the park a safe and vibrant place for all the residents to enjoy.

MAYOR GOODMAN believed everyone's personal commitment to the community made Las Vegas uniquely special.

6. Recognition of Tom Warden

Minutes:
MAYOR GOODMAN reported that TOM WARDEN was retiring from the Howard Hughes Corporation after 23 years, and she explained he played a key role in developing the 25,000-acre Summerlin master plan community in its 32nd year of development. MR. WARDEN came to Las Vegas in 1989 to work as an investigative reporter and news anchor for KLAS-TV Channel 8, and he earned an Emmy award during that time. He spent three years with Clark County as the Director of Public Communications, before joining the Howard Hughes Corporation in 1999. MR. WARDEN managed government affairs as the Senior Vice President of Community and Government Relations for Summerlin, and he helped Summerlin be consistently ranked Nevada's best-selling master plan community. MAYOR GOODMAN listed several boards, committees and commissions that he serves on, and noted he received a lifetime achievement award from the Southern Nevada Home Builders Association in 2021. Further, at one point he was a board member for 20 non-profit organizations. MR. WARDEN spearheaded many desert cleanups within and around Summerlin and he facilitated trailer marker signage throughout the Red Rock Canyon National Conservation Area. MAYOR GOODMAN thanked him for his years of service to the Las Vegas community, and she presented him with a Proclamation and declared August 3, 2022 as Tom Warden Day.

MR. WARDEN felt privileged to work for the Howard Hughes Corporation and with the City of Las Vegas. He noted MAYOR GOODMAN played a role in constructing The Meadows School, which was the first structure built in Summerlin. He advised that there were thousands of acres available for development in Summerlin West in Ward 2, and he congratulated COUNCILWOMAN SEAMAN for winning her recent reelection to City Council. He expressed appreciation for various City staff members, and he advised that he started working for the Howard Hughes Corporation the same year that DAVID RIGGLEMAN started at the City. MR. WARDEN said the best part of working for the Howard Hughes Corporation was the people, and he felt gratified that so many of them came to the City Council meeting. He advised that his wife was also in attendance and retired a few years ago, and he reported that today was his birthday. MAYOR GOODMAN wished him a happy birthday and said he was one-of-a-kind.

MR. WARDEN introduced several members of the Howard Hughes Corporation and explained their roles in the company.

BUSINESS ITEMS - 9:30 A.M. SESSION

PUBLIC COMMENT

7. 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:
VICKIE DEHART, Principal at EHB Companies, spoke in regards to Agenda Item 28, and she noted it was being pulled from the agenda. They received a settlement agreement e-mail from the City on July 22, 2022 and they accepted the terms. The major points of the agreement were payment of a reduced judgement, a dollar amount for drainage improvements and staff proposed entitlements. She said the City attempted to change these terms on Monday. She explained the proposed change would allow the City to approve the settlement agreement and deny the entitlements later. MAYOR GOODMAN advised that they needed to stay on schedule. MS. DEHART said the proposed change wasn’t the intent of the agreement, and she wished the item came forward so they could hear where the Council stood. The Mayor clarified with ASSISTANT CITY ATTORNEY JEFF DOROCAK that MS. DEHART could submit a written statement for the record, and MS. DEHART declined submitting her script.

Former Councilman BOB COFFIN reported that the lawsuit filed by EHB Companies against him had been dismissed. He listed the various courts that considered the lawsuit, and he noted they missed the deadline to ask for certiorari at the Supreme Court. He believed he was called anti-Semitic for not supporting their proposal, and he opined that the lawsuit was a SLAPP suit (Strategic Lawsuit Against Public Participation). MR. COFFIN was glad the item was going to be stricken, and he did not believe they applied for rights.

BUSINESS ITEMS - 9:30 A.M. Session

8. For Possible Action - Any items from the 9:30 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 SEAMAN stated that resolving the Badlands situation has been her top priority since she began campaigning for the Ward 2 Council seat. She said the Badlands developer and the City had been working on a possible settlement agreement, and she thought the foundation of a deal seemed ready to be considered by the Council. The agreement would end all litigation and begin the process of developing Badlands into something beautiful and productive for the community. The Councilwoman expressed disappointment they would not move forward with the settlement. She regretted that the matter would continue to work through the courts, and she expected that to continue unless both sides found common ground.

Subsequent to COUNCILWOMAN SEAMAN'S statement, COUNCILMAN ANTHONY stated that Items 31 and 32 were announced to be stricken at the request of COUNCILWOMAN FIORE. However, the agenda showed the items were located within Ward 2, and he confirmed with COUNCILWOMAN SEAMAN that she made the request to strike the items.

Motion made by Stavros Anthony to Strike Items 28, 31, 32, 33 and 39 and Hold in Abeyance Item 29 to 8/17/2022

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

9. For possible action to approve a business impact statement regarding a proposed ordinance to update LVMC 14.04.030 and 14.04.210 to implement increases in sewer service charges and sewer connection fees, including subsequent four percent annual fee increases and annual Consumer Price Index increases through calendar year 2032 (This item is related to Bill No. 2022-20, which appears later on this agenda under New Bills)

   Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

   NOTE: Assistant City Attorney Jeff Dorocak advised that the Certificate Disclosure of Ownership Principals was not included for Item 12 when it was placed on the agenda. This document is on file with the Clerk's Office and everything is in order.

