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

City Manager Scott Adams
City Attorney Bryan K. Scott
City Clerk LuAnn D. Holmes

City Council Minutes

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

August 19, 2020
9:00 AM

CEREMONIAL MATTERS

1. Call to Order

Minutes:
MAYOR GOODMAN called the meeting to order at 9:02 a.m.

PRESENT: MAYOR GOODMAN and COUNCILMEMBERS ANTHONY, CREAR, FIORE (excused at 12:36 p.m.), KNUDSEN, SEAMAN, and DIAZ

ALSO PRESENT: CITY MANAGER SCOTT ADAMS, 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 in accordance with the State of Nevada Executive Department Declaration of Emergency Directive 006: The City of Las Vegas website – www.lasvegasnevada.gov and The Nevada Public Notice Website – notice.nv.gov.

3. Invocation - Reverend Carlton R. Fogg, Jr., Post Commander VFW Post 36, Chaplain VFW District 6

Minutes:
REVEREND CARLTON R. FOGG, JR., Post Commander VFW Post 36, Chaplain VFW District 6, gave the invocation.

4. Pledge of Allegiance

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

Subsequent to leading the Pledge of Allegiance, the Mayor acknowledged LIEUTENANT ERIK LLOYD who would be laid to rest. It is a tough time for all and it is because of the faith and pride in the City of Las Vegas that encourages everyone to continue to move forward. Additionally, she recognized STACEY CAMPBELL, Chief Deputy City Clerk, who completed her Master Municipal Clerk certification.

BUSINESS ITEMS - 9 A.M. SESSION

PUBLIC COMMENT

5. 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:
At the Mayor's request, CITY CLERK LUANN D. HOLMES outlined the process for submitting e-comments via the City of Las Vegas website.

TROY HAGEN, Chief Commercial Officer for Falck USA, spoke in favor of Item 36 noting Falck USA provides ambulance services through competitive processes and believed competitive processes are the best way for cities to ensure they are receiving the best service that they can. He looked forward to the opportunity to come to Las Vegas, should the City move forward with that.

BUSINESS ITEMS - 9 A.M. Session

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Action - Any items from the 9 a.m. session that the Council, staff and/or the applicant wish to be stricken, tabled, withdrawn or held in abeyance to a future meeting may be brought forward and acted upon at this time.

Motion made by Stavros Anthony to Hold in Abeyance Items 60-62 to 9/2/2020 and Item 71 to 9/16/2020 and to Strike Item 72

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

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

Motion made by Stavros Anthony to Strike Items 9, 36, and 49

Passed For: 5; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:
In addition to abeying Items 60-62 and 74 and striking Item 72, COUNCILMAN ANTHONY stated that Items 9 and 36 should be stricken, as the City Manager and Acting Fire Chief are working with AMR (American Medical Response) on a contract extension and would return to the Council at a later meeting.

COUNCILMAN CREAR expressed confusion and said he believed the AMR contract was to be extended and mentioned the interest of sending out an RFP (Request for Proposal) for additional services. He was not sure why the Council was not moving forward, and he did not have enough information to make a decision on whether or not to strike the item.

COUNCILMAN KNUDSEN wished to understand the impact of striking Item 9 on any subsequent RFP process and requested to hear from the City Manager.

COUNCILWOMAN FIORE noticed that Item 72 was requested to be stricken but thought the City Manager would speak on reopening bars as a response to Executive Directive 30. CITY MANAGER SCOTT ADAMS said he is not comfortable in making a blanket statement until it is clear that bars can open and did not have a report to give under Item 72.

Subsequent to the vote on Item 6, CITY ATTORNEY BRYAN SCOTT confirmed with COUNCILMAN ANTHONY that Item 49 should also be held in abeyance as it is related to Items 9 and 36.

COUNCILMAN ANTHONY opined that when the Council had their briefings, the City Manager and the Acting Fire Chief were close to completing the extension of the AMR contract (3-year). He felt that it was premature to send out an RFP for ambulance services until this process is complete; therefore, he wanted to vote upon the extension before voting on an RFP process.

MAYOR GOODMAN asked for the reason to strike the items rather than abey them, and COUNCILMAN ANTHONY said he did not have a certain date to abey the items to. MR. SCOTT said the Council would need to vote on striking Items 9, 36, and 49, and a separate vote for bringing back an item to extend AMR's contract or proceeding with the RFP process.

COUNCILMAN KNUDSEN confirmed with MR. SCOTT that proceeding with Items 9 and 49 do not preclude the Council from having conversations with AMR, and he wished to proceed.

COUNCILWOMAN DIAZ did not see how renewing the AMR contract would conflict with Items 9, 36, and 49. She noted the importance of public safety for the community but also recognized that everyone must tighten their budgets. The Councilwoman felt that if RFP processes are not in place, opportunities will be missed for the City of Las Vegas to ensure they are maximizing their investment.

MR. ADAMS said it is staff's intent to proceed with extending the agreement with AMR and issue an RFP so that staff can explore proposals from other providers that would augment the City to better provide emergency medical services to the citizens. These matters are not mutually exclusive and could happen together, which he felt could help in negotiations with AMR. Confirming with the City Attorney, MR. ADAMS also advised the Council that this discussion was not agendized, and he asserted that these items were placed on the agenda with the assistance of his management team. He reiterated that these items were not mutually exclusive, and said he was reluctant to commit that an extension to AMR's contract could be brought forward within 30 days.

MR. SCOTT informed the Mayor that the Council cannot discuss an extension to the agreement with AMR. Rather, the Council could discuss authorizing the City Manager to issue an RFP in accordance with standards established by Las Vegas Fire and Rescue for the delivery of emergency medical services and the issuance of a Business Impact Statement.

COUNCILWOMAN SEAMAN believed further discussion was needed and supported the motion to strike.

COUNCILMAN CREAR felt the Councilmembers were all in agreement with moving forward with the AMR contract extension as well as the RFP process. He opined that the RFP process should be started after AMR's contract is extended.

MR. ADAMS believed there may need to be provisions placed in the Franchise Agreement to allow the City to seek other services. If the agreement was approved as-is, the City may lose the opportunity to utilize the RFP process.

COUNCILMAN ANTHONY wanted to see the contract extension first before moving forward with the RFP process; therefore, he reiterated his motion to strike Items 9, 36, and 49. MAYOR GOODMAN confirmed with MR. SCOTT that the items would be brought back at a later date.

COUNCILWOMAN DIAZ was concerned about striking these items, and said if the City is looking to extend services, this could hamper the City's ability to do so. She also noted that AMR is not excluded from participating in the RFP process.

