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

August 7, 2019
9:00 AM

CEREMONIAL MATTERS

1. Call to Order

Minutes:
MAYOR GOODMAN called the meeting to order at 9:01 a.m.

PRESENT: MAYOR GOODMAN and COUNCILMEMBERS FIORE, ANTHONY (excused at 4:22 p.m.), DIAZ, KNUDSEN, and SEAMAN

EXCUSED: COUNCILMAN CREAR

ALSO PRESENT: CITY MANAGER SCOTT ADAMS, CHIEF FINANCIAL OFFICER GARY AMELING, CHIEF OPERATIONS AND DEVELOPMENT OFFICER JORGE CERVANTES, ASSISTANT CITY ATTORNEY BRYAN SCOTT, DEPUTY 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: 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 Barry Vennard, Unity of Las Vegas

Minutes:
MAYOR GOODMAN asked the audience to stand and participate in a moment of silence and prayer for those who had recently perished in El Paso, Texas, and Dayton, Ohio.

MAYOR GOODMAN noted that the City extended its sincerest condolences and offered to help MAYOR DEE MARGO in El Paso, Texas, and MAYOR NAN WHALEY in Dayton, Ohio. MAYOR GOODMAN shared that she also made a public announcement to ask for donations of blood. She ended by stating that the City sends its prayers, sympathies, and support.

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 asked COUNCILMAN KNUDSEN to introduce the Citizen for the Month of August, 2019.

COUNCILMAN KNUDSEN thanked the City for recognizing a Citizen of the Month, as he felt it was important to recognize key people in the community who make the city a better place to live.

The Councilman invited the Assistance League of Las Vegas to come to the podium and discussed how he was introduced to them by AMY TABOR, who lives in his neighborhood. She invited him to attend a meeting and learn more about the organization to see how he could potentially get involved. He volunteered for three shifts, and through his experience with this organization, he found that it was an amazing place to volunteer and give back to the community. He shared that there are hundreds of people who volunteer for them that help to make children's dreams come true. He expressed his appreciation for them being in Ward 1, as well as for what they do for children and their families, because they make life better for so many people in the community.

LIZ GIBSON, President, thanked the City Council for this special recognition, noting that they were honored to be selected as a Citizen of the Month. She also expressed their appreciation for all of the work that the City Councilmembers do in the community. She said this organization was proud of their philanthropic programs and services for children in need in Clark County, Nevada.

A video of the Assistance League of Las Vegas was shown that provided greater information about their organization. The video discussed projects such as Operation School Bell, which helps to build student's self-esteem with clothing, how they support First Responders, and provide scholarship programs.

COUNCILMAN KNUDSEN pointed out that this was an all-volunteer driven organization. He presented them with a Citizen of the Month Certificate, a copy of which was submitted as backup, and photos were taken to commemorate the moment.

6. Recognition of Sam Henry for Work at the Las Vegas Community Healing Garden

Minutes:
COUNCILWOMAN FIORE recognized SAM HENRY for the work he completed at the Las Vegas Community Healing Garden. The Councilwoman read a statement from the person who anonymously nominated MR. HENRY for this award. The letter stated that MR. HENRY was, and still is, one of the primary people behind the Healing Garden. He donated, facilitated and installed pavers, and has spent countless hours at the park while it was being built. He organized the labor and volunteers, spent his own money and time, and still works to maintain the garden. He sits quietly on the sidelines, making repairs, donating materials, and a lot more. The anonymous author stated the he had personally witnessed MR. HENRY leaving to go to the garden at 3:00 a.m. so that no one would see him cleaning the pavers or fixing a sprinkler. Additionally, this person saw MR. HENRY standing on the outskirts of events, while others were being introduced for building the Healing Garden. During the first anniversary of 1 October, MR. HENRY made the large wooden flower tree, which required an extraordinary amount of work to make it look old and rustic, which was beautiful once all of the flowers were added. MR. HENRY has spent many hours at the park talking with survivors and families of the victims, and shared his own story of the loss of his son, while providing whatever strength he had.

The Councilwoman noted that MR. HENRY'S wife shared a story with her about how he performed CPR on a baby outside of his business only a couple of years after losing his son. Rather than running away, he ran to the emergency and did what he could. Afterwards, he was devastated, but he did it anyway and did not hesitate. He gives without thought of reward or recognition because he knows it is the right thing to do.

COUNCILWOMAN FIORE presented MR. HENRY with a Certificate of Recognition, a copy of which was submitted as backup, and an award for his volunteer efforts and services to the Healing Garden and all that he has done for the people around him.

MR. HENRY thanked the City Council for all that they do, and for giving him the opportunity to give something back to Las Vegas, which he loves and has given him a great deal. A group photo was taken to commemorate the moment.

MAYOR GOODMAN made mention that there were many people who worked on the Healing Garden at that terrible time, noting that MR. HENRY is very special to the City. She said that as we see these tragedies recur throughout the country, it was amazing to know that there was a small way that one could feel better, which was working on the Healing Garden. She expressed how much it has meant to MR. HENRY and everyone who continues to work on keeping the healing Garden a place of peace and a place where one can sit quietly and appreciate life. On behalf of everyone in the City, MAYOR GOODMAN thanked MR. HENRY for all that he has done and continues to provide.

7. Recognition of the Vegas Rollers Professional Tennis Team

Minutes:
This item was not heard.

BUSINESS ITEMS - 9 A.M. SESSION

PUBLIC COMMENT

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

Minutes:
None.

BUSINESS ITEMS - 9 A.M. Session

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

Minutes:
COUNCILWOMAN FIORE announced the action items to be tabled, withdrawn, stricken, or held in abeyance.

Motion made by Michele Fiore to Hold in Abeyance Item 64 to 9/04/2019

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

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

10. For possible action to approve the Final Minutes by reference of the July 3, 2019 Regular City Council Meeting

Motion made by Michele Fiore to Approve

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

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

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.

ADMINISTRATIVE - CONSENT

11. For possible action to approve a grant agreement with the State of Nevada, Division of Emergency Management, as the funding agency; and the City of Las Vegas, Office of Emergency Management, as grant subrecipient; for the receipt of $20,000 from the FY18 United States Department of Homeland Security Emergency Management Performance Grant (EMPG) to support the City of Las Vegas Emergency Management Program - All Wards

Minutes:
COUNCILWOMAN SEAMAN commented that once again, she was frustrated to have to vote to approve additional funds for the Badlands litigation. However, she will support the additional funds so that the City can continue its litigation defense. She views this as ever-greater motivation to work with all sides involved to find a resolution that satisfies all parties. She indicated that she will do everything within her power, as the representative of everyone in Ward 2, to help achieve such an outcome.

COUNCILWOMAN DIAZ requested to pull Items 45 and 46 forward for discussion.

NOTE: The video does not reflect accurately in that COUNCILMAN KNUDSEN abstained from voting on Item 22 because the Boys and Girls Club of Southern Nevada was a past client of his, and he was the previous Chief Executive Officer for their organization. MAYOR GOODMAN abstained from voting on Item 24 because it pertains to medical marijuana and one of her sons is involved in that industry.

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

CITY ATTORNEY - CONSENT

12. For possible action to approve continued funding for Kolesar & Leatham to represent the City of Las Vegas in actions filed against it by 180 Land Company, LLC, Case No. A-18-771389-C, in the Eighth Judicial District Court, concerning the City's failure to act on the Lowie group's applications within the time mandated by law, and Case No. 2:18-cv-0547-JCM-CWH, in the United States District Court, alleging due process and equal protection claims relating to the development of a portion of the former Badlands Golf Course for an amount not to exceed $100,000 (General Fund) - Ward 2 (Seaman)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

13. For possible action to approve the authorization for Eglet Adams, the City's outside legal counsel for opioid-related litigation, to file a complaint in state court on behalf of the City of Las Vegas against manufacturers, distributors, and prescribers of opioids - All Wards

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

CITY CLERK - CONSENT

14. For possible action to approve the notification of filing of Declarations of Interest in property located in the existing Redevelopment Area and/or Redevelopment Area 2

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

ECONOMIC AND URBAN DEVELOPMENT - CONSENT

15. For possible action to approve a Second Amendment to Parking Lease Agreement between the City of Las Vegas and Proview Series 17, LLC granting a three-year extension to the existing agreement for the parking lot located at 201 South 4th Street and 200 South Las Vegas Boulevard - Ward 3 (Diaz)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

16. For possible action to approve a Parking Lease Agreement between the City of Las Vegas and RR Properties, LLC where the City will operate a parking lot located at the northeast corner of Hoover Avenue and 4th Street with the terms of the lease payments as described in the agreement (APN's 139-34-410-142, -143 and -144) - Ward 3 (Diaz)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

17. For possible action to approve a Reimbursement Agreement and to authorize the City Manager to sign for the costs incurred for the establishment of the Area 15 Tourist Improvement District (TID) for the Area 15 entertainment project located at the southwest corner of Rancho Road and Sirius Avenue, Assessor Parcel Number 162-08-418-002 (Not-to-Exceed $50,000 - City Parkway V, Inc.) - Ward 1 (Knudsen)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

FINANCE - PURCHASING AND CONTRACTS - CONSENT

18. For possible action to approve award of Modification No. 2 to Contract No. 140114-TB, Water Pollution Control Facility and Remote Sites Scada Rewrite located at 6005 East Vegas Valley Drive - Department of Public Works

- Award recommended to: WUNDERLICH-MALEC ENGINEERING, INC. (Not-to-Exceed $2,500,000 - Sanitation Enterprise Fund) - Clark County

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

19. For possible action to approve award of Contract No. 190295-DD, Prime Design Services Contract for Medical District Park located on the north side of Wellness Way between Martin Luther King Drive and Shadow Lane - Department of Public Works - Award recommended to: LGA ARCHITECTURE ($114,812.89 - Parks and Leisure Activities Capital Projects Fund) - Ward 1 (Knudsen)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

20. For possible action to approve an amendment to Consulting Services for East Fremont Street Revitalization relating to architecture and revitalization of East Fremont Street - Las Vegas Boulevard to Fourteenth Street - Department of Public Works - Award recommended to CIVICVISIONS LP (Not-to-Exceed $110,000 - Road and Flood Capital Projects Fund) - Wards 3 and 5 (Diaz and Crear)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

LEGISLATIVE AFFAIRS - CONSENT

21. For possible action to approve the ratification of Brianna Ramirez 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) 45 and 46

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

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

OPERATIONS AND MAINTENANCE - CONSENT

22. For possible action to approve a Ground Lease Agreement between the City of Las Vegas (City) and the Boys & Girls Club of Southern Nevada (Club) for the Andre Agassi Boys and Girls Club located on City owned land at 800 North Martin Luther King Boulevard, APN 139-28-701-001 - Ward 5 (Crear)

NOTE: The video does not reflect accurately in that COUNCILMAN KNUDSEN abstained from voting on this item because the Boys and Girls Club of Southern Nevada was a past client of his, and he was the previous Chief Executive Officer for their organization.

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

23. For possible action to approve a Ground Lease Agreement between the City of Las Vegas (City) and Southern Nevada Regional Housing Authority (SNRHA) for the activity center building and related uses on City owned land located at 800 North Martin Luther King Boulevard, APN 139-28-701-001 - Ward 5 (Crear)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

PLANNING - BUSINESS LICENSING - CONSENT

24. For possible action to approve a New Compliance Permit for a Retail Marijuana Store for CIRCLE S FARMS, LLC dba CANNA STARZ at 631 South Las Vegas Boulevard - Ward 3 (Diaz)

NOTE: The video does not reflect accurately in that MAYOR GOODMAN abstained from voting on this item because it pertains to the medical marijuana and one of her sons is involved in that industry.

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

25. For possible action to approve a Tavern-Limited License for CATS MEOW OF VEGAS, LLC dba CATS MEOW at 450 Fremont Street, Suite #201 - Ward 5 (Crear)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

26. For possible action to approve a Tavern-Limited License for CHEAPSHOT, LLC dba CHEAPSHOT, LLC at 517 Fremont Street, Suite #110 [Ryan Doherty, Managing Member] - Ward 3 (Diaz)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

27. For possible action to approve a Temporary Beer/Wine/Cooler On-Sale License for AF & RR GROUP, LLC dba LUI'S COCINA at 1745 South Rainbow Boulevard, Suite C [Luis A. Contreras, Jr., Managing Member] - Ward 1 (Knudsen)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

28. For possible action to approve a Temporary Beer/Wine/Cooler On-Sale License for a Change of Ownership FROM: THAI TASTE RESTAURANT, LLC TO: THAI CHILI, LLC dba THAI TASTE at 240 South Rainbow Boulevard, Suite #1 [Slisa Phurisat, Managing Member] - Ward 1 (Knudsen)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

29. For possible action to approve a Restricted Gaming License for RAFMAN, INC. dba FREMONT MARKET at 1404 Fremont Street [Rafel Jibrial Mansoor, President, Secretary, Treasurer, Director, Shareholder] - Ward 3 (Diaz)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

30. For possible action to approve a Restricted Gaming License for JETT GAMING, LLC dba JETT GAMING, LLC db at TERRIBLE'S #383 at 6660 Vegas Drive - Ward 5 (Crear)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

31. For possible action to approve a Restricted Gaming License for JETT GAMING, LLC dba JETT GAMING, LLC db at TERRIBLE'S #384 at 7600 Westcliff Drive - Ward 2 (Seaman)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

32. For possible action to approve a Massage Accessory License for PROJECT WELLBEING, LLC dba PROJECT WELLBEING at 1700 Village Center Drive - Ward 2 (Seaman)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

33. For possible action to approve a Temporary Massage Establishment License for THAI HEALING SOLUTIONS SPA, LLC dba THAI MASSAGE at 6710 North Hualapai Way, Suite #140 - Ward 6 (Fiore)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

PUBLIC WORKS – CONSENT

34. For possible action to approve Interlocal Contract 1095 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to fund the Entity Non-Project Specific Expenses (FY20) project ($250,000 - Road and Flood Capital Project Fund [CPF]) - All Wards

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

35. For possible action to approve Interlocal Contract 1091 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to fund the Neighborhood Rehabilitation: Fiscal Year 2020 City of Las Vegas Maintenance program ($350,000 - Traffic Improvements Capital Project Fund [CPF]) - All Wards

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

36. For possible action to approve Interlocal Contract 1098 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to fund the Safety Upgrade Program: Fiscal Year 2020 City of Las Vegas ($2,250,000 - Traffic Improvements Capital Project Fund [CPF]) - All Wards

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

37. For possible action to approve Interlocal Contract 1093 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to fund the Americans with Disabilities Act (ADA) Upgrade Program: Fiscal Year 2020 City of Las Vegas ($275,000 - Traffic Improvements Capital Project Fund [CPF]) - All Wards

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

38. For possible action to approve Interlocal Contract 1096 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to fund the Intersection Improvement Program: Fiscal Year 2020 City of Las Vegas ($2,150,000 - Traffic Improvements Capital Project Fund [CPF]) - All Wards

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

39. For possible action to approve Interlocal Contract 1092 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to fund the Colorado Avenue, Commerce Street to 4th Street project ($700,000 - Road and Flood Capital Project Fund [CPF]) - Ward 3 (Diaz)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

40. For possible action to approve Interlocal Contract 1094 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to fund the Citywide Traffic Engineering Design Services project ($1,100,000 - Traffic Improvements Capital Project Fund [CPF]) - All Wards

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

41. For possible action to approve Third Supplemental Interlocal Contract LAS22T15 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the contract expiration date from December 31, 2019 to December 31, 2020 for construction of the Brent Drainage System - Floyd Lamb Park to Durango Drive Project - Ward 6 (Fiore)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

42. For possible action to approve the dedication of right-of-way of City owned property that was purchased as part of the Martin Luther King Boulevard/Industrial Road Connector Project, Oakey Boulevard to Alta Drive, APNs 162-04-606-003, -004 and -005 - Ward 3 (Diaz)

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

43. For possible action to approve Interlocal Contract 1097 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to fund the Iron Mountain Road, Bradley Road to Thom Boulevard 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) 45 and 46

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

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

YOUTH DEVELOPMENT AND SOCIAL INNOVATION - CONSENT

44. For possible action to approve Interlocal Cooperative Agreement between the City of Las Vegas and the Clark County School District to provide funding for nutritional snacks to the City of Las Vegas Safekey Sites at various locations around the City ($90,000 - Community Recreation Services Special Revenue Fund) - All Wards

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

RESOLUTIONS - CONSENT

45. R-35-2019 - For possible action to approve a Resolution directing the State Department of Business and Industry to transfer $6,411,324.16 in 2019 State Private Activity Bond Volume Cap to Nevada H.A.N.D., Inc. for the construction of a 420-unit affordable multi-family housing development at 400 South Decatur Boulevard - Ward 1 (Knudsen)

Minutes:
Items 45 and 46 were heard together following the Consent agenda, Items 11-48.