   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;

COMMUNICATIONS - CONSENT

10. For possible action to approve an Interlocal Agreement between the City of Las Vegas and Regional Flood Control District for television production services and social media segments - All Wards

   Motion made by Stavros Anthony 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

11. For possible action to approve the Exclusive Negotiation Agreement between the City of Las Vegas and Tru Development, LLC for Cashman Center, located at 850 North Las Vegas Boulevard (APN 139-27-709-001 and 139-26-301-004) - Ward 5 (Crear)

   Motion made by Stavros Anthony 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;

12. For possible action to approve the Parking Spaces Easement Agreement between the City of Las Vegas and JSC / Symphony Park Hotel, LLC (Developer) for the purposes of securing designated parking in the City of Las Vegas Garage, located at 355 Promenade Place (APN 139-33-610-033) - Ward 5 (Crear)

   Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

   NOTE: Assistant City Attorney Jeff Dorocak advised that the Certificate Disclosure of Ownership Principals was not included for Item 12 when it was placed on the agenda. This document is on file with the Clerk's Office and everything is in order.

   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;

13. For possible action to approve the Grant of Easement Agreement between the City of Las Vegas (Grantor) and City Parkway V, Inc. (Grantee) for the purposes of vehicular ingress and egress over the easement for service

vehicles, related improvements and maintenance of utilities as needed for a parcel (APN 139-33-610-033), located at 355 Promenade Place - Ward 5 (Crear)

Motion made by Stavros Anthony 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 the Second Amendment to Parking Lease Agreement between POB Las Vegas, LLC and the City of Las Vegas (City) to extend the term through and including July 31, 2023 of the Parking Lease Agreement regarding the management and operation of a parking lot, located at the southeast corner of Stewart Avenue and North Casino Center Boulevard (a portion of APN 139-34-501-023) - Ward 5 (Crear)

Motion made by Stavros Anthony 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 the Amendment to Parking Lease Agreement between Siena XII Holding Limited Partnership (Landlord) and the City of Las Vegas (City) to incorporate forty-eight (48) additional parking spaces, located at 1405 South Casino Center Boulevard (APN 162-03-201-050) with the terms of the lease payments described in the original agreement (Not-to-Exceed $50,000 - Parking Enterprise Fund) - Ward 3 (Diaz)

Motion made by Stavros Anthony 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;

16. For possible action to approve a Memorandum of Understanding (MOU) between the City of Las Vegas and Vertical Harvest, Inc. for a site to be determined on a northern portion of James Gay Park starting at the north end corner between Harrison Avenue and B Street (APN 139-27-101-002) to explore the development of a vertical urban farm and potential affordable housing - Ward 5 (Crear)

Motion made by Stavros Anthony 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 award of Bid No. 21.MWA400.C-JH, Jackson Avenue H Street to C Street, to the lowest responsive and responsible bidder (for road rehabilitation improvements) - Department of Public Works - Award recommended to: UNICON, LLC ($6,505,911.89 - Road and Flood Capital Projects Fund) - Ward 5 (Crear)

Motion made by Stavros Anthony 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 Contract No. 22.MWA245.D2-JH, Prime Design Services for Sewer Rehabilitation Group K - Arville Street Relief Sewer (30% to Final Design) - Department of Public Works - Award recommended to: GCW, INC. ($365,227.20 - Sanitation Enterprise Fund) - Ward 1 (Knudsen)

Motion made by Stavros Anthony 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 Amendment No. 1 to Contract No. 210193-JH (Federal Project No. 07-79-07620), Prime Design Services for Westside Education and Training Center, located at Jefferson Avenue and D Street - Department of Public Works - Award recommended to: CARPENTER SELLERS DEL GATTO ARCHITECTS ($354,285 - City Facilities Capital Projects Fund) - Ward 5 (Crear)

Motion made by Stavros Anthony 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

20. For possible action to approve the First Amendment to Lease and Operating Agreement between the City of Las Vegas and Acelero Learning Clark County to add an option to extend the lease at 1617 Alta Drive through August 14, 2023 - Ward 1 (Knudsen)

Motion made by Stavros Anthony 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 authorize staff to acquire real property and improvements located at 715 Bell Drive (APN 139-27-811-015); 721 Bell Drive (APN 139-27-811-016); 808 G Street (APN 139-27-310-023); 604 Kasper Avenue (APN 139-22-310-027); and 1021 F Street (APN 139-27-210-070) for future strategic land acquisitions in the Historic Westside and Cashman Districts ($791,585 - General Capital Projects Fund) - Ward 5 (Crear)

Motion made by Stavros Anthony 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

22. For possible action to approve Interlocal Agreement No. 137228-A between the City of Las Vegas (CLV) and the Las Vegas Valley Water District (LVVWD) for water commitment services in conjunction with the CLV's Casino Center Complete Streets Project generally located on South Casino Center Boulevard between Oakey Boulevard and East Colorado Avenue ($18,926 - Road and Flood Capital Project Fund [CPF]) - Ward 3 (Diaz)