7. For possible action to approve the Final Minutes by reference of the July 22, 2020 Regular City Council Meeting

Motion made by Stavros Anthony to Approve

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

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

CONSENT AGENDA

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

CITY ATTORNEY - CONSENT

8. For possible action to approve a business impact statement regarding a proposed ordinance to amend various provisions of LVMC Titles 6 and 19 to update licensing and zoning provisions regarding marijuana-related businesses, including the elimination of provisions regarding compliance permits and the changing of terminology and license categories from those associated with “medical marijuana” and “retail marijuana” to those now recognized and used under State law (“medical cannabis” and “adult-use cannabis”). (This item is related to Bill No. 2020-27, which is located later on this agenda under New Bills)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

NOTE: The video does not reflect the vote accurately, in that Mayor Goodman abstained from voting on Item 8 due to her son’s involvement in the medical marijuana industry.

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

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

Minutes:
COUNCILWOMAN FIORE requested Items 10 and 11 be pulled off of the Consent Agenda to be heard separately.

Regarding Item 19, COUNCILMAN CREAR clarified that the park would be named Historic Westside Legacy Park and not Historic Westside Leaders Park. MIKE JANSSEN, Director of Public Works, confirmed this was correct noting the item was written to match the RFP (Request for Proposal) that was issued. The official name of the park will be Historic Westside Legacy Park.

9. For possible action to approve a business impact statement regarding a proposed ordinance to amend LVMC Chapter 6.08 to permit the City Council to select a contract ambulance service provider through a competitive or other process. (This item is related to Bill No. 2020-30, which is located later on this agenda under New Bills)

Motion made by Stavros Anthony to Strike Items 9, 36, and 49

Passed For: 5; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 0

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

ECONOMIC AND URBAN DEVELOPMENT - CONSENT

10. For possible action to approve a Fifth Amendment to Disposition and Development Agreement (DDA) between City Parkway V, Inc. and Jackson-Shaw Company to extend the Close of Escrow, extend the Feasibility Review Period and to substitute a replacement Schedule of Performance for the development of a hotel on Parcel B North bounded by Symphony Park Avenue to the north, Promenade Place to the east, Robin Leach Lane to the south and Grand Central Parkway to the west (APN 139-33-610-029) at Symphony Park - Ward 5 (Crear)

Motion made by Cedric Crear to Approve

Passed For: 5; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:
BILL ARENT, Director of Economic and Urban Development, stated that this item was before the Council at the request of The Jackson-Shaw Company. Because of the COVID-19 pandemic, the developer has indicated that the capital markets are not currently available to proceed under the current timeline, under the current agreement which would require construction to begin November 1, 2020; therefore, the developer has requested to extend the deadline by one year which would allow them to work with their lending partners as well as their preferred hotel partner, Marriott International, Inc. to deliver a world-class project. Staff recommended approval of the one-year extension request, and there is no financial impact to the City of Las Vegas as none of the financial terms of the contract will change.

MR. ARENT informed MAYOR GOODMAN that the one-year extension would be a deadline, and it is the intent of The Jackson-Shaw Company to move as quickly as they can as they have indicated that they have as much as $3 million already invested in the project.

COUNCILWOMAN FIORE spoke in opposition of the request as she believed developers must be financially prepared. COUNCILWOMAN SEAMAN expressed that she was not against the project but did not support the one-year extension request. Both Councilwomen believed there are developers financially ready to build.

COUNCILMAN CREAR stated that The Jackson-Shaw Company is a world-class business that has partnered with Marriott International, Inc. which is also another world-class business. Both have indicated that they are 100 percent committed to this project, and he believed both the City and The Jackson-Shaw Company have invested a lot in this project, and to get through the COVID-19 pandemic, everyone must work together. The AC Hotel is needed in the Symphony Park area, and the Councilman felt this was the City’s best chance of getting one there. He had full faith in the developer.

See Item 8 for related discussion.

11. For possible action to approve a Parking Lease Agreement between POB Las Vegas, LLC and the City of Las Vegas to manage and operate a parking lot located at the southeast corner of Stewart Avenue and North Casino Center Boulevard, with rent established at 50% of monthly gross revenues (APN 139-34-501-023) - Ward 5 (Crear)

Motion made by Cedric Crear to Approve

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

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

Minutes:
COUNCILWOMAN FIORE was not in support of this item as she believed the City of Las Vegas sells low and purchases high on real estate. She believed the City undersold this particular property but was now going into partnership with the company; this did not sit well with her.

See Item 8 for related discussion.

12. For possible action to approve a Second Amendment to Reciprocal Easement Agreement between FAEC Holdings Wirrulla, LLC (FAEC) and the City of Las Vegas (City) regarding the allocation of shared operating costs due to City by FAEC in regards to the structured parking garage beneath the retail development commonly known as Neonopolis located at 450 South Fremont Street (APN 139-34-513-003) - Ward 5 (Crear)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

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

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

FINANCE - PURCHASING AND CONTRACTS - CONSENT

13. For possible action to approve award of Contract No. 210015-JH Utah Avenue - Industrial Road to 3rd Street - Department of Public Works - Award recommended to: VTN NEVADA ($332,988 - Road and Flood Capital Projects Fund and Sanitation Enterprise Fund) - Ward 3 (Diaz)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

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

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

14. For possible action to approve the ratification of the Commission for the Las Vegas Centennial funding allocation for a historic documentary film, and the award of Contract No. 200257-JH, Professional Services Contract for Historical Documentary Filmmaking Services Part III Las Vegas 1930-1940 - Department of Finance - Award recommended to: BOYD PRODUCTIONS, LLC ($200,530 - License Plate Revenue) - All Wards

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

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

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

15. For possible action to approve award of Contract No. 200216-JH, Prime Design Services Contract for 8th Street, Stewart to Bridger - Department of Public Works - Award recommended to: HORROCKS ENGINEERS ($242,927.21 - Road and Flood Capital Projects Fund) - Wards 3 and 5 (Diaz and Crear)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

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

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

16. For possible action to approve award of three-year Contract No. 200029-JH Merchant Services - Department of Finance - Award recommended to: BANK OF AMERICA, N.A. and BANC OF AMERICA MERCHANT SERVICES, LLC. (Not-to-Exceed $900,000 Annually - Various Funds) - All Wards

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

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

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

17. For possible action to approve award of Amendment No. 1 to Contract No. 190276-JH, Prime Design Services Contract for Ogden Avenue - Main Street to Las Vegas Boulevard - Department of Public Works - Award recommended to: ATKINS NORTH AMERICA, INC. ($121,528.70 - Road and Flood Capital Projects Fund) - Ward 5 (Crear)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

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

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

18. For possible action to approve award of Amendment No. 2 to Contract No. 160190-DC, Charleston Boulevard - Rancho Drive to Shadow Lane Medical District Pedestrian Upgrades - Department of Public Works - Award recommended to: HDR ENGINEERING, INC. ($337,693 - Road and Flood Capital Projects Fund) - Ward 1 (Knudsen)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

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

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

19. For possible action to approve award of Contract No. 20.77757-JH-B, Design Build Contract for Historic Westside Leaders Park located at Mount Mariah Drive and Martin Luther King Boulevard - Department of Public Works - Award recommended to: CORE CONSTRUCTION SERVICES OF NEVADA, INC. ($3,123,453 - Parks and Leisure Activity Capital Projects Fund) - Ward 5 (Crear)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

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

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

Minutes:
See Item 8 for related discussion.