KATHY THOMAS-GIBSON, Office of Community Services Director, provided an overview of the local Private Activity Bond program, as well as some highlights about a project at the Decatur Boulevard and Alta Drive site.

Referencing a PowerPoint presentation, which was submitted as backup, MS. THOMAS-GIBSON shared that the Private Activity Bond program is part of the Tax Reform Act of 1986. The Bond is dedicated to multi-family, single-family, industrial development and solid waste bonds, which the state can issue in order to support this type of work. The State of Nevada reserves a portion of the total allocation to finance its single-family loan program, and the remaining balance is allocated to the jurisdictions.

Each spring, staff is notified of their allocation, and for 2019, they received over $33 million in bond cap allocation. MS. THOMAS-GIBSON pointed out that this is a financing tool; therefore, it provides an opportunity to issue bonds to support the City's Affordable Housing program. The annual cap is available and there is a formula that the state utilizes to allocate a Private Activity Bond deal for what are, essentially, real estate transactions.

MS. THOMAS-GIBSON reported that all tax-exempt bonds are covered by federal tax rules, and typically, 20 percent of the units must have an Area Median Income (AMI) at 50 percent or below, or 40 percent of the units must have an AMI of 60 percent or below. She noted that the 60 percent and below was really what staff would be talking about in terms of work-force housing, such as dog walkers and daycare providers.

MS. THOMAS-GIBSON stated that there is a standard local process where staff evaluates whether a deal will be viable prior to sending their recommendation to the state. As such, they ask the developer team to review the market, project location and size, establish site control, ensure that local zoning compliance is met, and apply for Special Use Permits or other unique requirements that need to be approved by the Planning Commission. Staff requests that the developer start this discussion prior to submitting their application to the City.

When the developer submits an application to the City, it must include a map of the site, architectural renderings, and any other unique requirements. It must also address different aspects of the landscaping, and disclose all of the principals involved in the project.

The City's internal committee, which consists of staff members within the Office of Community Services, reviews the application. Then staff brings the application to the City Council for approval before they send their recommendation to the state. This recommendation is done via Resolution. MS. THOMAS-GIBSON referenced that the Resolution (Item 46) associated with this item was scheduled for consideration and possible action at this meeting.

MS. THOMAS-GIBSON stated that once an allocation is awarded, the City executes an agreement. She noted that often times the developer will come in before the entire funding stack has been solidified because they use the City's pre-commitment to leverage other resources to get the project done. Staff asks the developer to report to them every three months on new construction projects to ensure that the project is moving ahead. The Developer also completes a full application with the state, and the State of Nevada Housing Division structures the deal and sells the bonds on the City's behalf.

MS. THOMAS-GIBSON referenced the map on the PowerPoint presentation, and pointed out that the highlighted bowtie shape was the subject site. Staff refers to this area as Decatur and Alta; however, the top half of the project runs along Meadows Lane. Part of the property will be senior housing and the other part will be multi-family housing. The project will include multi-level walk up, double-loaded corridor apartment units consisting of one, two and three bedroom floor plans. The amenities will include an exercise room, retail space, pool and other amenities. There will be a total of 420 total units with 386 of the units to be affordable or below market rates units. As a side note, she indicated that the Office of Community Services sets an affordable housing production goal of 279 units every year, and this one project will help them to exceed this production goal in on year.

The project is a partnership with Nevada HAND, Inc. and GEORGE GEKAKIS, and the projected workforce impact will be 50 construction jobs and five, permanent onsite jobs. The total project cost will be over $94 million, and the proposed funding for the Private Activity Bonds is $45,368,682, with half coming from the City and half coming from the State of Nevada. There will also be Tax Credits and Low Income Housing Trust Fund money from Clark County. The City anticipates that the Developer will be applying for $1.8 million in City Low Income Housing Trust Fund/HOME money; however, they have not applied for it as of this time. She stated that they will wait until the rest of the funding stack is in place since HOME money will be applied to the deal at the end. The developer also has $3.6 million in National Housing Trust Funds and over $6 million in state GAHP (Growing Affordable House Program) Funds. Additionally, the developer has contributed $8.6 million of their own funding.

MS. THOMAS-GIBSON invited the developers to come forward for questions.

MAYOR GOODMAN thought this was a very exciting project. She invited Nevada HAND, Inc., to provide a little more history and to talk about the successes they have already accomplished in the community. She also acknowledged COUNCILWOMAN DIAZ, as she is the City's housing representative.

MR. GEKAKIS, introduced DAVID PAUL from Nevada HAND, Inc., and JACOB LaROW from the Nevada Housing Division.

MR. GEKAKIS expressed his excitement for the development, noting that under the new Tax Code, it is getting harder to create affordable housing. He discussed how he and Nevada HAND, Inc., have been competing for tax credits and allocations to develop affordable housing for many years. Ultimately, he wanted to find a solution, and prior to GOVERNOR SANDOVAL leaving office, he designated this land as an Opportunity Zone, which are areas that have deteriorated over time. Since this area is a sub-market to the downtown area, he thought it was a great opportunity to redevelop the land with certain opportunity zone elements, such a retail.

MR. PAUL, stated that Nevada HAND, Inc. is a 26 year old non-profit, and the largest provider of affordable housing in the State of Nevada that is non-HUD (Housing and Urban Development), which they only provide in

the Las Vegas community. They have developed over 4,200 units for working families, working seniors, and seniors on fixed incomes. Nevada HAND, Inc., also has two of the only affordable assisted living facilities in the state, as well. Their mission is to provide housing for low-income individuals and services to help them economically. They feel this will be a fantastic development for a community that has had disinvestment for a long time. The project will bring workforce housing, which is much needed, as well as some very low income units to a state that ranks last in providing this typing of housing for its citizens. Approximately 10 percent of the units will be very affordable, and the development will have rents up the income spectrum up to market rate. They believe the new retail element will encourage other developers and property owners to build new facilities, as well as improve old ones. This development will most likely be paired with the new state housing Tax Credit, which was recently enacted and one of the first increases in funding for affordable housing for about the last 20 years in Nevada. With the Opportunity Zone, he agreed with MR. GEKAKIS that if the funding is not used now, this opportunity will go away. He also noted that MR. GEKAKIS and Nevada HAND, Inc., are long term owners of this property, and they plan to hold the property for a minimum of 15 years, if not longer.
MR. LaROW felt that MS. THOMAS-GIBSON did a great job explaining the aspects of the bond program and financing. He also noted that the State of Nevada is the distributor of the National Holding Trust Funds, which are used solely to develop and create housing for people at extremely low income levels. He also indicated that discussions have taken place about deploying 811, which is a Project-Based Rental Assistance program through HUD and administered to the state. This program is for individuals with low income levels, as well as for people with physical disabilities, and there is funding for approximately 144 units on an annual basis. MR. LaROW also shared that the board finance meeting at the state level is scheduled for October 2019, and a state tax credit hearing will be held on August 28, 2019 and will be posted on the Nevada Housing Authority website.

MS. THOMAS-GIBSON affirmed for MAYOR GOODMAN that the Private Activity Bond allocation will revert back to the state for lack of use. MAYOR GOODMAN recalled that this happened approximately three years ago.

COUNCILWOMAN DIAZ expressed that affordable housing is very important to the Las Vegas community. As a new councilperson, she wanted to be educated about what the City was doing to move forward in this area.

The Councilwoman asked MS. THOMAS-GIBSON how these Resolutions fit into the City's vision for affordable housing options or overall housing strategy. MS. THOMAS-GIBSON explained that Resolutions are a procedural requirement to inform the state on how the City would like to use this resource in the community. The City's Affordable Housing strategy looks at the creation of new affordable housing, and the maintenance of existing affordable housing. The Resolutions help the City to get new construction by using a financing tool for larger projects.

COUNCILWOMAN DIAZ inquired as to how the City engages with the state to determine the funding and the allocation for these type of projects. MS. THOMAS-GIBSON explained that typically, 50 percent of a Private Activity Bond allocation will come from the state that was dedicated to the City, and 50 percent will come from the state's allocation. She noted that there is always a joint project between the jurisdiction and the State of Nevada to ensure that there is adequate financing for the program. The City performs the initial pass through to ensure that the project is viable, and then the project is referred to the state, who will finalize the process and get the bonds sold.

COUNCILWOMAN DIAZ wondered how the City collaborates with other developers and the surrounding jurisdictions to work on the regional housing efforts. MS. THOMAS-GIBSON stated that this is done through unilateral relationships, particularly with the city of North Las Vegas and Clark County because they share borders with the City. Together, they talk about how to get a shared project. As an example, she pointed out that the Shannon West Community Center is physically located in Clark County but all of the jurisdictions put in funding to support it. When the City looks at special populations, they talk about the best way to serve them as a region, because the needs are unique. Historically, for most projects, the focus is in a particular jurisdiction because the developer must work with within the guidelines of said jurisdiction.

NOTE: COUNCILMAN KNUDSEN abstained from voting on this item because Nevada H.A.N.D. Inc., was a past client, and he was also a consultant for their organization.

Motion made by Olivia Diaz to Approve

Passed For: 4; Against: 0; Abstain: 1; Did Not Vote: 1; Excused: 1

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

46. R-36-2019 - For possible action to approve a Resolution directing the State Department of Business and Industry to transfer $16,273,016.84 in 2017 State Private Activity Bond Volume Cap to Nevada H.A.N.D., Inc. for the construction of a 420-unit affordable multi-family housing development at 400 South Decatur Boulevard - Ward 1 (Knudsen)

Minutes:
See Item 45 for related discussion and backup.

NOTE: COUNCILMAN KNUDSEN abstained from voting on this item because Nevada H.A.N.D. Inc., was a past client, and he was also a consultant for their organization.

Motion made by Olivia Diaz to Approve

Passed For: 4; Against: 0; Abstain: 1; Did Not Vote: 1; Excused: 1

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

47. R-37-2019 - For possible action to approve a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Multifamily Residential Unit Incentive Program (MFR-UIP) Agreement between the RDA and KLA Capital Series, LLC and BK Nevada, LLC (Owner) located at 322 North 14th Street (APN 139-35-212-028), 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-8-2019)]

Minutes:
See Item 6 of the August 7, 2019, Redevelopment Agency Meeting for related discussion and Items 6 and 7 for related backup.

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

48. R-38-2019 - For possible action to approve a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Multifamily Residential Visual Incentive Program (MFR-VIP) Agreement between the RDA and KLA Capital Series, LLC and BK Nevada, LLC (Owner) located at 322 North 14th Street (APN 139-35-212-028), 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 7 (RA-9-2019)]

Minutes:
See Item 6 of the August 7, 2019, Redevelopment Agency Meeting for related discussion and Items 6 and 7 for related backup.

Motion made by Michele Fiore to Approve the Consent Agenda except Item(s) 45 and 46

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

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

DISCUSSION/ACTION ITEMS

HEARINGS - DISCUSSION

49. Public hearing to determine the advisability of granting a telecommunications service franchise to Zayo Group, LLC, pursuant to the purpose, character, term, time and conditions of the proposed franchise agreement - All Wards

Minutes:
Items 49 and 65 were heard together.

MAYOR PRO TEM FIORE declared the Public Hearing open for Item 49. There being no on present to speak, she declared the Public Hearing closed.

NOTE: The video reflects a vote that was erroneously taken, as this item was only scheduled for a Public Hearing

ADMINISTRATIVE - DISCUSSION

50. Report by Craig Raborn, Director of Metropolitan Planning Organization at the Regional Transportation Commission of Southern Nevada (RTC), on the On Board - Your Future Mobility Plan Study and the Boulder Highway Multimodal Corridor Study - All Wards

Minutes:
MIKE JANSSEN, Public Works Director, complimented the Regional Transportation Commission of Southern Nevada (RTC) and its staff as being great partners to the City. He introduced CRAIG RABORN, Director of Metropolitan Planning Organization at the Regional Transportation Commission of Southern Nevada, who would provide an overview on the future of the transit system for Southern Nevada as well as provide an update on an important roadway for Southern Nevada, the Boulder Highway Corridor.

MR. RABORN provided a quick update on the On Board project which is the region’s future mobility plan. Through a PowerPoint presentation, a copy of which has been attached as backup, MR. RABORN showed the elements of On Board stating that the plan is intended to be fed by community input, input received by the RTC Board, and the RTC boards and committees. The main elements of On Board have been a high-capacity traffic study, impacts of emerging transit technologies, as well as how the traditional transit system (bus system) can be improved. He wished to focus on high-capacity transit for the purpose of his presentation.

When the project was initiated, staff spoke with local partners, Planning and Public Works staff, and various other agencies, stakeholders, and elected officials to determine where high-capacity transit corridors should be placed in Southern Nevada. He specified high-capacity transit pertains to rail-based technologies such as light rails, advanced rapid transit, bus rapid transit, and a technology known as rapid bus. MR. RABORN stated that 55 corridors were identified as areas to review. Because this was too many, an evaluation process, that was data driven and community-input driven, was setup.

He reviewed how high-capacity transit would impact five different evaluation criteria which were as follows: making transit more compelling; improving connectivity; encouraging responsible development patterns; making Southern Nevada more competitive; and making the region more sustainable.

MR. RABORN shared an animated graphic of a future high-capacity transit network. The original 55 corridors narrowed down to 18. He disclosed that there were conversations with City staff and staff from other agencies to determine preferences for these corridors and what the local strategies would be to get the corridors functioning as he asserted for high-capacity transit to work effectively, it is a partnership between the local agencies and the transit operator (the RTC).

He expressed the importance of community-input stating that, in total, there has been some type of interaction with more than 80,000 community members. One of the most important elements of this is an online survey that was conducted last fall in which 12,000 responses were received. MR. RABORN explained the results of the survey were not only from transit users. For the most part, the results were the same; however, there were some variations to priorities within the survey based upon geography and demographics.