Motion made by Stavros Anthony 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;

23. For possible action to approve the following supplemental interlocal contracts: Interlocal Contract (IL) 462 - Supplemental No. (S No.) 9; IL 843 - S No. 4; IL 959 - S No. 4; IL 988 - S No. 1; IL 1096 - S No. 3; IL 1153 - S No. 1; IL 1154 - S No. 2, which are for capital improvement projects funded by the Regional Transportation Commission of Southern Nevada (RTC), and require supplements to extend the contract expiration date from June 30, 2022 to June 30, 2027 - All Wards

Motion made by Stavros Anthony 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;

24. For possible action to approve Interlocal Contract 918 - Supplemental No. 6 and Interlocal Contract 1002 - Supplemental No. 1, which are for capital improvement projects funded by the Regional Transportation Commission of Southern Nevada (RTC), and require supplement contracts to modify funding source from Motor Vehicle Fuel Tax (MVFT) funds to Fuel Revenue Indexing (FRI) funds - Wards 3 and 5 (Diaz and Crear)

Motion made by Stavros Anthony 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

25. R-36-2022 - For possible action to approve a Resolution to seek approval from the Clark County Debt Management Commission to issue general obligation bonds (additionally secured by pledged revenues) in an amount not to exceed $70,000,000 to construct a new Civic Center Building and Plaza (City Facilities Capital Project Fund) - Ward 3 (Diaz)

Motion made by Stavros Anthony 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;

26. R-37-2022 - For possible action to approve a Resolution directing the State Department of Business and Industry to transfer $17,473,558 in 2022 State Private Activity Bond Volume Cap to Affordable Housing Programs, Inc. for the rehabilitation of 200 units of affordable senior housing at James Down Towers, located at 5000 Alta Drive - Ward 1 (Knudsen)

Motion made by Stavros Anthony 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;

27. R-38-2022 - For possible action to approve a Resolution directing the State Department of Business and Industry to transfer $17,875,000 in 2022 State Private Activity Bond Volume Cap to Coordinated Living of Southern Nevada, Inc. for the construction of Decatur and Rome Family Apartments, which will consist of 276 units of affordable family housing, located at 6635 North Decatur Boulevard - Ward 6 (Fiore)

Motion made by Stavros Anthony 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

28. Discussion for possible action regarding settlement of the following litigation: 180 Land Company, LLC v. City of Las Vegas, 8JDC Case No. A-17-758528-J, NSC Case Nos. 84345, 84640; 180 Land Company, LLC, et al. v. City of Las Vegas, 8JDC Case No. A-18-780184-C; Fore Stars, Ltd., et al. v. City of Las Vegas, et al., 8JDC Case No. A-18-773268-C; and 180 Land Company, LLC v. City of Las Vegas, 8JDC Case No. A-18-775804-J ($64,000,000 - Various Funds)

Minutes:
See Items 7 and 8 for related discussion.

Motion made by Stavros Anthony to Strike Items 28, 31, 32, 33 and 39 and Hold in Abeyance Item 29 to 8/17/2022

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;

OFFICE OF GOVERNMENT AND COMMUNITY AFFAIRS - DISCUSSION

29. Discussion for possible action on the proposed bill draft requests to be submitted to the Legislative Counsel Bureau on behalf of the City of Las Vegas for the 82nd Session of the Nevada Legislature (2023 Session) - All Wards

Motion made by Stavros Anthony to Strike Items 28, 31, 32, 33 and 39 and Hold in Abeyance Item 29 to 8/17/2022

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

30. R-39-2022 - Discussion for possible action regarding a Resolution approving an Interlocal Library Development Agreement between the City of Las Vegas (City) and the Las Vegas Clark County Library District (District) for the purchase of the West Las Vegas Library improvements located at 955 West Lake Mead Boulevard (APN's 139-21-703-019 and -020) and the development of a new Library Branch in Las Vegas Enterprise Park (APN's 139-21-313-014, -028 and a portion of -019) (Not-to-Exceed $3,500,000 - RDA Special Revenue Fund) - Ward 5 (Crear) [NOTE: This item is related to RDA Item 4]

Minutes:
See Item 46 for related discussion.

RYAN SMITH, Director of Economic and Urban Development, advised that this item was related to RDA (Redevelopment Agency) agenda Item 4, which involved funding improvements of the current library. He explained this item was for the Council to approve the Interlocal Agreement (Interlocal Library Development Agreement) with the Library (Las Vegas Clark County Library District).

Motion made by Cedric Crear to Approve the Interlocal Library Development Agreement and strike any reference to Resolution R-39-2022

NOTE: Subsequent to Councilman Crear's motion, Assistant City Attorney Jeff Dorocak requested the motion be amended to Approve the Interlocal Library Development Agreement and strike any reference to Resolution R-39-2022 since there is no such resolution.

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. RESCIND - R-35-2022 - Discussion for possible action regarding a Resolution finding the Disposition and Development Agreement between the City of Las Vegas (City) and Panther Acquisitions LLC (Developer) for the purchase and sale of the property, and development of medical office facilities located east of the northeast corner of Alta Drive and South Hualapai Way (APN 138-31-101-004) - Ward 2 (Seaman)

Minutes:
See Item 8 for related discussion.