20. For possible action to approve award of Bid No. 20.1762.02-JH, 2021 Annual Sanitary Sewer Rehabilitation to the lowest responsive and responsible bidder - Department of Operations and Maintenance - Award recommended to: LAS VEGAS PAVING CORPORATION (Not-to-Exceed $3,000,000 Annually - Various Funds) - All Wards

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

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

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

21. For possible action to approve the purchase of Motorola Radios - Fire and Rescue - Award recommended to: MOTOROLA INCORPORATED ($2,705,520.15 - Capital Projects Fire Services Fund)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

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

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

22. For possible action to approve award of Contract No. 210011-SK, Prime Design Services Contract for the City Wide Bus Turnout 30% Design Fort Apache Rd/Rampart Blvd Desert Inn Rd To Gowan Rd Project - Department of Public Works - Award recommended to: CA GROUP, INC. (Not-to-Exceed $161,500 - Road and Flood Capital Projects Fund) - Wards 2 and 4 (Seaman and Anthony)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

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

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

OPERATIONS AND MAINTENANCE - CONSENT

23. For possible action to approve a Las Vegas Valley Water District (LVVWD) Non-Exclusive Easement from the City of Las Vegas to service the Corridor of Hope located at 310 Foremaster Lane, APN 139-27-504-014 - Ward 5 (Crear)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

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

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

PARKS AND RECREATION - CONSENT

24. For possible action to approve the acceptance of $568,027.46 in CARES Act Grant monies from the State of Nevada awarded through the Las Vegas Urban League to provide affordable childcare to all community members - All Wards

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

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

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

25. For possible action to approve the acceptance of $39,379.04 in CARES Act Grant monies from the State of Nevada awarded through the Las Vegas Urban League to provide affordable childcare to all community members at the Mirabelli Community Center, located at 6200 Hargrove Avenue - Ward 1 (Knudsen)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

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

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

PLANNING - BUSINESS LICENSING - CONSENT

26. For possible action to approve an Urban Lounge License for HMB, LLC dba SERVEHZAH at 1301 South Commerce Street - Ward 3 (Diaz)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

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

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

PUBLIC WORKS - CONSENT

27. For possible action to approve a right-of-way dedication 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 162-04-606-002 and -006 - Ward 3 (Diaz)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

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

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

28. For possible action to approve Cooperative (Local Public Agency) Agreement P415-17-063 - Amendment No. 1 between the City of Las Vegas (CLV) and the State of Nevada Department of Transportation (NDOT) to extend the expiration date from June 30, 2022 to June 30, 2023, amend the agreement to a payable/receivable agreement for accounting purposes, and decrease project funding in the amount of $122,684 for construction for the Michael Way Pedestrian Improvements Project located at the intersections of Michael Way and Maxine Place, Seattle Slew Drive, and Smoke Ranch Road - Ward 5 (Crear)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

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

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

29. For possible action to approve a right-of-way dedication from Kilgore Companies, LLC to the City of Las Vegas, located in the vicinity of Moccasin Road and Trails End Avenue, APN 126-01-502-002 - Ward 6 (Fiore)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

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

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

30. For possible action to approve Interlocal Contract 1194 between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to provide funding for engineering for the Cheyenne Avenue Bus Turnouts, Decatur Boulevard to Hualapai Way Project ($250,000 - Road and Flood Capital Project Fund [CPF]) - Wards 1, 4 and 5 (Knudsen, Anthony and Crear)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

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

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

31. For possible action to approve Interlocal Contract 1195 between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to fund the Entity Non-Project Specific Expenses, Fiscal Year 2021 ($200,000 - Road and Flood Capital Project Fund [CPF]) - All Wards

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

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

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

32. For possible action to approve Interlocal Agreement No. 137702-A between the City of Las Vegas (CLV) and the Las Vegas Valley Water District (LVVWD) for the construction of water facilities in the 215 Beltway Trail - Centennial to Grand Montecito - Segment "C" Project to construct drainage facilities associated with the Rome Reservoir and Pumping Station Facility in conjunction with the CLV Project - Ward 6 (Fiore)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

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

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

33. For possible action to approve staff to acquire various real property rights to construct a right turn lane at the northwest corner of Nellis Boulevard and Charleston Boulevard for the Citywide Traffic Engineering Design Services Project, APNs 140-32-802-005 and -006 ($130,000 - Traffic Improvements Capital Project Fund [CPF]) - Ward 3 (Diaz)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

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

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

34. For possible action to approve staff to acquire right-of-way, easements and other property rights for the Harris Avenue - Bruce to Wardelle Project, multiple APNs ($120,000 - Traffic Improvements Capital Project Fund [CPF]) - Ward 3 (Diaz)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

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

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

35. For possible action to approve Interlocal Agreement No. 137314-A between the City of Las Vegas (CLV) and the Las Vegas Valley Water District (LVVWD) for water service at a Strong Start Academy, a community daycare and school building, to be located on Bonanza Road at Wardelle Street ($32,621 - City Facilities Capital Project Fund [CPF] - Bonds) - Ward 3 (Diaz)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 9-11

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

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

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

36. Discussion for possible action regarding authorizing the City Manager to issue a request for proposals, in accordance with standards established by the Las Vegas Fire and Rescue (LVFR), for the delivery of emergency medical services - All Wards

Motion made by Stavros Anthony to Strike Items 9, 36, and 49

Passed For: 5; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:
See Items 5 and 6 for related discussion.

COMMUNITY SERVICES - DISCUSSION

37. Discussion for possible action regarding the Neighborhood Partners Fund (NPF) Board recommendations to allocate $69,266.94 for 16 neighborhood projects (General Fund) - All Wards

Minutes:
Using a PowerPoint presentation, a copy of which was submitted and attached as backup, KATHI THOMAS, Director of Community Services, appreciated the Council's support of the Neighborhood Partners Fund (NPF) Board, which assists with various programs in neighborhoods. Matching grants of up to $5,000 are allowed, and matches can come through donations, volunteer hours, donated supplies and pro bono services. The program has been running for over 22 years, and over $4 million has been invested into neighborhoods, including a $1.3 million investment from the City.