He displayed these results which addressed the question of what transportation improvements are the most important. Those who drive daily identified well maintained roads as being the most important followed by improved safety, fewer traffic jams, frequent and fast bus service, and improved walking and bicycling. The question of where investments should be made was also asked, which MR. RABORN also displayed results for. To provide more transportation choices followed by improved access to jobs, housing and medical services, incorporate new transportation technologies, create jobs for the community and reduce costs for lower income communities.

Lastly, MR. RABORN shared the results in response to asking community members what would make them try something different which was high-capacity transit followed by transit system improvements, partnering with transportation network companies such as Uber and Lyft, and emerging technologies such as self-driving vehicles.

These results led the RTC to re-task some of the earlier elements of the project. High-capacity transit is still important to the project but was now one of a set of strategies. Emerging technologies is also being reviewed as well as economic impacts of transit and mobility.

MR. RABORN continued his presentation by discussing implementation strategies stating that the project has begun with 60 implementation strategies ranging from micro transit to expanding service into new areas; these are being narrowed down to those that would have the most impact and would be the most effective to Southern Nevada and will be used in different ways to achieve the outcomes defined by the survey and public conversation.

He displayed a schedule noting the project is aimed to be completed in early 2020 stating that the RTC would return with an update in the future.

COUNCILMAN ANTHONY stated that he was recently appointed to the Board of Commissioners of the RTC and as a Commissioner, he thinks more regionally. However, as a City of Las Vegas Councilman, he must think about the northwest part of the city, and, more specifically, Ward 4. Referencing the high-capacity transit network map shown, he thought that high-capacity transit was not as important to the people in the northwest and asked if it was fair to assume that the survey results indicated this.

MR. RABORN believed this to be to correct. He explained that there were two elements to the corridors selected. One of these elements being preference and the other ensuring the transit system can perform and generate the adequate level of ridership. Acknowledging the high-capacity transit network map, MR. RABORN noted there is an underlying population and employment density that is necessary in order for high-capacity transit to work. He agreed that the preference of many of the survey takers from the northwest of the city aligned with having well maintained roads, improved safety and fewer traffic jams; however, this does not mean there are not opportunities and places where high-capacity transit would work in the area.

The Councilman noted that he often hears that residents in the area are more interested in safe roads, traffic control devices, and bike lanes.

MAYOR GOODMAN urged that is imperative for there to be long-range planning but there must also be committees focused on the present moment and what can be done immediately to improve transit.

MR. RABORN presented the second portion of his presentation pertaining to the Boulder Highway Study which had the goals of improving non-motorized travel, ensuring vehicle safety, supporting economic re-development along the corridor, supporting the transit culture along Boulder Highway, and providing for reliable movement of people on the corridor.

He stated that the characteristics of Boulder Highway have changed significantly since it was built and was, literally, the first highway to Boulder City when it was first built. Over time, the highway has changed and is being used more frequently for short-distanced trips rather than a long-distance thoroughfare; this, as well as safety improvements, necessitated the need for such a study.

MR. RABORN explained the project was approached by breaking down the 15-mile corridor into six different segments, and he felt Segment Six, the segment closest to the City of Las Vegas, was of most importance to the presentation.

Acknowledging that public engagement had also been conducted for this project, MR. RABORN explained the proposed concept which included a through realm for vehicles taking longer-distanced trips. The proposed concept also allows room in the center for some form of center-running transit. On the sides of the through realm are two pedestrian realms. He shared another alternative proposed concept which included a frontage road for access to the local businesses noting there were other combinations of proposed concepts. MR. RABORN shared a three dimensional image of one of the proposed concepts so the City Council could have a better understanding of what it would look like.

He mentioned having received much stakeholder feedback which was taken into account as designs were being created. A survey was conducted and the response was positive with 97 percent of survey takers approving the concept of improved street lighting. He noted 53 percent of survey takers approved of dual cycle tracks; after further inquiry, MR. RABORN believed many of the survey takers were unsure as to the need of two-way cycle tracks on two sides of a major road. He believed this was a logical point; therefore, this would be factored into the final set of recommendations.

Overall, the project will cost $145 million for 15 miles of construction, and the overall timeline to complete the planning portion of the project has digressed by about four weeks; however, final public meetings would be held at the end of August to the early part of September. Subsequently, the final report would be presented to the Board of Commissioners of the RTC followed by the City Council.

COUNCILMAN KNUDSEN disclosed that Southern Nevada Strong and the RTC were clients of his; however, he did not believe this had any bearing on the questions he wished to ask.

He believed many of the residents who completed the survey may not be aware of anticipated major housing projects near the Charleston Boulevard corridor. He asked how the RTC takes into account what is unknown and prepares for the future growth of the community. MR. RABORN replied they work closely with the Planning and Public Works Departments of all of the jurisdictions so that they may be aware of what the future holds; this is factored into the planning. He gave the example of the On Board project stating that as the RTC reviews what is sustainable along Charleston Boulevard, they are also reviewing the population and employment projected for 2040 to aid in recommendations for the present. This information is also used to identify what levels of service are desired to be provided along those corridors at the present moment as well as in the future.

CHIEF OPERATIONAS AND DEVELOPMENT OFFICER JORGE CERVANTES added that City staff has been involved in the process for several years confirming Charleston Boulevard has risen to the top of the list as a potential corridor for light rail.

MAYOR GOODMAN agreed with some of COUNCILMAN KNUDSEN'S comments expressing the importance of keeping the public informed. Acknowledging MR. RABORN'S statement that the City of Henderson was ready to begin, the Mayor asked if the City of Las Vegas was ready.

MIKE JANSSEN, Director of Public Works, stated that Henderson was redeveloping much of the southern stretch of Boulder Highway. Las Vegas is on the northern stretch of Boulder Highway and turns into Fremont Street which is part of the many projects focused on the downtown area.

As it relates to transit, MR. JANSSEN added that the City was under design, currently, to secure right-of-way to accommodate a future high-capacity transit facility and as the RTC has evaluated, Charleston Boulevard is shown to be one of the highest ranked corridors in Southern Nevada for local commuters. He noted the biggest challenge is funding and most communities who have gone to the next step to develop a high-capacity transit facility have had local funds that can pay for transit. He mentioned that at the last legislative session, the RTC requested that a bill be provided that gives them the ability to ask the community if it wants high-capacity transit facilities.

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

Minutes:
CITY MANAGER SCOTT ADAMS stated that this agenda item was established so he could provide simple updates to the City Council on emerging issues of importance. He cautioned that these items are not on the agenda for discussion, as they were simply matters he wished to bring to the City Councils' attention, and possibly the public and staff.

MR. ADAMS reported that the City received a notice, in writing, from the City of North Las Vegas of their 12-month Notice of Termination of the Cooperative Jail Agreement, a copy of which was submitted for the record as backup. He noted that for the last six years, the City of Las Vegas and the City of North Las Vegas have been in a partnership where the City of Las Vegas provides them jail services at a substantially reduced cost over what they had been providing to their own jail services. At the same time, it provided general fund operating budget money for the City. He felt this was a win-win situation all the way around. He stated that he was making this known publicly so that the public and employees would know that this was happening. He also assured that the City team would be working diligently over the next 12 months to analyze the situation and work, in every way possible, to soften the blow to the City's general fund for the loss of this net revenue.

MR. ADAMS also noted that he will periodically be providing a report on the status of contracts with legal services and consultants for Badlands. This will be a simple report that his office receives from the Finance Department that itemizes all of the contracts the City has entered into for legal and consulting services. As of July 31, 2019, the City has entered into 14 separate agreements, and the contractual limit on them is now $1,695,000. The city has expended $885,000. Again, he reiterated that he wanted to make this fully transparent so that the public would be aware of what the City has been doing with regards to contracting on Badlands. MR. ADAMS expressed that they will continue the course on this until they can find a resolution. A copy of the subject report was submitted for the record, and attached as backup.

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

Minutes:
CHIEF OF STAFF TED OLIVAS, Legislative Affairs Director, provided the report on the 80th Session of the Nevada Legislature. MR. OLIVAS stated this item was on as an overview of the 2019 joint Legislative Session. He introduced City staff members, SHANI COLEMAN, Deputy Legislative Affairs Director, KELLY CROMPTON, Government Affairs Manager, and RYAN BLACK, Sr. License Officer, as they were the team who worked in Carson City for this Session. He also noted that the Ferraro group was present as the contract lobbyists for the City. MR. OLIVAS said that because of the wide range of bills that affect local governments, his team relies on a

lot of people at the City because his team members are not specialists in particular matters. He acknowledged that this starts with the City Councilmembers at briefings, the City Manager's team and all of the Directors.

MR. OLIVAS mentioned that they provided a Legislative Report, which they handed out a few years ago and provide after every legislative session. It covers everything the Council was briefed on during the session in their weekly briefings, and incorporates the elements of this presentation, as well as legislative committees, and much more. It is intended to be a reference document for the Councilmembers. Staff will be providing updates between now and the next Legislative Session.

MS. COLEMAN provided some basic statistics on what happened at the 80th Legislative Session. Since there was no special session, staff was only there for 120 days. She reported that there were a little over 1,100 measures (bills and resolutions) that were addressed during the session. The City's team tracked 394 of these; however, this does not mean they were heavily engaged in all of them, only that at some point, the City of Las Vegas touched that bill in some fashion. There were approximately 1,200 Lobbyists that were registered, as well; however, many of them are subject specific so they are all not up there at the same time. She also noted that approximately one third of the Legislators were new, which made for a very interesting session with respect to who is part of leadership, who ran committees, and so on. Further, of all of the Legislators, approximately 23 of them touched the City.

In regard to Senate leadership, the session started out with one Senate Majority Leader and ended up with another. Referencing the PowerPoint presentation, a copy of which was submitted and attached as backup, MS. COLEMAN mentioned members of the Senate, Minority, and Assembly Leadership who opened and closed the session, noting the unfortunate passing of Majority Whip TYRONE THOMPSON, who was a valued and instrumental member of the City.

MS. COLEMAN stated that before staff went to the Legislative Session, three bills were brought before the City Council, which staff planned to focus on. Bills AB-5 and SB-11 did not make it through the process; however, AB-73 did move forward. Staff moved forward with this Bill to address a funding source for homelessness. As intended, it had an opportunity for the City to establish a sewer surcharge to address homelessness, as well as a portion related to Real Property Transfer Tax. As the bill moved through the process, it changed, and now requires the City of Las Vegas and Clark County to establish a regional working group to identify a regional plan and potential funding sources to address homelessness. The City is currently in the implementation process and working with all of the municipalities. As such, staff will be bringing something forward at a future City Council meeting for review and approval, as to the establishment of what the working group will look like.

MS. COLEMAN noted that Criminal Justice Reform, AB-236, was an Omnibus Bill to address all forms of criminal justice. Since there was a lot of information, she did not go into great detail. Her understanding was that the City Council had already been briefed on the bills related to bail, cannabis, and civil liability. Traffic Violations were part of this, as well. She noted that the traffic violations in the State of Nevada are criminal and that a lot of conversation took place on how to address this, as well as how to make some of traffic violations civil penalties. She pointed out that Slide 8 of the PowerPoint presentation referenced the bills related to these matters.

MS. COLEMAN commented that there were a couple of bills that specifically addressed Economic Development, which has always been important to the City. This session, the City was very fortunate in that no bills negatively impacted the Redevelopment Agency, as staff was able to work with Legislators to get what was specifically needed.

MS. CROMPTON discussed how education was a big topic at the Legislative Session. Staff saw an overhaul to modernize Nevada's funding formula in SB 543. This bill would allow for all revenue that is dedicated for K - 12 education to be put into one pot, and then redistributed among different areas, such as categorical funding, Zoom schools, and things of this nature.

MS. CROMPTON reported that the City will be moving to even-year elections with AB-50; therefore, the municipal elections this year will be the last of its kind. The City will start on the even year schedule in 2022. AB 345 initially had a provision that would not allow for members, such as the City Council, to be elected in a primary election, which staff worked very hard to reverse. It allows nonpartisan races to be called in the primary elections if a candidate wins by more than 50 percent plus one of the votes.

MS. CROMPTON said that staff worked very well with law enforcement agencies to remove the sunset language from the More Cops revenue stream. This will now be a permanent funding source to be extended for law enforcement agencies within Clark County. Additionally, SJR-14, which is the Property Tax Bill from the 2017 Legislative Session, ultimately did not move forward. Had it moved forward, it would've been allowed to be on the ballot. Staff believes these conversations will be reengaged during the interim session, and they will be figuring out something that can be brought to the next legislative session.

MS. COLEMAN shared that there was an interim study done prior to the session, and the committee brought forward a number of affordable housing and homeless initiatives. AB-174 was ASSEMBLYMAN TYRONE THOMPSON'S bill, which requires that agencies, throughout the state, work together to address homelessness at the state level, and the City will participate in this process through the Task Force.

MS. COLEMAN said that insurance and Workers Compensation was also a big topic for the City. As a service organization, the majority of the City's expenses come through employees and human resources. Therefore, the City is heavily impacted by the regulations that define how employees are paid for things, such as vocational rehabilitation. She pointed out that the City has a lot of separate categories that deal with fire and police, and much of this legislation provides additional coverage for fire and police services. She also noted that SB-463 was the result of some of what staff learned from 1 October. This bill will help with mental health and wellness services before someone gets to a tragedy. Staff learned that if people can be provided some education and knowledge of how to deal with a traumatic event, such as 1 October, this will also help them on the backend.

MS. CROMPTON reported that there were some significant Public Records bills that the City tracked and engaged in, such as SB-287, which passed. The bill would have had great impact on the City; however, it was dwindled down to just a few items. There was an added civil penalty for those individuals that willfully violate the Public Records Bill; however, this was placed back on the entity. Also, staff saw some definitions on how the City can recuperate costs with regard to the response of a public record. SB-388 helps to protect identifiable data collected by Smart City Technology and will allow some of the data to not be subject to public record, which will help to keep constituents safe.

MS. CROMPTON said that AB-136/190 revised some of the requirements that subcontractors and contractors utilize as their obligations for prevailing wages. SB-207 helped to define standards for programs related to apprenticeships.

With State Budget allocations, MS. CROMPTON noted that these bills tend to have a lot put into them. Under SB-501, the Atomic Testing Museum received $1 million to help with moving the museum to the downtown area, and the City also received funding for the Springs Preserve. MS. CROMPTON noted other funding mounts that were received under SB-528 for the Lou Ruvo Center, the Office of Grant Procurement, Nevada Medicaid, and University of Nevada, Las Vegas (UNLV) School of Engineering, as well as for SB-533 for the Southern and Northern Nevada Fine Arts Museum. Additionally, $14.4 million will be going towards the UNLV School of Medicine.

In summation, MS. CROMPTON displayed lists that included all of the employees who helped with the legislative process. She expressed staff's appreciation for the assistance and contributions that were made during this Legislative Session.

MAYOR GOODMAN pointed out that Nevada is one of four states in the country that meets every other year, and every other state meets annually. She expressed how difficult it was to meet every other year, especially since the assembly members are elected every two years, which makes it very difficult to keep them up-to-date on legislative matters. She asked the legislative staff to make a concerted effort to explore this and move it along.