Motion made by Stavros Anthony to Strike Items 28, 31, 32, 33 and 39 and Hold in Abeyance Item 29 to 8/17/2022

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. REHEAR - R-35-2022 - Discussion for possible action regarding a Resolution finding the Disposition and Development Agreement between the City of Las Vegas (City) and Panther Acquisitions LLC (Developer) for the purchase and sale of the property, and development of medical office facilities located east of the northeast corner of Alta Drive and South Hualapai Way (APN 138-31-101-004) - Ward 2 (Seaman)

Minutes:
See Item 8 for related discussion.

Motion made by Stavros Anthony to Strike Items 28, 31, 32, 33 and 39 and Hold in Abeyance Item 29 to 8/17/2022

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

33. Bill No. 2022-19 - For possible action - Amends LVMC Title 10 to add a new chapter establishing a curfew applicable to persons under the age of twenty-one and pertaining to the area bounded by Ogden Avenue on the north, 8th Street on the east, Carson Avenue on the south, and Main Street on the west. Sponsored by: Mayor Carolyn G. Goodman

Motion made by Stavros Anthony to Strike Items 28, 31, 32, 33 and 39 and Hold in Abeyance Item 29 to 8/17/2022

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.

34. Bill No. 2022-16 - Amends various sections of LVMC Chapter 6.75, pertaining to short-term residential rentals, to conform to and incorporate various recently-adopted provisions of State law, and amends other provisions of LVMC Titles 4, 6 and 19 to make corresponding changes. Proposed by: Seth T. Floyd, Director of Community Development

    Minutes:
    Recommendation noted.

    8/17/2022 Council Agenda

35. Bill No. 2022-17 - Amends LVMC 19.18.020 to expand the definition of "regional mall" for purposes of distance requirements. Sponsored by: Councilwoman Michele Fiore

    Minutes:
    Recommendation noted.

    8/17/2022 Council Agenda

36. Bill No. 2022-18 - Amends various provisions of the Municipal Code to reflect changes in the names of several departments and divisions within City government; delete references to departments that are to be eliminated or combined with other departments; reflect the names of departments or functions that will succeed to duties and responsibilities of departments that have been eliminated; and update references to departments and divisions whose names have been changed over time. Proposed by: Tom Perrigo, Chief Operations and Development Officer

    Minutes:
    Recommendation noted.

    8/17/2022 Council Agenda

<u>NEW BILLS</u>

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.

37. Bill No. 2022-20 - Updates LVMC 14.04.030 and 14.04.210 to implement increases in sewer service charges and sewer connection fees, including subsequent four percent annual fee increases and annual Consumer Price Index increases through calendar year 2032. Proposed by: Jorge Cervantes, City Manager

    Minutes:
    First Reading - Referred - COUNCILMEMBERS ANTHONY, FIORE and KNUDSEN

    8/15/2022 Recommending Committee
    8/17/2022 Council Agenda

38. Bill No. 2022-21 - Adopts the 2021 International Wildland-Urban Interface Code, together with amendments thereto. Proposed by: Kevin McOsker, Director of Building and Safety

    Minutes:
    First Reading - Referred - COUNCILMEMBERS ANTHONY, FIORE and KNUDSEN

    8/15/2022 Recommending Committee
    8/17/2022 Council Agenda

CLOSED SESSION

39. 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

Motion made by Stavros Anthony to Strike Items 28, 31, 32, 33 and 39 and Hold in Abeyance Item 29 to 8/17/2022

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 - CONSENT

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

40. 22-0275 - APPLICANT/OWNER: KARDIA PROPERTIES, LLC - For possible action on the following Land Use Entitlement project requests on 1.69 acres located on the south side of Harris Avenue between Lilly Lane and Effinger Street (APN 139-25-410-046), R-4 (High Density Residential) Zone, Ward 3 (Diaz). Staff recommends APPROVAL on the entire Land Use Entitlement project.

Minutes:
See Items 40a and 40b for related backup.

40a. 22-0275-EOT1 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - First Extension of Time of a previously approved Site Development Plan Review (SDR-78417) FOR A PROPOSED THREE STORY, 53-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH A WAIVER OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS

Minutes:
See Items 40-40b for related backup.

Motion made by Stavros Anthony 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;

40b. 22-0275-EOT2 - EXTENSION OF TIME - VARIANCE - First Extension of Time of a previously approved Variance (VAR-78416) TO ALLOW 68 PARKING SPACES WHERE 95 PARKING SPACES ARE REQUIRED

Minutes:
See Items 40-40b for related backup.

Motion made by Stavros Anthony 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 - DISCUSSION

41. 22-0059-SDR1 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: AJB GENERAL CONTRACTOR - OWNER: 3250 SPRING MOUNTAIN TRUST - For possible action on a Land Use Entitlement request for a Major Amendment to a previously approved Site Development Plan Review (SDR-67942) FOR A PROPOSED SINGLE-STORY, 3,900 SQUARE-FOOT GENERAL RETAIL BUILDING WITH A WAIVER OF APPENDIX F INTERIM DOWNTOWN LAS VEGAS ARCHITECTURAL DEVELOPMENT STANDARDS on 1.04 acres at the northeast corner of Park Paseo and Las Vegas Boulevard (APN 162-03-112-021), C-2 (General Commercial) Zone, Ward 3 (Diaz). The Planning Commission (6-0 vote) and Staff recommend APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

ALAN JESKEY thanked COUNCILWOMAN DIAZ for meeting with them on the project.