GAIL QUALEY, Chair of the NPF Board, was pleased to sit on the NPF Board, and thanked COUNCILMAN ANTHONY for the opportunity to serve. She introduced and recognized her fellow Board members, ALMA ESTRADA, Community Program Technician, and other staff members for their program assistance, outreach efforts and coordination. During their meetings, the Board reviewed and evaluated projects, and made difficult decisions pertaining to funding recommendations for the Council's approval. MS. QUALEY pointed out the importance of building community through the support of the NPF Board, and she thanked the Council for their continued support and funding. Lastly, she noted that the NPF Board recommended funding for 16 projects and listed the categories in which the projects applied to.

LARRY SCHULTZ, Vice Chair of the NPF Board, stated that he has served on the Board for six consecutive years, and thanked COUNCILWOMAN FIORE for trusting him to continue to serve and represent Ward 6. Due to the COVID-19 pandemic, the Board had to make significant process changes, but City of Las Vegas staff made it as smooth as possible. He thanked MS. ESTRADA and MS. THOMAS for their assistance as well as CITY ATTORNEY BRYAN SCOTT who served as counsel. Lastly, he thanked the neighborhood and community associations who are working to make their neighborhoods better, and he read each project name and the recommended funding amount.

MAYOR GOODMAN thanked the NPF Board and staff for their work and dedication to the city.

COUNCILWOMAN SEAMAN thanked staff and the Board for their time and dedication.

COUNCILMAN KNUDSEN said he has served on the Board, and thought the most important consideration is that the program brings neighborhoods together. He thanked everyone for their time and those who applied for the program.

CITY CLERK LUANN D. HOLMES read an e-comment received, a copy of which was attached as backup, to which MS. THOMAS responded and said the program does not re-open if there are funds leftover. Rather, with the approval of the Council, staff will apply the leftover funds to other community projects associated with the Mayor's Fund for LIFE. She said the application process generally opens in mid-February, and pointed out MS. ESTRADA'S contact information in the PowerPoint presentation for those who are interested in participating during the next funding cycle.

Motion made by Olivia Diaz to Approve

NOTE: Due to technical difficulties, an oral vote was taken for this item.

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

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

OFFICE OF GOVERNMENT AND COMMUNITY AFFAIRS - DISCUSSION

38. Discussion for possible action on the proposed bill draft requests to be submitted to the Legislative Counsel Bureau on behalf of the City of Las Vegas for the 81st Session of the Nevada Legislature (2021 Session) - All Wards

Minutes:
CHIEF OF STAFF TED OLIVAS was present and joined by KELLY CROMPTON, Government Affairs Manager, and ZACH BUCHER, Strategic Analyst, as well as MISTY GRIMMER and MICHAEL SULLIVAN, The Ferraro Group, who were in the audience.

Using a PowerPoint presentation, a copy of which was submitted and attached as backup, MR. OLIVAS briefly stated that the 31st Special Session was held in July to address the budget shortfall of the state of $1.2 billion and displayed the five bills that were passed relating to the budget. At the 32nd Special Session, a variety of topics were covered pertaining to public safety, elections, evictions, peace officers, unemployment, and worker protections, and there were several bills and resolutions passed.

The state will be going into the 2021 Legislative Session, and, of the 362 bill draft requests (BDR), there are three BDRs allotted to the City of Las Vegas which are due by September 1st. In addition, the Nevada League of Cities and Municipalities as well as other local jurisdictions, committees, and agencies that will have competing BDRs. It is unclear what the 2020 General Election results will be, who will serve on the session committees, and who will serve as legislative leadership; however, MR. OLIVAS identified some of the topics staff believed were important to the City. The topic that resonated the most with staff as a potential BDR pertains to collective bargaining/financial ability to pay. He summarized NRS (Nevada Revised Statutes) 354.6241 (3) and stated that this section of the law became effective in 1995. In 2015, the untouchable percentage of 25 percent was added. In 2019, the percentage was reduced to 16.67 percent. Staff has proposed to increase the percentage back to 25 percent.

MAYOR GOODMAN wondered why all of southern Nevada, as a region, push to hold annual meetings of the Legislature as a group. Nevada is one of four states in the country that meets every other year. She asked if MR. OLIVAS and his team could meet with the other jurisdictions to press for annual meetings. He replied yes and stated that staff has spoken with the other jurisdictions but the matter has not resonated regionally. The Mayor encouraged MR. OLIVAS to push forward with this suggestion, who informed her that a constitutional amendment would be required to make the change.

COUNCILMAN KNUDSEN agreed with the Mayor and offered to work with the Nevada League of Cities and Municipalities to recommend her thoughts. He was in support of the BDR presented by MR. OLIVAS.

Motion made by Stavros Anthony to Approve the recommended bill draft request as presented by staff pertaining to Collective Bargaining/Financial Ability to Pay to increase the ending fund balance percentage from 16.67 percent to 25 percent

NOTE: The video does not reflect the vote accurately, in that Councilman Crear requested that his vote be reflected in the affirmative.

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

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

BOARDS AND COMMISSIONS - DISCUSSION

39. Discussion for possible action regarding the reappointment of Margo Erickson to the Ward 2 seat of the Traffic and Parking Commission

Motion made by Victoria Seaman to Approve the reappointment

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

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

40. Discussion for possible action regarding the appointment of nominees David Wadsworth, James Begley, Suzana Rutar and Bobby Tavakoli to the Board of Appeals

Motion made by Stavros Anthony to Approve the appointments

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

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

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

41. Bill No. 2020-22 - For possible action - Amends LVMC 19.08.050 and 19.08.060 to update and consolidate standards pertaining to the P-O (Professional Office) and O (Office) Zoning Districts, and repeals LVMC 19.12.090 as part of that consolidation. Sponsored by: Councilwoman Olivia Diaz

Minutes:
Second reading and Bill adopted as introduced as Ordinance No. 6745.

Motion made by Michele Fiore to Approve

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

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

42. Bill No. 2020-23 - For possible action - Repeals and replaces LVMC 6.50.352, relating to art gallery alcohol beverage permits, to establish a complimentary alcoholic beverage permit category for additional specified types of businesses, including related requirements and limitations. Sponsored by: Councilman Brian Knudsen

Minutes:
Second reading and Bill adopted as introduced as Ordinance No. 6746.

Motion made by Michele Fiore to Approve as a First Amendment

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

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

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.