FINANCE - PURCHASING AND CONTRACTS - DISCUSSION

53. Discussion for possible action to select an Offeror, including presentations by the top two Offerors, regarding an exclusive negotiation agreement to serve as the basis for entering into a development agreement for RSOQ No. 190211-JH, Development Partner Master Plan Northwest Las Vegas - Department of Economic and Urban Development - Ward 6 (Fiore)

Minutes:
EXECUTIVE DIRECTOR OF COMMUNITY DEVELOPMENT TOM PERRIGO, referenced a map and noted the property is uniquely situated in the Northwest, with Tule Springs Fossil Beds National Monument and the Las Vegas Paiute Tribe Reservation to the west. Staff has been working on this for some time. In 2008, the City Council approved a study conducted by the Rocky Mountain Institute, which shows that the property could be developed in a sensitive manner to all the surrounding significant properties. Staff has worked with the partners and stakeholders since that time, and, in 2017 the City Council adopted an Upper Las Vegas Wash Refinement plan that brought more refinement and clarity to the 2008 plan. He assured the Council that staff will continue to work with the partners and stakeholders as the project progresses. He emphasized that discussions have also been held with the United States Air Force, who is very excited about this project because the project will help them fill a very important housing need.

He explained that this next step of selecting a development partner is for the purpose of entering into a private/public partnership to prepare the land for sale and development, along with an entitlement package that includes a master plan, development agreement and necessary studies. Unlike with other developments to auction the land, the City will partner with the selected developer, who will serve as the master developer.

After issuing a request for statements of qualification nationally, two of the four companies who responded were selected as finalists to make presentations before the City Council. He explained that each company would be given 20 minutes to present, and then the Council could ask questions.

ATTORNEY BOB GRONAUER, 1980 Festival Plaza Drive, appeared with CHRIS ARMSTRONG, of Olympia Companies, one of the finalists he was representing, as well as with LARRY CANARELLI of American West Homes. He provided some background on Olympia Companies through the use of a PowerPoint presentation. The company is currently developing the Skye Canyon master planned community in the northwest, but it also developed Southern Highlands and the Centennial Gateway. It is the largest master plan developer in Southern Nevada. He introduced the executive team: GARRY GOETT, LARRY CANARELLI, American West Homes, GUY INZALACO, CHRIS ARMSTRONG and MARC BOLDUC. Consulting companies on the team are Applied Analysis, Slater Hanifan Group, KTGY Architecture and Planning, Attorney Jay Brown and Kaempfer Crowell Law Firm.

MR. GRONAUER stated that these teams have put together their expertise and worked with local governments to provide developments where their constituents can live, work and play, especially at the most critical part of the timeline, which starts immediately upon awarding the development agreement. These teams have already established relationships with the City, as well as with other local government entities, as well as with the stakeholders, such as with Nellis and Creech Air Force Bases.

MR. GRONAUER commented that his clients have vast experience in developing master planned communities; however, in the interest of time, he chose only a few communities to speak about:

Skye Canyon - this 9,000 home community on 1,700 acres is unique because the master developer made a significant investment of $18 million in the community center during the Recession. He showed pictures to give an idea of the quality and described it as the base camp for the great outdoors, with ATV tours, hiking, biking, bird watching, etc. And they intend to parallel this type of quality for the Las Vegas Wash development if selected.

Southern Highlands Master Planned Community - this 10,400 home community has received many awards. The developer invested $45 million up front to construct the golf course prior to starting any of the other development. This is very important to consider because any party in any partnership should be fully committed.

Aurora Highlands Master Planned Community and Aurora Highlands Recreation Center - these are being developed in Colorado by MR. CANARELLI'S group. It is a first class development with connectivity to the tech park, the mountains and downtown. This 60,000 unit residential community sits on 5,000 acres, which will include 7 million square feet of commercial and industrial space. The focal point of this development is the $30 million recreational center, including an ice skating rink, MR. CANARELLI is constructing before start of any other construction.

Shadow Creek Master Planned Community - this is another community being developed in Houston, Texas, by MR. CANARELLI'S group on approximately 3,500 acres that will include 12,000 residential units, with 700 acres being dedicated to open space that will connect to over 22 miles of trails.

In looking at experience, MR. GRONAUER remarked that he felt it was important to point out the developer's willingness to invest in a project prior to construction and to ensure the consultants and builders are local because they have an interest in the community. The developer will sit down with staff to develop standards and guidelines critical to a master planned community's quality. With the 12 biggest builders currently active in their master planned communities, they understand the market needs in the Northwest area. And with Olympia's relationship with Smith's Food and Drug store, it was possible to bring in Smith's Market Place as an anchor tenant into the Northwest area. He showed some pictures of the hotels and gaming establishments Olympia has developed, noting its experience in the hospitality field.

With respect to community amenities, MR. GRONAUER emphasized that Olympia Companies has one of the largest community management associations responsible for managing 15,000 residential accounts and over 100 retail tenants. This is very important because they have knowledge in how to plan, treat the customers and bring the community together. He pointed out that the 4th of July event in Skye Canyon attracted 5,000 people, many of them from outside the area, but it shows that they know how to bring the community together, noting that they have also given back to the community by contributing towards parks, trails and schools, including contribution of land. As far as parks are concerned, MR. GRONAUER said that in response to COUNCILWOMAN FIORE'S request to expedite the buildout of Alyn Beck Memorial Park, they found a way to build it ahead of the two-year schedule. This speaks immensely to the sense of community they bring and the good relationship they have with the City.

Referencing the Awards and Recognitions slide, he emphasized that although they have received numerous awards and recognitions, they develop quality master planned communities because they want to do the right thing for the community, not because they want recognition. Olympia Companies and MR. CANARELLI have been in the community for a long time, intend to be here, and they have raised over $20 million for a variety of charities. They are the type of community partner any jurisdiction would be happy to have.

While showing the Land Use Vision slide, MR. GRONAUER pointed out that all their plans and studies have incorporated the Sheep Mountain Parkway and the Kyle Canyon Interchange. Applied Analysis has met with various stakeholders in the area and will meet again with them to receive input and put together the best plan possible.

In closing, MR. GRONAUER emphasized that they have the best experience because they are developing in the northwest and are familiar with the phasing marketability in order to transition from the Skye Canyon community to the Upper Las Vegas Wash. They have already established relationships with City staff, the players and the stakeholders. He noted that what Olympia Companies has developed at Skye Canyon is a testament to the quality of work they produce. If the Councilmembers like what they have seen in Skye Canyon, their choice should be easy to go with Olympia Companies as the master developer for this project.

MARK FINE, of Mark Fine & Associates, appeared with PHIL RALSTON, President of American Nevada Company. MR. FINE stated they feel they are uniquely qualified to be the master developer of the Northwest Area given MR. FINE'S long history of development in Las Vegas, starting with the development of the first master planned community called Green Valley as president of American Nevada Company for approximately 20 years. He then became the president of the Summerlin Division under the Howard Hughes Corporation because most of the managers at Howard Hughes Corporation lived in Green Valley and they liked his work. So they have been involved in many large-scale planned communities and their work over the past 40 years has paid off, and he has been involved in building libraries and has helped with the overall growth of Las Vegas. With the City building the relationship it has with the Bureau of Land Management (BLM), American Nevada Company can help realize the City's goal of putting together a plan to create housing and to build a good relationship with Tule Springs, Las Vegas Paiute Tribe and Nellis and Creech Air Force Bases. He felt strongly that there is a unique opportunity for this relationship to help build something different than the traditional master-planned communities; giving the community and the City what they want.

MR. RALSTON referenced the binder submitted for the record and explained that it includes a detailed letter of their presentation, as well as a brochure on the team's vision and feedback they have received from the protectors of Tule Springs, Las Vegas Paiute Tribe and Nellis and Creech Air Force Bases.

MR. RALSTON commented that he has been with American Nevada Company since the early 90s, and he feels it is very important to engage the services of a very experienced and qualified team, and he showed a slide from his PowerPoint presentation, a copy of which was submitted for the record, with pictures of individuals involved in project management and key personnel. He noted that these individuals represent several disciplines and many of them have worked together on projects in Southern Nevada and on projects nationally. He went over some of their areas of expertise: Land planning for CHRIS CRAWFORD, RVI Planning; financial services for SHAWN DRALLE, UBS Financial Services; market studies for TODD LaRUE, RCLCO; civil engineering for GCW, Inc., formerly GC Wallace; legal for BILL CURRAN, Ballard Spahr Law Firm; entitlements for RICHARD SERFAS, Richard T. Serfas and Associates; affordable housing for DAVID O'NEIL, Brynn Grey, which also partnered on a project with the military; sustainable design for JOSHUA RADOFF, WSP.

MR. RALSTON indicated that a few of the aforementioned individuals would speak on certain relevant aspects of several projects to cover some of the important points.

Regarding experience, MR. RALSTON stated that they partnered with Pulte Homes on the 1,900-acre Aliante Master Planned Community and fulfilled all the requirements of the development agreement guidelines, and he went over some of the improvements included and amenities, such as office, retail, commercial and casino/hotel.

MR. CRAWFORD, president of RVI Planning, commented that they are based in Texas and work on communities across the country, with a focus on development in the Southwest. RVI has 25 years of experience in Las Vegas and worked on Anthem and Aliante, as well as on a project on the Las Vegas Paiute Tribal lands around existing golf courses. He highlighted their work on the Headwaters project in Dripping Springs, Texas. This 1,500-acre project includes a walkable community and was designed with the cultural heritage of the site in mind. The open space conveys the drainage, noting that the edges of the community are open space and allows for the buffer, similar to what it necessary for this project with regard to the Paiute lands.

MR. O'NEIL founder of Brynn Grey, said their primary focus has been on workforce and affordable housing and resort communities in Colorado, noting that they developed the tallest Whole Foods Market in the world. The company has received the Environmental Protection Agency's highest award, which is the National Award for Smart Growth Achievement. They worked closely with Urban Land Institute (ULI), and their Wellington Community involved 40 government agencies at the federal, state and local levels, for which they were made a case study by ULI, with which they subsequently partnered on the Building Healthy Places Initiative. Regarding military housing, Brynn Grey worked with Forest City, which purchased Stapleton Field, on the largest project in North America, which led to their participation in developing the military regional housing privatization project in Pearl Harbor, Hawaii. This project consisted of over 2,000 units throughout five family housing communities, with a focus on neighborhood interaction, promoting a sense of community, mitigating the impact of the transient military lifestyles.

MR. O'NEIL indicated that their teams met with senior officers at Nellis and Creech Air Force bases to identify their needs, to provide consistency with financial structure, which is where affordable housing comes in, not only for the military personnel but also for the broader community. The military wants real neighborhoods where they can raise their families at an affordable cost. MR. RALSTON added that RCLCO will conduct market segmentation studies in alignment with the land plan.

MR. RADOFF, from Boulder, Colorado, stated that he leads WSP's national sustainability team, which focuses on projects like this one, and he co-chaired the Building Healthy Places Committee. In this case, he sees a great opportunity to create a net-zero community, focusing on de-carbonization at various levels, electrifying transportation; water treatment reuse and providing opportunities for cultural diversity and affordability. These areas have been the focus on many of their projects around the country and currently in Santa Clara, California, and Denver, Colorado, on large projects. He has also worked on affordable housing projects with the Denver Housing Authority and in Hawaii.

MR. RALSTON went over the Development Approach slide and stated that he sees this as a two-phase endeavor, with the first phase helping to get to a development plan that is supportable in the market place and can help the City and BLM determine the residual land value. The process of identifying the physical constraints evaluation, conducting the market study, possible land revisions and stakeholder feedback has been mapped out in their proposal over a 12-month period to be able to put together economic models, with the end result meeting the City's vision and economic viability.

He went over the areas under the Adherence to the Plan/Governance slide, noting that the development agreement, plan flexibility, rules and regulations and design guidelines speak to sustained governance and adherence to production of the community.

Regarding the engagement slide, he said it is a continuous loop and they expect to have multiple points of contact throughout the process, such as City staff, Creech and Nellis Air Force bases, Paiute Tribe and the stakeholders, as their feedback will provide exciting opportunities for theming the community and help determine delivery methods for the military housing.

In closing, MR. FINE commented that they are prepared to commit to ensure a final product that is consistent with the City's vision and for the betterment of Las Vegas.

MAYOR GOODMAN appreciated both presentations.

COUNCILWOMAN FIORE read a statement and commented that September 26, 2019, will mark the two-year anniversary of the City Council's unanimous approval of the Upper Las Vegas Vision Plan. This brings a unique opportunity to take a plan forward. The collaboration that went into planning for the more than 1,000 acres is unprecedented and took more than a year to design. The Paiute Tribe owns the land to the west, and they have supported the plan and were involved in its development, as well as BLM, environmentalists and individuals at the University of Nevada, Las Vegas (UNLV). Congress passed a land bill allowing for implementation of this plan, which she fully supported as soon as she took office. She said this is a long-awaited plan, and she described some of the protections it will bring to the Tule Springs Fossil Bed National Monument and to the area, with almost one-third of the total acreage being designed for open space, including protection of the Tonopah Railroad Line. She has worked with the nearby Air Force Bases on a public/private partnership to provide essential off-base housing for their upper level officers This partnership will be a model for the country; and much can be accomplished as involved parties work on this development. This property is so unique, congress has authorized the City the right to purchase it directly so that it can work out how to best use the land, and MR. PERRIGO has devised a plan to allow the City to work with developers on how this property is developed, and this is the first step in that process. This process will allow development without taking away private property, while allowing the development of a unique community through a public/private partnership.

COUNCILMAN KNUDSEN appreciated this different development process. He did, however, ask how attainable workforce housing will be dealt with, given the conversation earlier in the meeting.

MR. GRONAUER replied that over the past year and a half, they have planned to have a segment of workforce housing. As they already have relationships with the military, they had been planning to have a segment of workforce housing at the Upper Las Vegas Wash. Their team member MR. CANARELLI already has experience in this area from his work in Aurora, Colorado, and they already have relationships with Picerne Development, who is one of the largest residential developers for the military. He believes that a master-planned community is not a true community unless it includes market segmentation, in which Applied Analysis will be heavily involved in for inclusion in the land plan discussions.

MR. FINE stated that his group has always provided a wide range of housing prices in their master planned communities. This project brings additional challenges, which is the reason they brought in MR. O'NEIL, who specializes in working with the military. MR. O'NEIL added that during the initial process, they look at the community to get a better understanding of its character and the variety of housing needs for the military bases. Sequentially, they will conduct a needs assessment for the broader community and create a matrix through very specific qualitative and quantitative outcomes.

COUNCILMAN ANTHONY regarded both companies as being very qualified with great reputations, but he felt he could not make a decision at this meeting based on two 20-minute presentations. He appreciated staff's efforts into this; however, he asked for at least two weeks to comb through the information to understand it better in order to formulate his questions, and he would like to meet with representatives of each company.

COUNCILWOMAN FIORE agreed with COUNCILMAN ANTHONY that it is a difficult decision to make, and she gave kudos to MR. PERRIGO for bringing these two companies before the City Council.

MAYOR GOODMAN wondered if both applicants have had a history of working with BLM and if they have won awards. MR. PERRIGO explained that the process outlined is unlike anything that has ever been done by the City, and BLM typically has nothing to do with the development of plans; they simply process land for auction. MR. RALSTON indicated that American Nevada was involved most recently with Aliante, which was part of a BLM auction of 1,900 acres. The development agreement was between American Nevada and the City of North Las Vegas. MR. FINE said he has been involved in a lot of land auctions for development such as Mountain's Edge and Inspirada, but he regarded this process as being very unique because the City will steer the process in order to meet its vision.