PETER LOWENSTEIN, Deputy Director of Planning, reported that staff found the proposed commercial building and use of the structures is consistent with the previously approved plans for the subject site. In addition, staff found that the requested Waiver of architectural development standards will have minimal negative impact to the surrounding commercial developments in the surrounding area; therefore, staff recommended approval subject to conditions.

COUNCILWOMAN DIAZ noted the proposal was commercial space for three small businesses or commercial tenants, and she felt it would add spots to frequent for visitors of the city. She confirmed with MR. JESKEY that there would be no drive-through component.

The Councilwoman asked MR. LOWENSTEIN to articulate the conditions of approval. He advised that they were standard conditions and included conformance to date stamp plans. He clarified that there were no added or amended conditions of approval.

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;

42. 22-0207-SUP1 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CASH AMERICA WEST, INC. DBA SUPERPAWN - OWNER: C EAGLE SPIRIT, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED PAWN SHOP USE WITH WAIVERS TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A PARCEL ZONED FOR RESIDENTIAL USE WHERE 200 FEET IS REQUIRED AND TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM AN EXISTING SIMILAR USE WHERE 1,000 FEET IS REQUIRED at 2300 East Bonanza Road (APN 139-35-501-001), C-1 (Limited Commercial) Zone, Ward 3 (Diaz). Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

BILL CURRAN, attorney, and JOE DAGHER, associate, Ballard Spahr, appeared on behalf of the applicant. MR. CURRAN advised that the applicant has 2,700 stores around the country and has been in Las Vegas for about 30 years without any complaints or regulatory issues. The applicant won the lottery conducted by City

Council, and they paid $1.9 million to the City for the extra license. They currently have 10 stores in Clark County and 23 stores in Southern Nevada, and MR. CURRAN opined that the neighborhoods have a fortunate relationship with all locations. He noted the property has been vacant for over a year, and the only other potential property renter was a marijuana business. He reported that the property owner built the center in 1968, and the applicant rented the location from the mid-90s until 2005 or 2006.

MR. DAGHER described the site and the surrounding area, and he noted the stand-alone building is part of an 8.77-acre shopping center that is zoned C-1 (Limited Commercial). He explained that Special Use Permit 0121-97 was approved for pawn shop use for Koster's Financial Loan Center in 1998, and the applicant was requesting the same use. He advised that the vacant building has been subject to vandalism, and the applicant would renovate the building prior to operation. He noted the applicant was willing to install concrete and landscaping around the building. MR. DAGHER explained that the prior use was a financial institution and it would require the same distance separation waiver from a similar use. Further, the applicant would be about 988 square feet away from the closest pawn shop. They would only offer non-recourse loans and not provide services offered by Check City or Western Union such as check cashing, deferred deposits and auto title loans.

MR. DAGHER said they canvassed a large majority of the neighborhood, the shopping center and SuperPawn employees within Ward 3, and they received support from nearly all of them. He opined that the community welcomed the pawn shop use since it will create jobs and refurbish the area. Further, he believed they would be an excellent neighbor and partner to Las Vegas.

PETER LOWENSTEIN, Deputy Director of Planning, reported that the proposed land use cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses, as the proposed use fails to meet the required separation from an existing pawn shop and residential uses; as such, staff recommended denial of the requested Special Use Permit.

MAYOR GOODMAN clarified with MR. LOWENSTEIN that a financial institute would require waivers if they were to be established. He provided a summary of the previous land use applications, which included limitations to hours of operation and no drive-through use in 1997 by City Council, a Special Use Permit for financial institutes specified in 2004 by City Council, and an auto title loan in 2011 by the Planning Commission and City Council. He noted it did not have certain distance separation requirements in 2004. Further, the business license in 2004 was issued in March, 2022 for the financial institutes specified.

SHYANNE BROADHEAD, Shop Manager at SuperPawn, said her favorite part of her job is helping people, and she listed the services that are provided. She explained that they work with the local police department to track and return stolen goods, and help prosecute those that bring harm to the community. She opined that the new shop would bring growth and new career opportunities.

MATT CONNOLLY, Manager of the Bonanza Square Shopping Center, advised that a majority of the shopping center tenants support the use, and he believed it would create more retail interaction in the area than the previous tenant. He noted the property has been vacant for over 18 months, and he expressed concern that the property would remain vacant if the applicant's use was denied.

MAYOR GOODMAN confirmed with MR. DAGHER that there would be no drive-through use.