43. Bill No. 2020-24 - Ordinance creating City of Las Vegas Special Improvement District No. 611 (Sunstone Phase I and II); ordering a street project, storm sewer project, sanitary sewer project, drainage project, and water project, within the City of Las Vegas, Nevada; and providing other matters related thereto. Proposed by: Mike Janssen, Director of Public Works

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

8/31/2020 Recommending Committee
9/2/2020 City Council

44. Bill No. 2020-25 - Ordinance concerning City of Las Vegas Special Improvement District No. 611 (Sunstone Phase I and II); assessing the cost of local improvements against the accessible property benefited by the local improvements; and providing other matters related thereto. Sponsored by: Mike Janssen, Director of Public Works

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

8/31/2020 Recommending Committee
9/2/2020 City Council

45. Bill No. 2020-26 - Ordinance authorizing the issuance and sale by the City of its Special Improvement District No. 611 (Sunstone Phase I and II) Local Improvement Bonds, Series 2020, approving the form of certain documents with respect to such bonds, ratifying action taken by City officers toward the issuance of such bonds; and providing other matters related thereto. Sponsored by: Venetta Appleyard, Director of Finance

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

8/31/2020 Recommending Committee
9/2/2020 City Council

46. Bill No. 2020-27 - Amends various provisions of LVMC Titles 6 and 19 to update licensing and zoning provisions regarding marijuana-related businesses, including the elimination of provisions regarding compliance permits and the changing of terminology and license categories from those associated with “medical marijuana” and “retail marijuana” to those now recognized and used under State law (“medical cannabis” and “adult-use cannabis”). Sponsored by: Councilman Cedric Crear

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

8/31/2020 Recommending Committee
9/16/2020 City Council

47. Bill No. 2020-28 - Amends the Lone Mountain Master Development Plan and Design Standards, and the Lone Mountain West Master Development Plan and Design Standards to provide that the use “Beer/Wine/Cooler On-Sale Establishment” is permitted as a conditional use in the development areas to which the documents pertain. Sponsored by: Councilman Stavros S. Anthony

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

8/31/2020 Recommending Committee
9/16/2020 City Council

48. Bill No. 2020-29 - Amends LVMC 19.16.100 to expand the list of the types of amendments to an approved special use permit that can be processed administratively as a minor amendment. Proposed by: Robert Summerfield, Director of Planning

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

8/31/2020 Recommending Committee
9/16/2020 City Council

49. Bill No. 2020-30 - Amends LVMC Chapter 6.08 to permit the City Council to select a contract ambulance service provider through a competitive or other process. Proposed by: Scott D. Adams, City Manager

Motion made by Stavros Anthony to Strike Items 9, 36, and 49

Passed For: 5; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:
See Item 6 for related discussion.

PLANNING

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

PLANNING - ONE MOTION/ONE VOTE

The following are items that may be considered in one motion/one vote. They are considered to be 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.

50. GPA-78392 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: RAJAT MINI MART AND CIGARETTES - OWNER: NICOLAS P. LISA D. DI PIETRO - For possible action on a request for a General Plan Amendment FROM: L (LOW DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 0.18 acres at 300 South Bruce Street (APN 139-35-413-112), Ward 3 (Diaz) [PRJ-78391]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open for Items 50-59.

There being no one present to speak, the Mayor declared the Public Hearing closed for Items 50-59.

See Items 51 and 52 for related backup.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

51. ZON-78394 - REZONING RELATED TO GPA-78392 - PUBLIC HEARING - APPLICANT: RAJAT MINI MART AND CIGARETTES - OWNER: NICOLAS P. LISA D. DI PIETRO - For possible action on a request for a Rezoning FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-1 (LIMITED COMMERCIAL) on 0.18 acres at 300 South Bruce Street (APN 139-35-413-112), Ward 3 (Diaz) [PRJ-78391]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 50 for related discussion and Items 50-52 for related backup.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

52. VAR-78396 - VARIANCE RELATED TO GPA-78392 AND ZON-78394 - PUBLIC HEARING - APPLICANT: RAJAT MINI MART AND CIGARETTES - OWNER: NICOLAS P. LISA D. DI PIETRO - For possible action on a request for a Variance TO ALLOW A 60-FOOT LOT WIDTH WHERE 100 FEET IS REQUIRED AND A FIVE-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED on 0.18 acres at 300 South Bruce Street (APN 139-35-413-112), P-R (Professional Office and Parking) Zone [PROPOSED: C-1 (Limited Commercial), Ward 3 (Diaz) [PRJ-78391]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 50 for related discussion and Items 50-52 for related backup.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

53. GPA-78801 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: PINNACLE HOMES - OWNER: MNC HOLDINGS, LLC - For possible action on a request for a General Plan Amendment FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) AND RNP (RURAL NEIGHBORHOOD PRESERVATION) TO: L (LOW DENSITY RESIDENTIAL) on 3.81 acres at the southeast corner of Craig Road and Buffalo Drive (APNs 138-03-301-001 and 004), Ward 4 (Anthony) [PRJ-78791]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 50 for related discussion and Items 54 and 55 for related backup.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

54. ZON-78802 - REZONING RELATED TO GPA-78801 - PUBLIC HEARING - APPLICANT: PINNACLE HOMES - OWNER: MNC HOLDINGS, LLC - For possible action on a request for a Rezoning FROM: U (UNDEVELOPED) [DR (DESERT RURAL DENSITY RESIDENTIAL) AND RNP (RURAL NEIGHBORHOOD PRESERVATION) GENERAL PLAN DESIGNATIONS] TO: R-1 (SINGLE FAMILY RESIDENTIAL) on 3.81 acres at the southeast corner of Craig Road and Buffalo Drive (APNs 138-03-301-001 and 004), Ward 4 (Anthony) [PRJ-78791]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 50 for related discussion and Items 53-55 for related backup.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

55. TMP-78803 - TENTATIVE MAP RELATED TO GPA-78801 AND ZON-78802 - AKA ALTAIR - PUBLIC HEARING - APPLICANT: PINNACLE HOMES - OWNER: MNC HOLDINGS, LLC - For possible action on a request for a Tentative Map FOR A 17-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 3.81 acres at the southeast corner of Craig Road and Buffalo Drive (APNs 138-03-301-001 and 004), U (Undeveloped) Zone [DR (Desert Rural Density Residential) and RNP (Rural Neighborhood Preservation) General Plan Designations] [PROPOSED: R-1 (Single Family Residential)], Ward 4 (Anthony) [PRJ-78791]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 50 for related discussion and Items 53-55 for related backup.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

56. SUP-78817 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CHRISTOPHER BREKSA - OWNER: MARKICH HALL BLDG CORP - For possible action on a request for a Special Use Permit FOR A TATTOO PARLOR/BODY PIERCING STUDIO USE at 923 East Ogden Avenue (APN 139-34-612-074), T5-MS (T5 - Main Street) Zone, Ward 5 (Crear) [PRJ-78816]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 50 for related discussion.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