MR. INZALACO, with Olympia Companies, said the group has been involved in over 12 land exchanges with BLM on hundreds of thousands of acres in the State of Nevada. Olympia is also one of the largest land purchasers through BLM auctions. They have a lot of experience with federal agencies and were instrumental in drafting the current SNPLMA (Southern Nevada Public Land Management Act) legislation. MR. GRONAUER added that they have also worked with the National Park Service, and they have experience with land-swap agreements.

MR. O'NEIL said America Nevada has also been involved in very complex transactions and in putting together public/private partnerships.

MAYOR GOODMAN thanked MR. PERRIGO for all that he has done.

MR. FINE wondered if a working session could be held with each group. MR. PERRIGO stated that it seemed the Council was moving towards abeyance in order to get more input. Therefore, staff would get together with the City Attorney's Office and Purchasing and Contracts to ensure that they follow through appropriately on this unique process. He assured the City Council that they would have the information no later than 8/8/2019. MAYOR GOODMAN noted the absence of COUNCILMAN CREAR, who should be included in the process.

MR. PERRIGO thanked COUNCILWOMAN FIORE for embracing this project and for her leadership throughout the process.

COUNCILMAN ANTHONY verified with MR. PERRIGO that he nor the City Manager were making a recommendation. MR. PERRIGO affirmed that staff reviewed and narrowed down the proposals received for the City Council's discretion.

COUNCILMAN ANTHONY directed MR. PERRIGO to coordinate meetings between the individual Councilmembers and either company.

MAYOR GOODMAN asked MR. PERRIGO to find out if they could split the project between the two companies, given that they are both highly qualified. MR. PERRIGO said that would pose some challenges with maintaining the integrity of the overall plan, given that there are areas that are more profitable. It would be difficult to incorporate the Mayor's vision. To COUNCILWOMAN FIORE, MR. GRONAUER said Olympia was not interested in having two master developers on this project.

MAYOR GOODMAN invited the parties to get with COUNCILMAN CREAR.

Motion made by Stavros Anthony to Hold in Abeyance to 8/21/2019

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

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

FIRE AND RESCUE - DISCUSSION

54. Discussion for possible action regarding an Interlocal Agreement between the Southern Nevada Water Authority and the cities of Las Vegas, Henderson, and North Las Vegas and the County of Clark for the reimbursement of up to $70,000 for a fire-fighting pump simulator, which provides effective training and testing ($70,000 - Fire Services Capital Projects Fund) - All Wards

Minutes:
FIRE CHIEF WILLIAM McDONALD, Las Vegas Fire and Rescue, recommended approval for this item. He stated that the Interlocal Agreement would allow the fire department to purchase the simulator pump, which will allow staff to train and practice on this type of operation. Additionally, it will reduce water waste by reclaiming and recycling approximately 50 million gallons of water per year.

Motion made by Michele Fiore to Approve

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

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

PLANNING - BUSINESS LICENSING - DISCUSSION

55. Discussion for possible action regarding the revocation or suspension of an Erotic Dance Establishment License CRAZY HORSE TOO GENTLEMEN'S CLUB LLC dba SIN CITY TEASERS GENTLEMEN'S CLUB at 2476 Industrial Road - Ward 3 (Diaz)

Minutes:
MARY McELHONE, Deputy Planning Director, referenced a PowerPoint presentation, a copy of which has been attached as backup. She noted that this license is owned by Crazy Horse Too, LLC, and the owners are MIKE GALAM, VICTOR GALAM and JACQUELINE GALAM BARNES. The previous name was The Horse Gentlemen's Club, which changed on March 28, 2019, and is now Sin City Teasers Gentlemen's Club.

MS. McELHONE stated that the land is owned by GEORGE ESHAGHIAN at three percent, ABRAHAM ASSIL at 37.07 percent, and Rhino Bare, LLC at 59.93 percent. She also pointed out that VICTOR and MARSHA GALAM share ownership in Rhino Bare, LLC.

With respect to the ownership group, MAYOR GOODMAN wondered which individuals lived in Nevada. MS. McELHONE replied that, to her knowledge, none of these members lived in Nevada. She understood that VICTOR and MARSHA GALAM, the parents, live in Illinois. She believed that MIKE GALAM lived in California, and the daughter, JACQUELINE GALAM BARNES, also lived in Illinois. In response to MAYOR GOODMAN'S inquiry as to the last time MS. McELHONE saw any of them face-to-face, MS. McELHONE reported that ABRAHAM ASSIL came to Las Vegas from California during July 2019. However, she had never met GEORGE ESHAGHIAN, only some of the GALAM family.

MS. McELHONE went on to say that Code Enforcement has been working with MR. ASSIL and his consultant with regard to the unsafe building, and also to do the one-day openings. She pointed out that she wanted to show the mixed land ownership; however, it was the license that staff wanted to discuss at this meeting.

MS. McELHONE referenced Slide 4 of the PowerPoint presentation, noting that under LVMC 6, there is a specific part of the code that addresses the erotic dance establishment license as it relates to an unsafe building, which she read for the record. As such, she stated that staff was requesting for the revocation of this license. Further, she thought that the Fire and Rescue, and Building and Safety Departments would have enough evidence to ensure that this part of the code had been met.

MS. McELHONE provided some recent history, noting that since October 2014 to present, they have been operating eight hours every 30 days as an erotic dance establishment without any liquor, which is simply to preserve the land use as a sexually oriented business. She noted that once a month there is a dancer, a security guard and a key employee on site to do the opening for the public whether a patron shows or not.

Over the past five years, she noted that the building had not been maintained and was falling into disrepair. When Code Enforcement went out in March 2019 to do an inspection of the opening, they noted that the building was getting quite dilapidated. They then contacted Las Vegas Fire Prevention who went out and performed an inspection. They informed that in April 2019, there were life safety code violations, and the power was out to the fire suppression control panel. On June 4, 2019, Code Enforcement allowed them to hold one more opening but they never corrected any of the violation problems. On June 5, 2019 the Fire and Rescue Department issued a Stop Work Order where locations can no longer be open to the public due to life safety issues. In addition to the problem with the power to the fire control, staff found that there was no water to the sprinkler system due to a leak. Between June 5 and July 5, 2019, multiple inspections took place with Building and Safety, Fire and Rescue, and Code Enforcement. With each inspection, it was noted that the building was not secure and new concerns were becoming apparent. The homeless and vagrants were breaking into the building, and sometimes from inspection to inspection, Code Enforcement was noticing changes and differences in the building.

On July 5, 2019, a one-day opening took place where the bare minimum was completed. Power was restored to the fire control panel, the water was turned on to the sprinkler system; however, other unsafe building issues existed. On July 15, 2019, a Notice and Order was issued for a Dangerous Building, and the facility is now closed to the public. On July 22, 2019, notification letters were sent regarding the possible suspension and revocation of the erotic dance license to be heard at this meeting. MS. McELHONE noted that a representative for the business was present.

MS. McELHONE noted that as of August 6, 2019, no movement had taken place to correct the problems. A pre-application meeting took place on July 17, 2019 with the Planning Department; however, no Site Development Review plans were filed with the City. The owners have now missed two deadlines, with the last one being on August 5, 2019. No permits with the Building and Safety Department have been pulled to allow for major repairs. Further, several weeks ago, the Building and Safety Department recommended that a damage assessment inspection be conducted; however, it was never requested. A fence was recently placed to prevent people from accessing the area behind the building, but the required 24 hour security is not always on site.

MAYOR GOODMAN wondered if there was a photograph of the fence. MS. McELHONE indicated that she did not have one. MS. McELHONE also noted that there is a warehouse behind the building with a big parking area, and the building is lengthwise so two gates were put in place on the side of the building, to prevent easy access to the back of the building. She affirmed for MAYOR GOODMAN that the front of the building was still open and exposed to the sidewalk and street, and that the front parking lot was still accessible.

MAYOR GOODMAN wondered if Fire and Rescue Department considered the building to be a fire hazard.

KEVIN McOSKER, Building and Safety Director, supported the request for the revocation of the business license. He stated that building service equipment that constitutes a hazard to public health or welfare by reason of inadequate maintenance, damage, or abandonment, is an unsafe use, as determined by the City's Building and Administrative Code. He reported that during an inspection on July 23, 2019, they observed numerous electrical conductors that had been cut, damaged conduit across the roof, and open junction boxes were visible. The roof top mechanical equipment had been damaged and cannibalized, and they had not been repaired or maintained. Additionally, there is no mechanical system in place to provide the required heat and ventilation requirements, pursuant to Code. The building service equipment inside the structure has been identified as having violations, which include missing dead-front panels, exposed electrical parts, and conductors that have been cut at the panel. Only two electrical panels are currently operational. One serves the fire alarm control panel, and the other serves a minimal branch lighting circuit. The remaining electrical system does not provide the adequate energy source required for building. The building does not have serviceable, electrical or mechanical systems and is considered unsafe. Further, the building equipment is damaged, has not been maintained and/or was abandoned; therefore, the building has been deemed to be unsafe.

MR. McOSKER clarified for MAYOR GOODMAN that he does not inspect the water service; therefore, he could not answer whether it was on or off. MAYOR GOODMAN, wondered if part of the requirements for a building was to have access to water for fire hoses. MR. McOSKER affirmed that the building was required to have water services as part of the building service equipment for plumbing fixtures and sprinkler system.

VICKI OZUNA, Code Enforcement Section Manager, clarified that on July 5, 2019, Code Enforcement went with Building and Safety to inspect the building, and they were advised that the water had been shut off to the building because of large leak; however, they still had service.

MR. McOSKER noted for MAYOR GOODMAN that a potable water supply system is required as part of the building service equipment.

RICK ROSIER, Deputy Fire Marshal, noted their support of the findings made by the Building and Safety and Planning Departments and their recommendations. He explained that, generally, this is a vacant structure that is inadequately secured. There is vagrant activity in the area and inside the building. Their inspection found 18 fire code violations, and most of them centered on poorly maintained and deficient life safety systems and lack of interior lighting for egress. All of this is constituted a hazard to the public and first responders.

MAYOR GOODMAN thought safety should be first, and that this building should be condemned, regardless of the license, because of the building caught fire, it would spread the neighborhood. She noted that her concerns were, in a briefing, she had heard about the inspections and the lack of responses. As such, she felt the proper protocol would be to take the license away.

SERGEANT BETH SCHMIDT, Las Vegas Metropolitan Police Department (LVMPD), also supported City with their findings and recommendations. As it is unsafe, their officers are not allowed to go into the building.

DEPUTY CITY ATTORNEY SETH FLOYD noted for MAYOR GOODMAN that the City was addressing the problem through the Notice and Order; however, it is a separate process. Under the LVMC, when the Notice and Order is sent, it also triggers the business license process, so essentially it is two processes happening in tandem.

MAYOR GOODMAN asked if the City Council voted at this meeting to revoke all of the licenses held by the owners, if thereafter, the City could condemn the building. MR. FLOYD affirmed that the process of condemning the building was already moving forward, regardless of what happens at this meeting.

CITY MANAGER SCOTT ADAMS thought this situation was different than the El Cid and Moulin Rouge Hotels where he had to clear emergencies. In this case, it has just been noted that the property has issues. He believed there was a due process the City would follow to give a property owner an opportunity to secure the building. Should the property owner not do so, then the City would create the record for action later, which is more severe. MAYOR GOODMAN expressed that she would like to hear this; however, she was most concerned with the people around the building should there be a fire, noting that this has been ongoing since the business ceased five years ago.

MS. OZUNA affirmed that Code Enforcement had issued a Dangerous Building Notice on July 15, 2019. She reiterated that it takes time for staff to put a record together; however, if the owners do not secure the building, then Code Enforcement will do so through an abatement. At this time, in their initial assessment, the property does not have enough public nuisance issues to justify demolishing the building, as the property is still structurally sound. She noted that this will be something that they have to monitor and actively work with the owners to resolve, otherwise, the City will have to step in.

MAYOR GOODMAN asked what the City's liability would be should a fire occur and there was no water to the building.

ATTORNEY MITCHELL BISSON, on behalf of Crazy Horse Too Gentlemen's Club, LLC, and Rhino Bare Projects, LLC, noted for MAYOR GOODMAN that he was retained by the owners on this case approximately one week ago when the owners started learning of this information. He clarified for COUNCILWOMAN FIORE that Rhino Bear Projects, LLC is a 60 percent partner of the land owner.

MR. BISSON explained that although Rhino Bare Projects, LLC is a 60 percent majority owner of Canico Capital Group, LLC, the land owner, it has no voting interest, which happened through a lawsuit in California. Therefore, the land owner or entity is under complete control of MR. ASSIL. Since the lawsuit, he has not been providing MR. BISSON'S clients updates and been preventing them from accessing the property. Further, MS. ASSIL'S company, West Best Capitol Group is the manager of Canico Capital Group, LLC, which has veto power over anything his clients may want to do as a 60 percent majority owner. MR. BISSON advised that as of August 6, 2019, Rhino Bare Projects, LLC has filed a lawsuit in Los Angeles Superior Court in California against West Best Capitol Group, the manager, as well as MR. ASSIL for breaches of fiduciary duty and to request an Appointment of Receiver, specifically to take care of this property. MR. BISSON said his clients were unaware of the condition of the building, and although they do operate it for eight hours per month, the rest of the month, the building is under MR. ASSIL'S control.

MAYOR GOODMAN commented that according to MR. BISSON'S clients, there has been no notification. As such, she wondered where and how this notification was sent to these owners. MR. FLOYD conveyed that that the notification was sent certified mail on July 22, 2019, and he believed that the City Attorney's Office could confirm that everyone who was part of the ownership of Rhino Bear received the subject notice. He also noted that the notice was sent out before the required 10 day notice time period.

DEPUTY CITY ATTORNEYJEFF DOROCAK asked staff if they had the names for all of the principles for the company so that the City Councilmembers could ensure that there were no relationships that required disclosures. MS. McELHONE reported that the actual erotic dance license is owned by MIKE GALAM, VICTOR GALAM and JACQUELINE GALAM BARNES. The land ownership involves VICTOR and MARSHA GALAM, GEORGE ESHAGHIAN, and ABRAHAM ASSIL. MS. McELHONE also noted that all of the parties have known about this for weeks, as the first notification that was sent was on July 5, 2019, and her staff, as well as herself, were copied on emails that were shared between the owners. Additionally, staff had a certified, signed copy of the return receipt from MARSHA GALAM indicating that she had received notification of this hearing.

MS. McELHONE noted for MAYOR GOODMAN that the first notification was sent on July 15, 2019, for the Notice and Order, which was sent certified mail. It was sent to the Industrial Road, LLC as the property owners, which included VICTOR and MARSHA GALAM, GEORGE ESHAGHIAN, and ABRAHAM ASSIL. She noted that VICTOR and MARSHA GALAM were in their 80's and that MIKE GALAM has been speaking through emails on their behalf.