COUNCILWOMAN DIAZ expressed concern regarding the existing pawn shop adjacent to the community and having to grant waivers. She advised that she took a tour of the location on Nellis Boulevard, and she acknowledged that it would be a great career opportunity for residents in the area. The Councilwoman confirmed with MR. CURRAN that they spoke with six of the seven Councilmembers regarding a potential location for this pawn shop in their ward. He explained that in a previous conversation, the seventh Councilmember was not adverse to it, but MR. CURRAN advised there needed to be the right demographic of working people in the neighborhood. He noted one of the three locations they applied for was adjacent to a Walgreens Pharmacy, but there is a provision in Walgreens Pharmacy's lease that does not allow second-hand merchandise to be sold within the same shopping center.

COUNCILWOMAN DIAZ understood that the applicant assists people that need money, but she said the socioeconomic point that MR. CURRAN made was one of her concerns. She asked what the applicant would do to address safety and security concerns. MR. CURRAN explained that the applicant has 30 years of experience and a long-standing record of being good neighbors. He personally walked the neighborhood and received 23 signatures in support of the proposal.

COUNCILWOMAN DIAZ confirmed with JIM BENNETT, Division Vice President of First Cash Financial Services, that the store's hours of operation would be 9:00 a.m. to 7:00 p.m., Monday through Friday, 9:00 a.m. to 5:00 p.m. on Saturday and closed on Sunday.

COUNCILMAN ANTHONY reported that pawn shops caused crime in the area and had stolen goods in 1980 when he joined the police department. Further, the police department later rolled out a pawn detail. He opined that pawn shops today are just retail stores with criminal activity that is no different than other retail stores. The Councilman did not believe any pawn shops cause problems in their neighborhood.

COUNCILWOMAN DIAZ advised that she has been a victim of two home break-ins, and she understood that lost property may be found in pawn shops.

MAYOR GOODMAN noted she has also been burglarized twice. She said the applicant's buildings are well-kept and they have courteous employees. She believed the store would encourage growth and be an attractive addition to the shopping center, and she expressed appreciation for MS. BROADHEAD'S comments.

COUNCILWOMAN DIAZ clarified with MR. DAGHER that the applicant works closely with the Las Vegas Metropolitan Police Department, and the location would have approximately 15 to 20 interior and exterior cameras. Further, the location will have shop alarms monitored by a national vendor and SuperPawn's command center, and there will be panic buttons throughout the shop. MR. DAGHER said they were willing to add additional security measures. The Councilwoman asked if there would be lighting in the back of the building. MR. BENNETT advised that the building would be lit all night, and he clarified that they work with police departments nationally. COUNCILWOMAN DIAZ wanted upgraded exterior lighting to be a Condition of Approval, and she believed it would be helpful to law enforcement.

COUNCILWOMAN DIAZ confirmed with MR. LOWENSTEIN which added conditions of approval she wanted, and he read them into the record. He clarified with MR. DAGHER the hours of operation for the store. Following the recommendation of MAYOR GOODMAN, MR. LOWENSTEIN amended the lighting condition to pertain to all sides of the building.

MAYOR GOODMAN confirmed with MR. DAGHER and MR. CURRAN that they agreed to all conditions. MR. CURRAN advised that lighting at the back of the building would be down-lighting, so as to not protrude into residents' backyards.

After the motion, MAYOR GOODMAN asked for the construction timeline. MR. BENNETT expected construction to be complete within six to nine months, but he noted there were materials on backorder. The Mayor confirmed with MR. BENNETT that the foundation and exterior of the building would be used.

MR. CURRAN thanked COUNCILWOMAN DIAZ for coming out to inspect one of their stores and familiarizing herself with their business.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Olivia Diaz to Approve subject to condition(s) and adding the following conditions as read for the record:

A. Weapons, including but not limited to firearms and knives, shall not be sold at this location.
B. The hours of operation for this business shall be limited to 9:00 a.m. through 7:00 p.m Monday through Friday, 9:00 a.m. through 5:00 p.m. on Saturday and the business shall be closed on Sundays.
C. The applicant shall submit a landscape plan to the Department of Planning prior to the issuance of a business license depicting improved landscaping within the commercial center.

D. The applicant shall provide appropriate security lighting on the exterior of all of the building.
E. An Administrative Required review shall be conducted one year from the date of business license 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;

43. 22-0228-SDR1 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: STEWART PLAZA, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED THREE-STORY MIXED-USE DEVELOPMENT WITH 69 MULTI-FAMILY RESIDENTIAL UNITS AND 2,601 SQUARE FEET OF COMMERCIAL FLOOR AREA IN CONJUNCTION WITH AN EXISTING 4,025 SQUARE-FOOT CONVENIENCE STORE WITH FUEL PUMPS, CANOPY AND CAR WASH WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS on 2.78 acres at the northwest corner of Stewart Avenue and Mojave Road (APN 139-36-603-001), C-1 (Limited Commercial) Zone, Ward 3 (Diaz). The Planning Commission (6-0 vote) and Staff recommend APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

KEN KRAEMER, Hauntec Engineering, appeared representing the owner/developer, and he noted an owner/developer and architect were present. He concurred with staff recommendations.

PETER LOWENSTEIN, Deputy Director of Planning, reported that the proposed mixed-use development provides infill development in this area, and the location is appropriate near other multi-family residential uses, the I-515 freeway and various civic uses. The development is generally consistent with Title 19 and is compatible with the adjacent commercial use on the site; therefore, staff recommended approval of the request. He noted there was a possible added condition of approval.