57. SUP-78818 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: PINE HOLLOW WINERY, LLC - OWNER: DONALD S GILDAY IRR FAMILY TRUST ET AL - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,465 SQUARE-FOOT BEER/WINE/COOLER ON- AND OFF-SALE ESTABLISHMENT USE at 7018 West Charleston Boulevard Suite #1 (APN 138-34-402-001), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen) [PRJ-78770]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 50 for related discussion.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

58. VAC-78776 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: CENTENNIAL 215 PLAZA, LLC - For possible action on a request for a Petition to Vacate public right-of-way easements generally located at the northeast corner of Centennial Center Boulevard and U.S. 95, Ward 6 (Fiore) [PRJ-78729]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 50 for related discussion.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

59. VAC-78800 - VACATION - PUBLIC HEARING - APPLICANT: 190 OCTANE FT PARTNERS, LLC - OWNER: UNITED STATES OF AMERICA - For possible action on a request for a Petition to Vacate Bureau of Land Management right-of-way grants generally located east of the Sheep Mountain Parkway alignment, south of Farm Road, north of Tropical Parkway and west of the Puli Road alignment, Ward 6 (Fiore) [PRJ-78768]. The Planning Commission (6-0-1 vote) and Staff recommend APPROVAL.

Minutes:
See Item 50 for related discussion.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

PLANNING - DISCUSSION

60. VAR-78439 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT: CALIDA RESIDENTIAL, LLC - OWNER: DC RAMPART OWNER, LLC - For possible action on a City Council Review of the Approval by the Planning Commission on a request for a Variance TO ALLOW TWO WALL SIGNS WHICH ARE 54 AND 74 SQUARE FEET WHERE 50 SQUARE FEET IS THE MAXIMUM AREA ALLOWED; TO ALLOW THREE WALL SIGNS THAT DO NOT FACE A STREET FRONTAGE WHERE ONE SIGN FACING THE STREET FRONTAGE IS ALLOWED AND TO ALLOW A 12-FOOT TALL, 193 SQUARE-FOOT MONUMENT SIGN WHERE EIGHT FEET AND 60 SQUARE FEET ARE THE MAXIMUM ALLOWED on 15.60 acres at 8791 Alta Drive (APN 138-32-723-003), PD (Planned Development) Zone, Ward 2 (Seaman) [PRJ-78397]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

Motion made by Stavros Anthony to Hold in Abeyance Items 60-62 to 9/2/2020 and Item 71 to 9/16/2020 and to Strike Item 72

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

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

61. MSP-78440 - ABEYANCE ITEM - MASTER SIGN PLAN RELATED TO VAR-78439 - PUBLIC HEARING - APPLICANT: CALIDA RESIDENTIAL, LLC - OWNER: DC RAMPART OWNER, LLC - For possible action on a City Council Review of the Approval by the Planning Commission on a request for a Master Sign Plan FOR AN APPROVED MULTI-FAMILY RESIDENTIAL DEVELOPMENT on 15.60 acres at 8791 Alta Drive (APN 138-32-723-003), PD (Planned Development) Zone, Ward 2 (Seaman) [PRJ-78397]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

Motion made by Stavros Anthony to Hold in Abeyance Items 60-62 to 9/2/2020 and Item 71 to 9/16/2020 and to Strike Item 72

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

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

62. SUP-78301 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DEEP ROOTS MEDICAL, LLC - OWNER: CLK HOLDINGS BRUCE, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 8,391 SQUARE-FOOT MARIJUANA DISPENSARY USE at 5991 West Cheyenne Avenue (APN 138-13-101-005), C-1 (Limited Commercial) Zone, Ward 5 (Crear) [PRJ-78300]. The Planning Commission (4-2-1 vote) and Staff recommend APPROVAL.

Motion made by Stavros Anthony to Hold in Abeyance Items 60-62 to 9/2/2020 and Item 71 to 9/16/2020 and to Strike Item 72

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

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

63. GPA-78796 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: FAITH IND AND FAMILY COUNSELING - OWNER: RDJ SONS LIVING TRUST - For possible action on a request for a General Plan Amendment FROM: L (LOW DENSITY RESIDENTIAL) TO: O (OFFICE) on 0.14 acres at 1016 Monticello Drive (APN 138-35-815-003), Ward 1 (Knudsen) [PRJ-78730]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open for Items 63-66.

ATTORNEY JOSEPH DAGHER appeared on behalf of the applicant who desired a house conversion into a building for counseling services. Utilizing an aerial map of the subject site, MR. DAGHER pointed out a vacant parcel to the south of the subject site and, because Charleston Boulevard has heavy traffic volumes, it is unlikely a house will ever be built on the vacant parcel. Additionally, there is a large commercial shopping center to the east of the subject site. He requested the Council's consideration to approve the applications and indicated that no neighbors attended the neighborhood meetings and there was no opposition received at the Planning Commission meeting.

ROBERT SUMMERFIELD, Director of Planning, reported that staff has found that the proposed land use designation and associated zoning district would allow for uses that would not be compatible with the surrounding land uses, specifically the residential district that surrounds this property. Staff has also found that the subject site is not suitable for the proposal as evidenced by the Variance that is requesting to provide zero parking spaces, Waivers of the landscape buffers, and exceptions for landscape materials. For these reasons, staff recommended denial of all applications.

COUNCILMAN CREAR welcomed MR. DAGHER whom he knew as a student at the University of Nevada, Las Vegas (UNLV), and a recent graduate of the William S. Boyd School of Law.

COUNCILMAN KNUDSEN thanked MR. DAGHER for the presentation. He was familiar with the property and believed this was a good use.

See Items 64-66 for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 63-66.

Motion made by Brian Knudsen to Approve

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

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

64. ZON-78797 - REZONING RELATED TO GPA-78796 - PUBLIC HEARING - APPLICANT: FAITH IND AND FAMILY COUNSELING - OWNER: RDJ SONS LIVING TRUST - For possible action on a request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-O (PROFESSIONAL OFFICE) on 0.14 acres at 1016 Monticello Drive (APN 138-35-815-003), Ward 1 (Knudsen) [PRJ-78730]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

Minutes:
See Item 63 for related discussion and Items 63-66 for related backup.

Motion made by Brian Knudsen to Approve

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

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

65. VAR-78798 - VARIANCE RELATED TO GPA-78796 AND ZON-78797 - PUBLIC HEARING - APPLICANT: FAITH IND AND FAMILY COUNSELING - OWNER: RDJ SONS LIVING TRUST - For possible action on a request for a Variance TO ALLOW ZERO PARKING SPACES WHERE NINE ARE REQUIRED on 0.14 acres at 1016 Monticello Drive (APN 138-35-815-003), R-1 (Single Family Residential) Zone [PROPOSED: P-O (Professional Office)], Ward 1 (Knudsen) [PRJ-78730]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

Minutes:
See Item 63 for related discussion and Items 63-66 for related backup.