MR. BISSON affirmed for COUNCILWOMAN FIORE that he was representing Rhino Bare Projects, LLC, and that no one was present to represent Canico Capitol Group, LLC. He also affirmed that Canico Capitol Group, LLC owns 100 percent of the property. He clarified that the license is held by Crazy Horse Too, LLC, who he also represents. COUNCILWOMAN FIORE understood that Rhino Bear was the one opening the club once a month for the eight-hour period; therefore, she questioned his statement that they did not have access to the building. MR. BISSON understood that it was actually MR. ASSIL who was managing the eight-hour operation. He noted that the problem was they had no voting power, which was what part of a lawsuit in California trying to obtain. COUNCILWOMAN FIORE pointed out that for the City of Las Vegas, these individuals were costing the taxpayers a lot of money for all of the staff that was being utilized to work on this issue.

MR. ROSIER clarified that Fire and Rescue had made several visits to the site, and on some visits, they have had water to the sprinkler system and at other times they have not. He could not confirm or deny on a day-to-day basis whether or not water service was being supplied; however, he could obtain this information very quickly. MAYOR GOODMAN asked if it would be possible to find out this information through the Las Vegas Valley Water District. MR. ROSIER noted that staff would have to verify this information on the fire gauges on the fire riser to see if there was water on the fire sprinkler system. MAYOR GOODMAN asked if this inspection would verify that the water pressure was strong enough to take care of the needs to control a fire.

MR. ROSIER indicated that on most fire sprinkler risers, there is a calculation plate that will indicate how much water is required to make the system work. Staff would be able to tell by looking at the cage whether or not there was sufficient water pressure to combat a fire. He indicated that Fire and Rescue felt pretty comfortable that if the water was turned on and the hydraulics work, then they can control a fire inside the building.

MAYOR GOODMAN said she wanted to revoke the license, as the City does not want to put anyone in jeopardy.

COUNCILWOMAN DIAZ saw this as a public safety concern that has not been addressed for the past five years. She felt that it was disrespectful and disingenuous to come and say this was not the owners fault. She did not feel that any good faith had been received in terms of keeping up the building, and that the license should be revoked.

Motion made by Olivia Diaz to Approve the Revocation

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

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

RESOLUTIONS - DISCUSSION

56. R-39-2019 - Public hearing and discussion for possible action regarding a Resolution relating to a proposed Tourism Improvement District in the City of Las Vegas and other matters properly relating thereto for the project known as Area 15, an approximate 15-acre parcel bordered by Desert Inn Road to the south, Rancho Drive to the east, Sirius Avenue to the north and approximately 604 feet from Polaris Avenue to the west (Assessor Parcel Number 162-08-418-002) - Ward 1 (Knudsen)

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

BILL ARENT, Economic and Urban Development Director, explained the project known as Area 15, proposed by Fisher Brothers, is an approximately 15-acre parcel located within Ward 1, just south of the Palace Station Casino in the Resort Corridor. It will be experienced based and will include retail elements such as Meow Wolf. Other amenities noted can be found on Slide 2 of the presentation, which is included in the backup. He noted that the consultant, Charles Johnson, was present to answer technical questions, as well as outside legal counsel, Kendra Follett, to answer any related legal questions.

MR. ARENT explained that state law allows projects that are tourist based; meaning the majority of on-site spending will be made by non-Nevada residents, to take advantage of an economic incentive benefit known as a Tourism Improvement District (TID). This allows for a portion of the future sales tax revenue generated from the project, through on-site spending, to be captured and returned to the project to offset costs. Projects like this, that are being done in tough areas that need support, benefit from this redevelopment benefit and it helps them to get up and running.

The purpose of the public hearing is for the Council to make two determinations. First, whether the project would have a positive fiscal impact on local government services and would benefit the district. Second, Council must determine whether the project would result in retailers locating in the district, creating a substantial increase in sales tax revenue, with a preponderance of that increase being attributable to non-Nevada residents.

MR. ARENT clarified that the Local School Support Tax will not be impacted in any way. He stated a cap is being proposed of the lesser of either 3.13 percent of gross sales tax revenue or $688,000 annually. If revenues were less than the projections, the developer would receive less benefit; however, if the revenues exceed projections, the cap would apply. MR. ARENT continued by saying the City does have the ability to issue bonds to pledge the future sales tax and offer a lump sum up front to the developer; however, this TID would be on a pay-go basis, meaning the TID revenue would be distributed to the developer once distributed to the City.

Slide 8 of the presentation, created by Johnson Consulting, outlines the economic and fiscal impact methodology utilized and Slide 9 shows the findings of the review. In conclusion, the consultant found that the preponderance of the sales tax revenues from on-site spending expected to be generated by non-Nevada residents is 57.2%, which over a 10-year period will be approximately $4 million dollars. The findings also show the total estimated spending and tax benefits, such as entertainment taxes, would be a great benefit to the community.

MR. ARENT concluded his presentation by requesting approval of the resolution and explaining the current and next steps as outlined on Slide 15. These steps include a hearing before the Clark County Commission on July 16th and returning to the City Council with an ordinance creating the TID scheduled for October.

COUNCILMAN KNUDSEN stated he was in full support of the project and felt there was a lot of local benefit even though it is intended for those from out-of-state. He thinks it can connect to Ward 3, the Arts and Medical Districts somehow, and he plans to bring in Cultural Affairs staff to tour and look for opportunities to show visitors how inventive and creative Las Vegans can be when it comes to art and culture.

There being no one else present to speak, MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Brian Knudsen to Approve

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

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

BOARDS AND COMMISSIONS - DISCUSSION

57. Discussion for possible action regarding the reappointments of Jack Levine and Colleen Beck to the Historic Preservation Commission

Minutes:
This item was heard subsequent to Item 79.

Motion made by Carolyn Goodman to Approve the reappointments

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

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

58. Discussion for possible action regarding the appointment of nominee Sheila Collins to the Historic Preservation Commission

Motion made by Michele Fiore to Approve the appointment

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

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

59. Discussion for possible action regarding the reappointments of Lisa Sherman and Malcolm White to the Parks and Recreation Advisory Board

Motion made by Carolyn Goodman to Approve the reappointments

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

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

60. Discussion for possible action regarding the reappointment of Trinity Haven Schlottman to the Ward 3 seat of the Planning Commission

Motion made by Olivia Diaz to Approve the reappointment

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

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

61. Discussion for possible action regarding the appointment of nominee Robin Camacho to the Citizens Advisory Committee to the Las Vegas Redevelopment Agency

Motion made by Olivia Diaz to Approve the appointment

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

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

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

62. Bill No. 2019-24 - For possible action - 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:
Second reading and Bill adopted as introduced as Ordinance No. 6697.

Motion made by Michele Fiore to Approve

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

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

63. Bill No. 2019-25 - For possible action - 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:
Second reading and Bill adopted as introduced as Ordinance No. 6698.

Motion made by Michele Fiore to Approve

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

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

64. Bill No. 2019-26 - For possible action - 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 [NOTE: This item will come forward to the City Council as a Proposed First Amendment, with a change in the bill's title and summary. The summary has been changed to read: "Amends various provisions of LVMC Titles 6 and 19 to exempt from licensing and regulation as a nightclub any establishment with a tavern-limited license within the Downtown Entertainment Overlay District, subject to certain conditions."]

Minutes:
See Item 9 for related discussion.

Motion made by Michele Fiore to Hold in Abeyance Item 64 to 9/04/2019

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

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

65. Bill No. 2019-27 - For possible action - 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: Gary Ameling, Chief Financial Officer

Minutes:
See Item 49 for related discussion.

Second reading and Bill adopted as introduced as Ordinance No. 6699.

Motion made by Michele Fiore to Approve

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

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

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.

66. Bill No. Z-2019-1 - Amends the City's Official Zoning Map by changing the zoning designations of certain parcels of land to reflect and formalize rezoning applications previously approved by the City Council. Proposed by: Robert Summerfield, Director of Planning

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

08/19/2019 Recommending Committee
08/21/2019 Council Agenda

CLOSED SESSION

67. Closed Session - A closed meeting is called in accordance with NRS 288.220 to discuss labor issues

Minutes:
Upon a duly carried motion, the City Councilmembers entered into a closed door session regarding labor negotiations at 2:24 p.m. Upon return, a motion carried to reconvene the City Council session at 3:10 p.m. prior to hearing Item 68.

Motion made by Michele Fiore to Approve entering into closed session

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

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

Motion made by Michele Fiore to Approve reconvening the Council session

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

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

NOT TO BE HEARD BEFORE 11 A.M. - 68 THROUGH 93

BUSINESS ITEMS - 11 A.M. Session

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

Minutes:
COUNCILWOMAN FIORE announced the action items to be tabled, withdrawn, stricken, or held in abeyance.

Motion made by Michele Fiore to Hold in Abeyance Items 87-89 to 9/04/2019 and Item 90 to 9/18/2019

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

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

PLANNING

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

PLANNING - CONSENT

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

69. EOT-76368 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT - POB LAS VEGAS, LLC - OWNER: CITY OF LAS VEGAS - For possible action on a request for a first Extension of Time of an approved Site Development Plan Review (SDR-68470) FOR A PROPOSED SINGLE-STORY, 34,782 SQUARE-FOOT SHOPPING CENTER on 3.48 acres at 300 North Casino Center Boulevard and 350 Stewart Avenue (APNs 139-34-501-004 and 008), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-76348]. The Planning Commission (6-0 vote) and Staff recommend APPROVAL.

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

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

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

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.

70. VAC-76391 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: VICTORY MISSIONARY BAPTIST CHURCH - For possible action on a request for a Petition to Vacate a 20-foot wide alley between "E" Street and "F" Street, south of Jackson Avenue, Ward 5 (Crear) [PRJ-76390]. The Planning Commission (6-0 vote) and Staff recommend APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open for Items 70-72. There being no one present to speak, she declared the Public Hearing closed for Items 70-72.

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

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

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

71. VAC-76442 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Petition to Vacate public right-of-way generally located on Crossbridge Drive, west of Suncreek Drive, Ward 2 (Seaman) [PRJ-76399]. The Planning Commission (6-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 70 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: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

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

72. SNC-76185 - STREET NAME CHANGE - PUBLIC HEARING - APPLICANT/OWNER: RICHMOND AMERICAN HOMES OF NEVADA, INC. - For possible action on a request for a Street Name Change FROM: ALBATROSS LINKS AVENUE TO: SKY BLUFF COURT, generally located west of Crossbridge Drive, south of Suncreek Drive, Ward 2 (Seaman) [PRJ-76136]. The Planning Commission (5-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 70 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: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

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

PLANNING - DISCUSSION

73. 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.

MAYOR PRO TEM FIORE noted that this item was heard at a previous City Council meeting; therefore, those coming forward who had already spoken would be noted for the record, and those who have not had a chance to speak would be heard.

PETER LOWENSTEIN, Deputy Planning Director, stated that the subject site complies with all minimum distance requirements as set forth by Title 19.12, and therefore can be conducted in a compatible and harmonious manner with the surrounding existing uses located in the shopping center. As such, staff recommends approval of the proposed use, subject to conditions.

GEORGE GARCIA, representative, and PEJMAN BADY, applicant, were present.

COUNCILWOMAN DIAZ stated that although she has only been on the City Council for one month, this item has been one of her most difficult decisions. She explained that she has listened to everyone who has had concerns, made numerous trips to the area, and held multiple meetings with different parties that have been involved with this project. She has tried very hard to balance the rights and desires of the business owner against those of the neighbors and surrounding businesses. She said she was convinced that both parties have the City's best interests at heart. She understood that all of the City processes had been followed and was aware that the Nevada Legislature changed the distance requirements, which will go into effect in November 2019. However, she was not present for the testimony that took place at the Legislature and was not fully aware of all the motivations behind the changes. She felt called upon to make a difficult decision, which will impact the daily lives of Ward 3 residents. One of her goals is to diversify the downtown area and bring more small businesses to the community. Her other desire is to work with SHERIFF JOE LOMBARDO and the Las Vegas Metropolitan Police Department (LVMPD) to create a greater joint effort in patrolling areas deterring criminal activity. She indicated that she was willing to listen to any ideas, traditional and non-traditional, to fix problems and concerns around public safety, which is why she is willing to hear every option that comes before her.

COUNCILWOMAN DIAZ stated that one of her main concerns was with the clustering effect of having too many dispensaries in one area. She feels that until the state approves opening social lounges, dispensaries will be similar to liquor stores in that they are places where people can buy their products to use in their homes because they cannot legally use them anywhere else. She also thought that the public would not think the City Council was acting as good stewards if they approved three liquor stores within a couple hundred feet of each other. She noted that when marijuana was approved for medical use, a conscious effort was made to ensure the locations were diverse and would serve the needs of everyone in the community. Since the approval of recreational marijuana, sales have only been approved for those who already have a medical dispensary license, and not much thought was made as to their locations. Since no one knows what will happen with the recreational licenses recently awarded by the state, she believes it is important to think about long-term, smart planning and to not place too many of these dispensaries close to one another.

As to the legislation that recently passed, she understands that once this is put in place in November 2019, it will then be the law of the land. She commented that it would be difficult to ignore the clear intent of the legislature, even though the changes will not go into effective for two months. In her decision process, she pondered if allowing this business would be a benefit to this redevelopment area, bring a service that is not currently being provided, or in which Ward 3 is in dire need of. Given that there were already two other dispensaries within close proximity to this project, she ultimately did not believe it would bring betterment to the area, would not greatly enhance the area for the residents or tourists, and that it was not something the community could use or build upon to make the surrounding neighborhood that much different. For these reasons, she could not recommend approval of the project. She added that she will always be a champion for small businesses, and that she would create opportunities for them to thrive. However, she believes there must be a delicate balance, especially when considering the greater needs of the community, as well as what the City needs to do to further the direction of Las Vegas.

MR. GARCIA stated respectfully that when the voters made this vote, it was to tell the Legislature that they cannot act, and were, in fact, prohibited from taking action to restrict it. When the City first took on the rules for dispensaries, a policy was never made or incorporated into the rules as to concentration or clustering. He indicated that based on what the City decides, it would enact regulation, by virtue of this decision, that was never contemplated in the beginning by the voters, Legislature, or the City rules. Further, they believe there would be sufficient benefits to the neighborhood based on the number of petitions that the applicant submitted, and the investment that the landowner would make to enhance the shopping center. MR. GARCIA said this was not a typical location and felt they had shown specific benefits to the property that would be promulgated by the applicant and landowner. They feel it would benefit the surrounding area when taking into consideration the volume of available customers, which includes vehicles, pedestrians, tourists, locals, business owners and their employees, as they believe this use would make the dispensary convenient and readily available to all of them. The applicant has offered to assist the LVMPD Foundation with developing a pilot program for enforcement that deals with off-premises consumption. The applicant has offered to produce a clinic that would go into the neighborhood to assist and provide services to the residents of that area. As such, he felt the applicant had offered many things that would be a benefit. He noted that they respectfully understand the Councilwoman's concerns; however, they disagree and hoped the City Council would support staff and the Planning Commission by approving the project.

MR. BADY understood this was a difficult decision; however, he felt this era was changing because people and other industries need to have an opportunity to grow and become bigger since cannabis is a new industry that the voters support.

COUNCILWOMAN DIAZ appreciated the applicant and MR. GARCIA's comments. She noted that she visited the project area on multiple occasions, and she stands by her downtown area command who is already highly strapped in terms of manpower. Therefore, she must be a cognizant and responsible City Councilperson by thinking about the entire ward. She felt things were still not clear with all that was happening around this industry, noting that she has not seen the practice of parting licenses, which has been playing out in her consideration, as well.