COUNCILWOMAN DIAZ appreciated that the applicant met with her to explain their vision, and she noted they had not met when the C-store came into the neighborhood. She received a thorough vetting of the proposal, and she was appreciative that no Waivers were requested. She expressed concerns regarding the proposal's adjacency to the jail, point of entry accessibility and exterior lighting. The Councilwoman confirmed with AMAR PANOU that a management company would be hired and they would adhere to the Las Vegas Metropolitan Police Department's Crime Free Multi-Housing Program. She believed the applicant represented the "American dream".

MR. LOWENSTEIN read the added condition into the record and MR. PANOU confirmed for the Mayor that they agreed.

MAYOR GOODMAN declared the Public Hearing closed.

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

A. The property owner shall participate, and require its affiliates and/or property management to participate, in the three-phase Crime Free Multi-Housing Program facilitated by the Las Vegas Metropolitan Police Department.

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. 22-0327-HPC1 - CERTIFICATE OF APPROPRIATENESS - PUBLIC HEARING - APPLICANT/OWNER: TURLEY JOSEPH & VANESSA - For possible action on an Appeal of the Denial by the Historic Preservation Commission on a request for a Certificate of Appropriateness Application for the installation of a sunken hot tub and an outdoor shower with surrounding privacy screening, as well as a conversion of the garage into a casita,

and approval of the design of an existing wooden fence on property located at 700 Park Paseo (APN 162-03-515-014), R-1 (Single Family Residential) Zone - Ward 3 (Diaz). The Historic Preservation Commission recommends DENIAL. Staff recommends APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

DR. DIANE SIEBRANDT, Historic Preservation Officer, advised that she manages the Historic Preservation Commission (HPC), and she utilized a PowerPoint presentation, which was included in the backup. She explained that the property is located within the John S. Park Historic District, and that the historic district is guided by Municipal Ordinance Title 19 Historic Overlay. She displayed photos of the property from when it was accepted into the historic district in 2002, and she noted 51 percent of the neighborhood had to consent for the historic listing. A Certificate of Appropriateness application must be submitted to the HPC if the property owner wants to make a change to the exterior of a property that can be seen from the public right-of-way. The HPC decides if the change contributes to the historic character of the neighborhood, and approval is required before the applicant can acquire a building permit.

DR. SIEBRANDT explained that the applicant did not submit a building permit, and they learned about construction through a complaint. She noted e-mail and phone conversations with the homeowners and construction managers starting on June 3, 2020 that explained the application and permitting process, and Code Enforcement issued a similar advisement on November 22, 2021. The applicant completed much of the construction prior to appearing before the HPC or submitting any building permit. DR. SIEBRANDT displayed photos of the fence in various levels of construction, and she explained the primary concern was that the fence blocked bystanders from seeing the house. The applicants submitted their Certificate of Appropriateness application and appeared before the HPC at the April 22, 2022 meeting. The application included four proposed changes for a hot tub installation, outdoor shower, conversion of the garage, and the fencing. The HPC denied the application since they did not feel the fence contributed to the historic character of the neighborhood, and they required that the fence height be reduced from seven feet to five feet and be comprised of one continuous form of material. DR. SIEBRANDT listed HPC requirements for each of the four proposed changes, and she said the applicant agreed to all of the conditions except for the fence height reduction. A new fence design with slats was presented at the June 22, 2022 HPC meeting. The Commission felt the fence height obstructed the view of the house, and the materials did not give a uniform look to the property or contribute to the historic character of the neighborhood. DR. SIEBRANDT concluded her presentation by showing the house as it looked when it was added to the historic district and how the house currently looks.

VANESSA TURLEY, applicant, appeared with LARRY SANCHEZ, Civil Architectural Engineer, and explained that the property was purchased in March 2020. She displayed various photos of her property, which were not submitted for the record, and she noted two gate-related encounters with Code Enforcement. The first encounter related to the fence on the northwest portion of the property. She was advised that the fence needed to comply with front of the house rules or be removed, and she chose to remove the fence. The second encounter involved the fence being discussed, and she clarified that MR. SANCHEZ was hired as a consultant after construction began in November 2021. MS. TURLEY confirmed that she agreed to the first three conditions presented at the April 22, 2022 HPC meeting, and she read the fourth condition regarding the fence, which included height reduction and matching the manner of other corner properties. She noted productive conversation with the HPC regarding an alternate fence design to better see the house, and she displayed survey photos of other properties in the area, which were not submitted for the record, to show fences and walls that were taller than five feet and comprised of varying materials. MS. TURLEY noted no changes were made to the exterior of the house except new paint, and the front yard is completely original except for patches to the wrought iron fence. The alternate fence design was presented to the HPC, and she expressed concern that the fence condition changed between the two HPC meetings. She read the new condition into the record, which required an unobstructed view of the house and did not include anything regarding other corner lots.

MS. TURLEY said her concerns were safety, security and privacy, and she noted two incidents of car break-ins and several incidents of stolen property. Further, she has found identification cards on her property belonging to people released from CCDC (Clark County Detention Center). She reported being tasked to meet with her neighbors after meeting with COUNCILWOMAN DIAZ, and she presented a support petition, a copy of which was submitted for the record, with 30 signatures from people within the historic district.