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

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

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

66. SDR-78799 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-78796, ZON-78797 AND VAR-78798 - PUBLIC HEARING - APPLICANT: FAITH IND AND FAMILY COUNSELING - OWNER: RDJ SONS LIVING TRUST - For possible action on a request for a Site Development Plan Review FOR THE CONVERSION OF AN EXISTING SINGLE FAMILY DWELLING INTO AN OFFICE BUILDING WITH WAIVERS OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS on 0.14 acres at 1016 Monticello Drive (APN 138-35-815-003), R-1 (Single Family Residential) [PROPOSED: P-O (Professional Office) Zone], Ward 1 (Knudsen) [PRJ-78730]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

Minutes:
See Item 63 for related discussion and Items 63-66 for related backup.

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

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

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

67. ZON-78819 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: 1200 S LAS VEGAS BLVD, LLC - For possible action on a request for a Rezoning FROM: R-3 (MEDIUM DENSITY RESIDENTIAL) and R-4 (HIGH DENSITY RESIDENTIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.89 acres at 1217, 1215, 1207, 1201, and 1155 South 4th Street (APNs Multiple), Ward 3 (Diaz) [PRJ-78790]. The Planning Commission (6-0-1 vote) and Staff recommend APPROVAL.

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 67 and 68.

TODD McBRAYER, Breslin Builders, appeared representing the applicant stating that the applicant has worked with staff as well as COUNCILWOMAN DIAZ to decrease the number of units and increase the number of parking spaces. MR. McBRAYER indicated that the proposed project is a mixed-use residential development located in The Gateway District. He pointed out on the overhead some of the surrounding areas where the developer, ILAN GORODEZKI whose representative, PHYLLIS COLEMAN, was present on his behalf, has already made a significant impact.

MR. McBREYER shared a rendering of the proposed project and said it will be five-stories high over one level of parking podium. The proposed project will help with some of the deficits of residencies in the downtown area and will include units that are a variety of sizes such as micro-units, studios, one, and two bedrooms. Additionally, there will be a variety of amenities such as a pool, an exercise room, business centers, and other facilities to encourage livability. As stated, the parking spaces have been adjusted to increase capacity.

One of the Waivers requested is with regard to the parapet walls. MR. McBRAYER shared several renderings of the proposed project and stated the shape of the lot and building will help break up the parapet walls through different heights and materials. The other Waiver is to place all utilities under the ground. Lastly, he indicated the applicant has read and was agreeable to all of staff's conditions.

ROBERT SUMMERFIELD, Director of Planning, reported that the proposed C-2 (General Commercial) zoning district conforms with the underlying C (Commercial) land use designation as well as the use allowed on the site. The C-2 zoning district would be compatible with surrounding land uses and the zoning district; therefore, staff recommended approval of the Rezoning. However, staff is unable to support the Site Development Plan Review as the site is being overbuilt as evidenced by 42 percent deficiency in what would normally be the required parking. Specifically, the applicant is proposing 168 parking spaces, and he acknowledged that the applicant did work with staff to reduce the number of units which reduced the parking demand and increased the number of parking spaces; however, the parking spaces at 168 is still below the requirement and is also below what the lowest mixed-use parking alternative demand model would suggest which would be approximately 208 parking spaces for a development of this nature. For this reason, staff recommended denial of the Site Development Plan Review. MR. SUMMERFIELD confirmed for the Mayor that the applicant has worked through a number of the issues and has requested Waivers regarding the articulation of the roofline and the utilities.

COUNCILWOMAN DIAZ mentioned there is a major project being completed on Las Vegas Boulevard and wondered if that offered an opportunity to upgrade and incentivize some of the utility companies to upgrade their utility infrastructures. MR. SUMMERFIELD said the current code requires utilities to be underground or shielded on site. The utility companies do not want the utilities underground, and it is difficult to have them agree to a plan on how they can service these facilities when they are on-site and within a structure within the development itself. Some developers have figured It out, but it is an involved process and the utility companies have very strict expectations that do not always align with the City of Las Vegas' design principals.

The Councilwoman said she encouraged MR. GORODEZKI to ensure that there is more parking. She thought this is an area of her Ward that would benefit from the proposed project and was aware that she has the applicant's word that if parking runs limited, he has a parking lot across the street and will partner with the City to accommodate the need.

See Item 68 for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 67 and 68.

Motion made by Olivia Diaz to Approve

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

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

68. SDR-78820 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-78819 - PUBLIC HEARING - APPLICANT/OWNER: 1200 S LAS VEGAS BLVD, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED SIX-STORY, 70-FOOT TALL MIXED USE DEVELOPMENT, INCLUDING 270 RESIDENTIAL UNITS AND 4,000 SQUARE FEET OF COMMERCIAL SPACE WITH WAIVERS OF APPENDIX F INTERIM DOWNTOWN LAS VEGAS AREA 1 DEVELOPMENT STANDARDS on 1.70 acres located adjacent to the west side of Las Vegas Boulevard, approximately 640 feet south of Charleston Boulevard (APNs Multiple), R-3 (Medium Density Residential), R-4 (High Density Residential) and C-2 (General Commercial) Zones [PROPOSED: C-2 (General Commercial)], Ward 3 (Diaz) [PRJ-78790]. The Planning Commission (5-1-1 vote) and Staff recommend DENIAL.

Minutes:
See Item 67 for related discussion and Items 67 and 68 for related backup.

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

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

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

69. VAR-78588 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: STERLING COLLISION CENTERS, LLC - For possible action on a request for a Variance TO ALLOW A 10-FOOT TALL FENCE WHERE EIGHT FEET IS ALLOWED on 2.06 acres at 3343 North Rancho Drive (APN 138-12-801-007), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-78585]. The Planning Commission (6-1 vote) and Staff recommend DENIAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY JENNIFER LAZOVICH appeared on behalf of the applicant and pointed out the location of the Service King, subject to this application, on an overhead map. She shared an image of the wrought iron fence which extends around the property stating that Amarock installed a security fence atop the wrought iron fence several years ago. The proper permits were not obtained and due to a Code Enforcement complaint, the security fencing, which was installed due to break-ins and security issues, was before the Council. The Variance is needed to accommodate the height of the entire fence. MS. LAZOVICH informed MAYOR GOODMAN that the wire on the security fence is electrically charged and sits on the interior of the lot. There are stickers along the security fence that serve as a warning as the wire is live.