ASSISTANT CITY ATTORNEY BRYAN SCOTT commented that when an item or use requires a Special Use Permit, this means the subject use has an adverse effect on the surrounding development, which is why the City Council is allowed to put restrictions in place to make the use palatable to the surrounding neighborhood. He stated that because the Councilwoman indicated she was not focusing on the distance separation that would be taking effect in November, but felt there was a clustering happening within this particular area, then she was within her right to place any conditions on, or not support, the item if she felt it was not suitable or compatible for the area.

MAYOR PRO TEM FIORE declared the Public Hearing closed.

NOTE: MAYOR GOODMAN abstained from voting on this item because it pertains to medical marijuana and one of her sons is involved in that industry.

Motion made by Olivia Diaz to Deny

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

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

74. VAR-76335 - ABEYANCE ITEM - 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 74-76.

ANGEL DIAZ, representative, explained that this use would be for a new Mexican restaurant, as they would like to enhance the area. He stated that they needed the space so they could include more table seating for their customers.

ERIC McCAMMOND, Sr. Management Analyst, stated that the proposed development does not meet Title 19 setback, parking, and landscape buffer requirements. No evidence of a unique or extraordinary circumstance has been presented, and staff has concluded that the site is being overbuilt as evidenced by the associated Variance requests. As the applicant's hardships are preferential in nature, staff recommends denial of all applications.

COUNCILWOMAN DIAZ clarified for MAYOR GOODMAN that this location was formerly a Carefree Footwear store, which was closed for several years, which applicant purchased two years ago. She understood that vacant property breeds problems; therefore, she was in support of anyone who wanted to buy this kind of property and establish a business. She also noted that this restaurant already has a store down the street, but they are looking to relocate into this new facility, which will be owned by Patron Investments, LLC. She stated that she spoke with MR. DIAZ about the importance of landscaping and the look of the façade, as this will help to enhance the look of the east side. She expressed her excitement about having the business at this location, and noted that MR. DIAZ was not related to her.

MAYOR GOODMAN asked PETER LOWENSTEIN, Deputy Planning Director, if he could report on the Planning Commission's decision to unanimously approve this project. MR. LOWENSTEIN noted that he was not present for the Planning Commission meeting. MR. McCAMMOND, who was in attendance for this item, recalled that the discussion was similar to what COUNCILWOMAN DIAZ has stated. He thought the Commission would be happy to see a business up and running at this location.

See Items 75 and 76 for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 74-76.

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

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

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

75. VAR-76336 - ABEYANCE ITEM - 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 74 for related discussion and Items 74-76 for related backup.

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

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

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

76. SDR-76337 - ABEYANCE ITEM - 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 74 for related discussion and Items 74-76 for related backup.

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

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

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

77. VAR-76222 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: RRA HOLDINGS, LLC - For possible action on a request for a Variance TO ALLOW TWO PROPOSED NINE SQUARE-FOOT WALL SIGNS WHERE ONE, TWO SQUARE-FOOT WALL SIGN IS ALLOWED on 2.03 acres at 1876 South Buffalo Drive (APN 163-03-301-012), R-E (Residence Estates) Zone, Ward 1 (Knudsen) [PRJ-76168]. The Planning Commission (5-0) vote and Staff recommend APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

JOSHUA HUNTER, representative, indicated that he spoke with COUNCILMAN KNUDSEN, noting that he did not have much to say on the presentation. He stated that this request was for two three-foot wall signs that will be internally illuminated to square up the entrance and make it nice for guests to walk through. He affirmed for MAYOR GOODMAN that the cross streets were Buffalo Drive and Oakey Boulevard. He also noted that this will be the location of the Real Racket Academy.

COUNCILMAN KNUDSEN shared that he abeyed this time at his first meeting, as he had a couple of complaints from neighbors. However, he has driven by this location on multiple occasions and believes the signs will be a lovely addition.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Brian Knudsen to Approve subject to condition(s)

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

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

78. SUP-76233 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: JUAN PULIDO - For possible action on a request for a Special Use Permit FOR AN EXISTING ACCESSORY STRUCTURE (CLASS I) [CASITA] USE at 804 Lacy Lane (APN 139-32-401-002), R-E (Residence Estates) Zone, Ward 1 (Knudsen) [PRJ-76215]. The Planning Commission (5-0 vote) and Staff recommend APPROVAL.

Minutes:
This item was heard subsequent to Item 56.

MAYOR GOODMAN declared the Public Hearing open.

PETER LOWENSTEIN, Deputy Planning Director, said staff finds the Accessory Structure (Class I) use can be conducted in a manner that is harmonious and compatible with the surrounding neighborhood and recommends approval of the Special Use Permit.

JUAN PULIDO, property owner, thought a correction needed to be noted. He pointed out that when he referenced the backup material for this item on the City's website, he noticed that the attached photos show a dilapidated old house, which he did not believe was associated with is item. MR. LOWENSTEIN affirmed that the photos belonged to another item on the agenda. However, he noted that photocopies of this subject site were given to the Councilmembers in their backup materials for this meeting.

MR. PULIDO reported that he purchased the property five years ago. He described the layout of the property, which includes a main dwelling unit and a detached two-story guest house. He noted that the guest house includes a kitchen, bedrooms, bathrooms and a four-car garage. Before he purchased the property, he requested that a state licensing inspector review the property and provide him with a report, some of which was included in the supporting documentation for this site. He also received similar information from a state licensed appraiser and title insurance companies, and none of them ever indicated there was any type of unpermitted use.

MR. PULIDO stated that in 2016, the City was performing some work on Lacy Lane, and at some point a City representative told him there was going to be some amount of property damage as a result of the work that was being performed, which mostly included breaking pavers and removing landscape to install new gas lines and meters. He asked the City worker if they could connect his guesthouse to the gas line, since it was using electricity and he was hoping to reduce his electricity costs. The City honored his wishes and connected the guesthouse to the gas line. At that time, one of his adjacent neighbors complained that she did not believe he could have a gas line in the side of the concrete wall that divides their properties, and this was when the City became involved. After photos were taken, supervisors were consulted, he wall was inspected and the City approved the wall.

MR. PULIDO noted that a few months ago he had an inspection completed by Code Enforcement, where they brought a few items to his attention, which were standard. However, he was also told that the guesthouse, which was built 44 years ago, did not have all of the necessary permits to be used as a guesthouse. In order to continue using it, he need to get it properly inspected and permitted. When MR. PULIDO approached the City, the first thing he did was obtain the information from when the house was built. In this documentation, they were able to learn that the guesthouse had a lot of permits, which he identified for the Councilmembers. However, the guesthouse did not have a Special Use Permit in order to be used as this type of use. Planning then determined that the property was in R-E (Residence Estates), which only allows for one dwelling unit. The Special Use Permit would allow him to have the accessory dwelling, and it was determined that the property meets the additional requirements.

MR. PULIDO noted that he had a very productive meeting with City Planning staff members and that one important point was made, which was that since the guesthouse was in full compliance on all aspects of the zoning requirements, that the focus and scope of the Special Use Permit would be the safe operation of the kitchen. Based on this, they were able to summarize three key points, which included: 1) that the property will be sold with the guesthouse having a functional kitchen and electric stove, 2) that based on the current, updated electrical plans, the guesthouse is capable of safely operating an electric stove, and 3) in 2016, the City had already approved the connection of the guesthouse to the gas lines, making it safe to operate a gas stove, as well. When he received a copy of the Staff Report, staff noted that based on the scope of the Special Use Permit, a neighborhood meeting was not required; therefore, one was not requested. He then appeared before the Planning Commission, and his application was unanimously passed by the Commissioners. Prior to attending a City Council meeting set for July 3, 2019, MR. PULIDO went to the Clark County Assessor's Office to check on some discrepancies and was able to update the property tax information for his property. He also noted that because of COUNCILMAN KNUDSEN'S recent election as a City Councilmember, he was asked to appear before the City Council on August 7, 2019, so that the Councilman could meet with him and review all of the relevant information. During that meeting, MR. PULIDO conveyed that since he purchased the property, he had never used it as a short-term rental.

MR. LOWENSTEIN stated that with regard to the additional five conditions, there was an added sixth condition, which is redundant; therefore, if the item was recommended for approval, staff would ask that the sixth condition be removed. MR. LOWENSTEIN also provided some points of clarification, which included that the subject site is within an R-E (Residence Estates) zoning district, which provides for low-density, residential units located on large lots and prohibits more than one dwelling unit per lot per the zoning ordinance. Further, the Clark County Assessor's Office assessment of perceived land use does not dictate the land use of the property. In regards to the Clark County's building sketch, they value the main residence and a guest residence and the land use resides with the City of Las Vegas. In 1975, the subject site was issued a building permit for a single family dwelling and a two-story detached garage. Since that time, no other permits have been issued with regard to the two-story garage as it relates to interior permits; therefore, the kitchen in question was done without a permit and was illegal construction. With the gas line, MR. LOWENSTEIN noted that it could be for a water heater or hot tube and is not indicative of a kitchen, although, if approved, it could be for a gas range. He stated that the current request is to allow for the conversion of the Class II structure (two-story garage) to be converted to a Class I structure, which is a two-story garage with a kitchen, and for whatever interior work that has been done, it will also need to be permitted. In addition, Conditions 2 and 6 on the current list of Conditions of Approval require conformance to the Las Vegas Municipal Code (LVMC); the LVMC speaks to the number of individuals that can reside on the property, which this applicant and property owner will be subject to. The Code defines a family as four unrelated individuals in a household, which means one person can reside in a house and have three unrelated individuals, and this definition covers all structures on the site.

MARY McELHONE, Deputy Planning Director, also shared that a complaint was filed with Code Enforcement on February 20, 2019, which stated that there were too many people, who were unrelated, living on the property. When staff went to investigate, they were able to verify that there were too many tenants, that there was unpermitted work, and the kitchen was identified. She noted that Code Enforcement still has an open case at this location.

MAYOR GOODMAN inquired as to the procedures to be followed on the open case. MR. PULIDO stated that he was told by Code Enforcement to go through this process. MAYOR GOODMAN asked about the timeline. MS. McELHONE stated that it started with this item being heard, and if the item passes, then MR. PULIDO will need a Special Use Permit to have the kitchen. However, if the item does not pass, the City Council may then wish to provide a timeline as to when MR. PULIDO will need to have the kitchen removed, which she thought would take a minimum of 30 days. The case would also remain open and Code Enforcement would plan to follow-up.

COUNCILMAN KNUDSEN stated that he and MR. PULIDO had an opportunity to discuss this matter. At that time, MR. PULIDO indicated he would be using the space to rent out to a family. The Councilman understood that he already had a number of people living with him who were unrelated and roommates. COUNCILMAN KNUDSEN stated that for confirmation purposes, he wondered what MR. PULIDO'S intention was for space. MR. PULIDO explained that his goal as a property owner is to always preserve the value of the property. He believed that if he kept living in the main dwelling, then he would be allowed to rent the guesthouse in the back.

His goal is to follow the City Code and ordinances to the letter of the law, as well as the guidelines given for occupancy.

COUNCILMAN KNUDSEN said that there have been multiple conversations between his staff and MR. LOWENSTEIN as to the City Code. Ultimately, the Councilman thought there was a difference as to how the City Attorney interprets the Code versus how MR. PULIDO interprets it. He asked MR. LOWENSTEIN and ASSISTANT CITY ATTORNEY BRIAN SCOTT to share their comments on the Code for the record.

MR. LOWENSTEIN spokes specifically to the number of individuals, noting that the code speaks to how many dwelling units can be on this particular lot, which is one. The definition of a single-family detached dwelling says the exclusive use of a single family, maintaining a household. The definition of a family states no more than four unrelated individuals living together as a single housekeeping unit. With respect to accessory uses, they are defined as incidental or subordinate to the principal structure. MR. LOWENSTEIN thought that in this particular case, there would be no more than four unrelated individuals living together in the primary dwelling and including any accessory structure on the site. He further clarified that this would mean that if everyone was related, they could have a large family. However, if everyone was unrelated, this would mean there is a limit of four unrelated individuals.

ASSISTANT CITY ATTORNEY BRYAN SCOTT affirmed that he was in agreement with MR. LOWENSTEIN'S interpretation of the City Code.

COUNCILMAN KNUDSEN stated that he was inclined to deny the item because MR. PULIDO'S interpretation of the code was very different from that of the Planning Staff and the City Attorney's Office. He was concerned that the applicant would use the property in a way that was not harmonious or compatible with the surrounding neighborhood.

MR. PULIDO understood that one of the proposed options was to retain the scope of the Special Use Permit on the Municipal Code, as is, and then deal with the occupancy limits as a Code Enforcement issue, which he felt could be discussed as to the proper interpretations. He commented that this item has been open for a very long time, and since the very first time this happened, he willingly evicted all of his roommates to ensure that he handles everything legally. He felt that he had proven himself by following all of the instructions in order to move forward. He stated that as a worst-case scenario and rather than appeal the denial, he would like to accept the proposed limitation.

COUNCILMAN KNUDSEN said that if this item were to be approved, he was concerned that the City would be spending a lot with Code Enforcement to ensure compliance, which he was not in favor of. He also understood that denying the item would put MR. PULIDO in an awkward position.

MR. PULIDO understood this to mean no more than four unrelated individuals could be renting rooms, either in the primary dwelling or the accessory structure, at any given time, in addition to the property owner. He stated that if this was the case, then he was willing to go by this restriction. COUNCILMAN KNUDSEN noted that this included both the house and the Casita. MR. PULIDO reiterated that if this was the case, he would accept it as opposed to having a denial.

MR. SCOTT noted that going forward, if Code Enforcement found MR. PULIDO to be in violation, the City could seek to revoke the Special Use Permit.

COUNCILMAN KNUDSEN stated that if there was one complaint by Code Enforcement as the number of people living at this site, he would move to revoke the Special Use Permit, and MR. PULIDO affirmed that he understood the plan. He also noted that he would like any Code Enforcement issues brought back before the City Council, which MS. McELHONE affirmed would be done. She added that Code Enforcement would most likely be leaving this case open a little while longer to ensure compliance.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Brian Knudsen to Approve subject to condition(s)

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

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

79. VAR-76198 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: STEPHANIE PANG - For possible action on a request for a Variance TO ALLOW A FOUR-FOOT SEPARATION FROM THE MAIN BUILDING WHERE SIX FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [SHED] on 0.19 acres at 2109 Linda Vista Street (APN 162-06-810-031), R-1 (Single Family Residential) Zone, Ward 1 (Knudsen) [PRJ-76197]. The Planning Commission (5-0 vote) and Staff recommend DENIAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

STEPHANIE PANG, property owner, asked for the variance to be approved so she could keep the existing shed. She explained that the house was built 21 years ago. When she recently purchased the property, it was really rundown. She displayed before and after photographs of the property that depicted the improvement she has already made to the interior and exterior of the property. Some of the improvement she discussed included cleaning up the property, repainting and replacing broken windows. She thanked COUNCILMAN KNUDSEN for taking the time to meet with her about possible solutions for keeping the structure.

PETER LOWENSTEIN, Deputy Planning Director, stated that this case was a result of a Code Enforcement action. In the absence of any hardships imposed by the site's physical characteristics, it was concluded that the applicant's hardship was preferential in nature; therefore, staff is recommending denial of the Variance.