MAYOR GOODMAN confirmed with PETER LOWENSTEIN, Deputy Director of Planning, that he had nothing to add.

JEANNE ASMUSSEN advised that she has lived next door to applicant's property since 1982. She had discussed privacy concerns with the applicant and they agreed to raise the lattice fencing. She later noticed construction of a bathroom and confirmed with the applicant that they did not have a permit. She explained that the front of her and the applicant's properties are aligned with Park Paseo. MS. ASMUSSEN displayed photos of the applicant's fences, which were not submitted for the record, showing a solid wood fence and a fence comprised of four different materials. She presented a protest petition from 2021, which was not submitted for the record, and expressed concern over the validity of MS. TURLEY'S support petition.

BRANDY ORTIZ expressed support for the item.

COUNCILMAN CREAR confirmed with MS. TURLEY that she knew her home was part of the historic district when it was purchased. MS. TURLEY advised that she began conversations with DR. SIEBRANDT within the first few months of purchasing the home. She expressed concern regarding the pandemic, not being able to apply for permits and personal security. The Councilman confirmed with MAYOR GOODMAN that the Business Development offices were still open during the pandemic, and MS. TURLEY advised that Code Enforcement told her she did not need a permit for the fence. COUNCILMAN CREAR reviewed the communication and notice timeline presented by DR. SIEBRANDT.

COUNCILWOMAN FIORE expressed concern regarding personal property rights for people living within a historic district, and she opined that the fence facing MS. ASMUSSEN'S home should be fixed immediately. She believed MS. TURLEY'S support petition was more valid than MS. ASMUSSEN'S protest petition since it was newer, and she advised that she would follow COUNCILWOMAN DIAZ'S recommendation.

MR. SANCHEZ reported that he could not locate a definition for historical preservation within the historical preservation guidelines. He noted neighbors' fences were made of various materials, and he expressed concern regarding the condition changes between HPC meetings.

MAYOR GOODMAN confirmed with MR. LOWENSTEIN that this item was not heard at the Planning Commission. She felt that the applicant's security concerns were valid, but she believed the applicant needed to be in compliance with the HPC before starting construction.

DR. SIEBRANDT clarified that the design guidelines state "exterior materials shall be maintained as originally constructed", and she said the applicant should have submitted the design to the HPC before beginning construction.

COUNCILWOMAN FIORE confirmed with DR. SIEBRANDT that the corner lot properties MS. TURLEY displayed may have been constructed without HPC approval. The Councilwoman opined that many houses were not historically preserved, and she did not believe that was fair to the applicant.

COUNCILWOMAN SEAMAN believed the applicant needed to be in compliance and advised that she would follow DR. SIEBRANDT'S recommendation.

COUNCILWOMAN DIAZ stated that she had not seen the support petition shown by MS. TURLEY, and she wanted to hold the item in abeyance in order to vet the petition and seek a win/win situation.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Olivia Diaz to Hold in Abeyance to 9/7/2022

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

45. 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

46. 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:
TaSHIKA LAWSON, Historic Westside Revitalization Group, spoke in regards to agenda Item 30. She asked that the property being conveyed is maintained as a cultural corridor and campus for the historic black community. She asked that the community and neighborhood associations be included in redevelopment discussions.

COUNCIL EMERGING ISSUES

Comments made by Council members during this portion of the agenda must refer solely to proposals for future agenda item topics to be brought before the Council for consideration and action at a later date. Any discussion must be limited to whether or not such proposed items shall be placed on a future agenda and no discussion regarding the substance of any such proposed topic shall occur. No action shall be taken.

47. Discussion regarding potential items for future City Council agendas - All Wards

Minutes:
None.

COUNCIL MEMBER RECOGNITION

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

Minutes:
COUNCILMEMBERS DIAZ, SEAMAN, FIORE, CREAR, KNUDSEN, and ANTHONY 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.

Prior to presenting his flyers, COUNCILMAN KNUDSEN announced that he held a breakfast for teachers at Edythe & Lloyd Katz Elementary School to welcome them back to school.

MAYOR GOODMAN announced that First Friday would be held on Friday, and she expressed appreciation for JERRY WALKER, Director of Operations and Maintenance, who was retiring. She welcomed FERNANDO GRAY, Director of Las Vegas Fire and Rescue, and JASON POTTS, Director of the Department of Public Safety, to the City. The Mayor advised that the next City Council meeting would be held on August 17th and thanked various City staff members and departments.

The meeting was recessed from 9:30 a.m. to 9:43 a.m. and adjourned at 11:49 a.m.

Respectfully submitted:

Brian Carroll, Deputy City Clerk

LuAnn D. Holmes, MMC, City Clerk

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THIS MEETING WAS PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS IN ACCORDANCE WITH THE NOTICING STANDARDS AS OUTLINED IN NRS 241.020:

The City of Las Vegas website – www.lasvegasnevada.gov

The Nevada Public Notice website – notice.nv.gov

City Hall, 495 South Main Street, 1st Floor