COUNCILMAN KNUDSEN stated that he felt MS. PANG had done a great job improving the property and thanked her for her presentation. He noted that he met with her twice and his understanding was that there was no intention of renting the home. He also discussed how they talked about ensuring that the structure has some type of fire retardant on it so that it is safe and does not impact the buildings that surround it.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Brian Knudsen to Approve subject to condition(s)

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

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

80. GPA-75668 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: ZION LOVINGIER - For possible action on a request for a General Plan Amendment FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: SC (SERVICE COMMERCIAL) on 1.50 acres at 8311 Farm Road (APN 125-16-301-003), Ward 6 (Fiore) [PRJ-75621]. Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL.

Minutes:
This item was heard subsequent to Item 77.

MAYOR GOODMAN declared the Public Hearing open for Items 80 and 81.

NATHAN TAYLOR, representative for the applicant, was present. MR. TAYLOR described the location of the project and some of the surrounding businesses, noting that the project will be in Ward 6. He pointed out that this was in a commercial area. When his clients purchased the property over a year ago, it was in distress. The building was boarded up, run down, and squatters had been living there. Fires were also set on the property and the landscaping was overgrown, among many other attractive nuisances. MR. TAYLOR said the applicants invested over $1 million to do renovations on the 1.5 acre property and 5,000 square-foot structure.

He stated that in the fall of last year, his clients wanted to find a way to share this property with others, so they applied for a short-term rental permit, which was approved, so they began renting the property earlier this year. When his clients learned and experienced some of the challenges associated with operating a short-term rental, they voluntarily relinquished their short-term rental permit and gave it back to the City. They realized that a better use for the property would be to utilize it as a banquet facility. In order to operate as a banquet facility, a General Plan Amendment and Zoning change is required. MR. TAYLOR thought it was worth noting that there was a similar banquet facility located a few hundred yards down the road, which was also surrounded by some single-family residential homes.

ERIC McCAMMOND, Sr. Management Analyst, stated that the proposed General Plan Amendment and Rezoning combination is intended to provide for retail shopping and personal services. Commercial properties should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The subject site is not part of the retail corridor found west of Tule Springs Road nor is it at the intersection of thoroughfares. The proposed General Plan Amendment and Rezoning would create a commercial parcel almost entirely surrounded by single family residences, and as such, staff recommends denial of the requests.

MARY McELHONE, Deputy Planning Director, affirmed that the short-term rental license was surrendered on April 25, 2019, in pursuit to turn the location into a banquet facility. From March 30, 2019, through June 8, 2019, multiple noise complaints were received by Business Licensing and Code Enforcement. However, since June 8, 2019, no complaints have been received.

ANDREW PARKER, neighbor, shared that he lives behind the property. He spoke in support, as he felt the transition to the banquet facility would be a long-term benefit for the neighborhood.

Others who spoke in support of the project were BRIAN HORNER, the owner of Kingdom homes, who stated that he had the pleasure of renovating this home and was happy to see something being given back to the community. DELOY BLANCHARD, who lives in the neighborhood across the street, thought the property was beautiful now and was in support of the use. Referencing a site map, he pointed out that the property was not actually located within the neighborhood, as it was separated from the residential area by a block wall. Additionally, it faced Farm Road, which is now a busy two-lane road. As such, he did not feel the property was suited for residential property any longer and why he thought it sat vacant for a number of years.

COUNCILWOMAN FIORE commented that this was a problem house when she first got elected, and she felt this use was more suitable for the surrounding area.

See Item 81 for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 80 and 81.

Motion made by Michele Fiore to Approve

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

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

81. ZON-75669 - REZONING RELATED TO GPA-75668 - PUBLIC HEARING - APPLICANT/OWNER: ZION LOVINGIER - For possible action on a request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 1.50 acres at 8311 Farm Road (APN 125-16-301-003), Ward 6 (Fiore) [PRJ-75621]. Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL.

Minutes:
See Item 80 for related discussion and Items 80 and 81 for related backup.

Motion made by Michele Fiore to Approve

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

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

82. ZON-76236 - REZONING- PUBLIC HEARING - APPLICANT: WHEELER ARVILLE MINI STORAGE - OWNER: STEPHANIE EVANS, ET AL - For possible action on a request for a Rezoning FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-1 (LIMITED COMMERCIAL) on 1.04 acres at 1333 Arville Street (APN 162-06-510-016), Ward 1 (Knudsen) [PRJ-75670]. The Planning Commission (6-0 vote) and Staff recommend APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open for Items 82-84.

ATTORNEY TONY CELESTE, representative, displayed an aerial map and discussed the location and surrounding businesses and uses. Referencing the zoning map, he indicated that they are requesting the Limited Commercial (C-1) zoning designation, which complies with the Master Plan and will be in line with the zoning designation across the street and immediately to the south.

MR. CELESTE said the applicant is proposing a mini-storage facility at this site, which requires a Special Use Permit. The applicant believes this will be compatible with the area and provide a great transition piece from the residential area to the south, the existing commercial, as well as provide a nice buffer to the Chabad Jewish Temple and school. They worked with RABBI SHEA HARLIG with respect to this application, who requested that eight-foot Concrete Masonry Units (CMU) walls be placed around the mini-storage facility, which the applicant has agreed to. Also, by pushing the buildings back further, the applicant was able to remove a variance and be in complete compliance with City Code, which was one of the reasons staff was in support of the Special Use Permit and Site Development Plan Review. MR. CELESTE also noted that they were asking for some deviations for minor things such as landscaping along the eastern portion so they can meet fire circulation and parking requirements.

MR. CELESTE said the applicant would like to request two additional conditions. Under Condition 5 of the Site Development Plan Review, the applicant is required to build an eight-foot wall, which they have agreed to do. However, they are also planning to put in candy-cane style wrought iron on the interior of the wall to discourage people from jumping the wall, as well as provide added security. Additionally, the applicant would like to add a condition to the Special Use Permit, which requires them to provide a security plan to the Planning Department to ensure 24-hour security and surveillance at the site.

MR. CELESTE affirmed for MAYOR GOODMAN that the units will be three-stories, which will be climate controlled and have 24-hour surveillance.

PETER LOWENSTEIN, Deputy Planning Director, stated that the subject segment of Arville Street has, over time, transitioned from residential uses to office and commercial uses. The proposed Rezoning would follow this trend towards more commercial applications and be compatible with existing developments along Arville Street. The proposed mini-storage facility meets all Title 19 requirements except for landscape buffer along portions of the site's perimeter and landscape materials within the parking lot and adjacent to the east property line. Despite the waiver and exceptions, the development incorporates additional planters and a screen wall to buffer the facility and parking lot from neighboring properties and the right-of-way. Therefore, Staff recommends approval of all applications. If approved, staff would like to add a condition to the Special Use Permit and amend a condition of the Site Development Plan Review, which MR. LOWENSTEIN read for the record.

MR. CELESTE affirmed that the applicant was in agreement to the added and amended conditions.

COUNCILMAN KNUDSEN understood that RABBI HARLIG and the congregation were not super excited about the project; however, he thought the project was consistent with the area. The discussion that took place between the Councilman and the Rabbi included ensuring, at all costs, the security of the Chabad, as well as the school. He felt the security plan, as submitted, as well as the Special Use Permit for the business license, would be an important component for him to review before they become operational. The Councilman also commented as to the condition, noting that it was not only about habitation, but also about the use of that facility as it pertains to the safety of the Chabad, specifically as to the security of the children and the sensitive nature of that community.

See Item 83 and 84 for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 82-84.

Motion made by Brian Knudsen to Approve

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

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

83. SUP-76310 - SPECIAL USE PERMIT RELATED TO ZON-76236 - PUBLIC HEARING - APPLICANT: WHEELER ARVILLE MINI STORAGE - OWNER: STEPHANIE EVANS, ET AL - For possible action on a request for a Special Use Permit FOR A PROPOSED MINI-STORAGE FACILITY USE at 1333 Arville Street (APN 162-06-510-016), Ward 1 (Knudsen) [PRJ-75670]. The Planning Commission (6-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 82 for related discussion and Items 82-84 for related backup.

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

A. A security plan shall be submitted and approved by the Department of Planning Business Licensing division prior to the issuance of a business licenses to address security concerns relative to habitation of storage units.

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

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

84. SDR-76250 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-76236 AND SUP-76310 - PUBLIC HEARING - APPLICANT: WHEELER ARVILLE MINI STORAGE - OWNER: STEPHANIE EVANS, ET AL - For possible action on a request for a Site Development Plan Review FOR A PROPOSED THREE-STORY, 292-UNIT MINI-STORAGE FACILITY CONSISTING OF TWO BUILDINGS FOR A TOTAL OF 57,900 SQUARE FEET WITH WAIVERS TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ADJACENT TO THE NORTH AND SOUTH PROPERTY LINE, AND A ZERO-FOOT LANDSCAPE BUFFER ADJACENT TO PORTIONS OF THE EAST PROPERTY LINE WHERE EIGHT FEET IS REQUIRED on 1.04 acres at 1333 Arville Street (APN 162-06-510-016), P-R (Professional Office and Parking) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 1 (Knudsen) [PRJ-75670]. The Planning Commission (6-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 82 for related discussion and Items 82-84 for related backup.

Motion made by Brian Knudsen to Approve subject to condition(s) and amending Condition No. 5 as follows:

5. A new decorative eight-foot tall screen wall with 20 percent contrasting material shall be constructed for the north, south and east property lines unless the applicant is able to demonstrate the existing screen wall(s) meet Title 19 requirements for an eight-foot screen wall. Wrought iron picket fencing in a candy cane shape to deter individuals from leaping the wall from inside the site, shall be installed on the inside of the wall, so as not to increase the overall wall height.

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

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

85. ZON-76110 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: ALBERTO E. AND MERICIA G. ACHAVAL - For possible action on a request for a Rezoning FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-1 (LIMITED COMMERCIAL) on 0.45 acres at 820, 826 and 830 East Charleston Boulevard (APN 162-03-501-007), Ward 3 (Diaz) [PRJ-76067]. The Planning Commission (6-0 vote) and Staff recommend APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open for Items 85 and 86.

DOUG RANKIN, representative, indicated that the zone change to C-1 (Limited Commercial) was in conformance to the land use, and will further the 2045 Downtown Master Plan and the Founders District. The waiver is minor in nature and the applicant is not making any changes to the site, as they are simply rezoning to C-1 in order to offer the additional spaces to other tenants. Referencing the site plans, he pointed to the portion of the site that the applicant occupies for his chiropractic care business, as well as the portions the applicant was looking to lease.

ERIC McCAMMOND, Sr. Management Analyst, sated that staff supports the rezoning and waiver applications as these requests support the goals of the Redevelopment Plan and the Vision 2045 Downtown Master Plan to redevelop and revitalize the area through the rehabilitation of existing architecture while intensifying the commercial uses adjacent to Charleston Boulevard.

COUNCILWOMAN DIAZ understood that these sites have been in place since 1938 and were rehabilitated in 1992. She felt this was an exciting opportunity for some small businesses to come into Ward 3 and was in support of the application.

See Item 86 for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 85 and 86.

Motion made by Olivia Diaz to Approve

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

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

86. WVR-76111 - WAIVER RELATED TO ZON-76110 - PUBLIC HEARING - APPLICANT/OWNER: ALBERTO E. AND MERICIA G. ACHAVAL - For possible action on a request for a Waiver TO ALLOW A FOUR-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED on 0.45 acres at 820, 826 and 830 East Charleston Boulevard (APN 162-03-501-007), P-R (Professional Office and Parking) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 3 (Diaz) [PRJ-76067]. The Planning Commission (6-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 85 for related discussion and Items 85 and 86 for related backup.

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

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

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

87. ZON-76475 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: JORGE CRUZ DIAZ - For possible action on a request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.57 acres at 400 West Owens Avenue (APN 139-22-403-003), Ward 5 (Crear) [PRJ-74190]. The Planning Commission (5-1 vote) and Staff recommend DENIAL.

Minutes:
See Item 68 for related discussion and Items 88 and 89 for related backup.

Motion made by Michele Fiore to Hold in Abeyance Items 87-89 to 9/04/2019 and Item 90 to 9/18/2019

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

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

88. SUP-76476 - SPECIAL USE PERMIT RELATED TO ZON-76475 - PUBLIC HEARING - APPLICANT/OWNER: JORGE CRUZ DIAZ - For possible action on a request for a Special Use Permit FOR AN AUTO REPAIR GARAGE, MAJOR USE at 400 West Owens Avenue (APN 139-22-403-003), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial)], Ward 5 (Crear) [PRJ-74190]. The Planning Commission (5-1 vote) and Staff recommend DENIAL.

Minutes:
See Item 68 for related discussion and Items 87-89 for related backup.

Motion made by Michele Fiore to Hold in Abeyance Items 87-89 to 9/04/2019 and Item 90 to 9/18/2019

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

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

89. SDR-76477 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-76475 AND SUP-76476 - PUBLIC HEARING - APPLICANT/OWNER: JORGE CRUZ DIAZ - For possible action on a request for a Site Development Plan Review FOR THE PROPOSED 2,053 SQUARE-FOOT EXPANSION OF AN EXISTING 1,050 SQUARE-FOOT BUILDING on 0.57 acres at 400 West Owens Avenue (APN 139-22-403-003), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial)], Ward 5 (Crear) [PRJ-74190]. The Planning Commission (5-1 vote) and Staff recommend DENIAL.

Minutes:
See Item 68 for related discussion and Items 87-89 for related backup.

Motion made by Michele Fiore to Hold in Abeyance Items 87-89 to 9/04/2019 and Item 90 to 9/18/2019

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

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

90. VAR-76400 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ALDEGUNDA DURAN MENDOZA - For possible action on a request for a Variance TO ALLOW A SIX-FOOT CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED FOR A PROPOSED ATTACHED ACCESSORY STRUCTURE [COVERED BARBEQUE] AND TO ALLOW A ZERO-FOOT SEPARATION FROM THE MAIN BUILDING WHERE SIX FEET IS REQUIRED on 0.70 acres at 1400 Comstock Drive (APN 139-28-110-081), R-E (Residence Estates) Zone, Ward 5 (Crear) [PRJ-76286]. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

Minutes:
See Item 68 for related discussion.

Motion made by Michele Fiore to Hold in Abeyance Items 87-89 to 9/04/2019 and Item 90 to 9/18/2019

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

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

SET DATE

91. 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.

NL – 816 Alhambra Drive, 312 S Maryland Parkway and 150 N Las Vegas Boulevard #2017; Council Review for VAR-76469, SUP-76470 and SUP-76471 – 8/21/2019 Council Agenda

CITIZENS PARTICIPATION

92. 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

93. 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, ANTHONY, FIORE, KNUDSON, and DIAZ announced the events taking place in their respective wards on various dates through the months of August and September. Some of the Councilmembers submitted flyers, which are attached as backup, regarding their events and points of interest.

The meeting was recessed at 9:21 a.m., reconvened at 9:32 a.m., recessed at 11:05 a.m., reconvened at 11:13 a.m., recessed at 12:25 p.m., reconvened at 12:56 p.m., recessed for closed-door session at 2:24 p.m., reconvened from the closed-door session at 3:19 p.m., and was adjourned at 4:27 p.m.

Respectfully submitted:

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Patty Hlavac, Deputy City Clerk

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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