ROBERT SUMMERFIELD, Director of Planning, reported that the application, as indicated by MS. LAZOVICH, was the result of a Code Enforcement action. No evidence of a unique or extraordinary circumstance has been presented in that the applicant has created a self-imposed hardship by installing a fence that is taller than what Title 19 allows. Reduction in the height of the fence would allow conformance to Title 19 requirements; therefore, staff recommended denial of the Variance.

He mentioned that during the Planning Commission meeting where this matter was heard, the manufacturer of the security fenced confirmed if an individual touches the security fence, it will trigger an alarm as well as deliver a shock. He informed the Mayor that the structure is still a fence and must adhere to the zoning standard which limits the height to eight feet total. The most recent version of Title 19 was adopted in its entirety in 2011 but has also had recent updates since 2011. Given an increase in crime nationally and locally, MAYOR GOODMAN wondered if the Council should consider an increase to the allowable height. MR. SUMMERFIELD was unsure about advocating to increase fence heights; however, this application was a unique circumstance as it is a technological addition. Staff will be doing an examination of best practices regarding these types of fences.

COUNCILMAN CREAR said there have been a lot of discussions on the merit of the fence itself; however, the item is to discuss the height of the fence. In addressing this issue, the Councilman has driven by the location and believed it did not seem to be causing any issues.

See Item 70 for related discussion.

MAYOR GOODMAN declared the Public Hearing closed.

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

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

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

70. VAR-78590 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: DIAMOND CREEK HOLDINGS, LLC, ET AL - For possible action on a request for a Variance TO ALLOW A 10-FOOT TALL FENCE WHERE EIGHT FEET IS ALLOWED on 1.94 acres at 6905 West Charleston Boulevard (APN 163-03-512-003), C-2 (General Commercial) Zone, Ward 1 (Knudsen) [PRJ-78586]. The Planning Commission (6-1 vote) and Staff recommend DENIAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY JENNIFER LAZOVICH appeared on behalf of the applicant and indicated that the Service King associated with this application is located on the south side of Charleston Boulevard, west of Rainbow Boulevard. The Service King is hidden quite substantially by the existing office buildings near Charleston Boulevard. She shared an image of the property and demonstrated where the four-foot security fence is installed along a six-foot block wall. The security fence operates in the same way as the one referenced under Item 69, and MS. LAZOVICH did not believe the security fence is visually obtrusive to the surrounding office buildings. She requested the Council's approval.

MAYOR GOODMAN wondered how many more fences similar to these are within the city limits. ROBERT SUMMERFIELD, Director of Planning, was unsure how many of these fences may be in the city limits; however, the issue at hand is not the security fence but is the increase to the height of the previously approved wall beyond the current allowable standard.

MAYOR GOODMAN wondered if precedence was being set. MR. SUMMERFIELD asserted that nothing the Council does on land use is precedence setting as it considers each site individually and establishes a finding based upon the merits of the particular location and application before the Council; however, staff will take into consideration a potential future amendment as mentioned.

He reported that the application was the result of a Code Enforcement action similar to Item 69, and there is no evidence of a unique or extraordinary circumstance; therefore, this is a self-imposed hardship. Staff recommended denial. He informed the Mayor that there was no fine issued as the Fire Department turned the matter over to Code Enforcement. Code Enforcement advised the applicant who began the application process.

MAYOR GOODMAN believed the matter must be looked into as if permissible in the code, others may want to become aware of what is allowable. CITY ATTORNEY BRYAN SCOTT agreed with this assessment and confirmed his staff will talk to the Department of Planning about the matter.

See Item 69 for related discussion.

MAYOR GOODMAN declared the Public Hearing closed.

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

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

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

71. VAR-78681 - VARIANCE - PUBLIC HEARING - APPLICANT: CALIDA RESIDENTIAL, LLC - OWNER: CENTENNIAL OWNER SOUTH, LLC - For possible action on a request for a Variance TO ALLOW A 50-FOOT TALL FREESTANDING SIGN WHERE 12 FEET IS THE MAXIMUM ALLOWED AND TO ALLOW A 294 SQUARE-FOOT SIGN AREA WHERE 48 SQUARE FEET IS THE MAXIMUM AREA ALLOWED on 16.04 acres at 5850 Sky Pointe Drive (APN 125-27-302-012), R-PD18 (Residential Planned Development - 18 Units per Acre) Zone, Ward 6 (Fiore) [PRJ-78567]. The Planning Commission (7-0 vote) and Staff recommend DENIAL.

Motion made by Stavros Anthony to Hold in Abeyance Items 60-62 to 9/2/2020 and Item 71 to 9/16/2020 and to Strike Item 72

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

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

REPORTS AND PRESENTATIONS

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

Motion made by Stavros Anthony to Hold in Abeyance Items 60-62 to 9/2/2020 and Item 71 to 9/16/2020 and to Strike Item 72

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

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

73. Presentation by Robert Summerfield, Director of Planning, and discussion for possible action regarding the status of the Compliance Ambassador Program - All Wards

Minutes:
Using a PowerPoint presentation, a copy of which was submitted and attached as backup, ROBERT SUMMERFIELD, Director of Planning, stated that the bulk of the Compliance Ambassador Program was carried out by most of his team but was also utilized by the Department of Parks and Recreation. The program was initiated as a short-term, proactive approach to provide a resource to the business community and to provide empirical data regarding local compliance with state mandates after Clark County was designated as a Red Zone by the White House. There were no additional program requirements and team members from other departments were utilized. MR. SUMMERFIELD thanked the other directors within these departments who allowed their staff to participate in the program.

The Business Licensing Compliance Section of the Compliance Ambassador Program had four main activities which MR. SUMMERFIELD described as observation, documentation, education, and officer notification, and he provided a brief overview of each.

MAYOR GOODMAN asked what the general consequences were if there was a failure to comply in a Red Zone. MR. SUMMERFIELD said failure to take mitigation steps to address the COVID-19 virus could result in additional mandates and closures. The Mayor pointed out that the determination is made by the Chief Executive Officer, who she defined as the Governor, of the state. CITY ATTORNEY BRYAN SCOTT noted that the Governor Directive and Declarations gives a municipality the authority to utilize it's licensing code penalties against a business that is not in compliance.

MR. SUMMERFIELD continued his presentation by sharing the metrics of the program and stating that thousands of businesses were visited and in those visits, a vast majority were compliant; very few were non-compliant which were resolved with no fines or fees. Only four businesses received a civil penalty.

He displayed a map of the places the Compliance Ambassadors visited which were based upon the Southern Nevada Health District's determination of the zip codes with the highest number of cases. MR. SUMMERFIELD pointed out that the highest number of visits by the Compliance Ambassadors were in the commercial corridors located in the red and orange zones on the map, many of which had a higher number of non-compliant businesses; however, through education and courtesy notices, compliance has been achieved since the initial point of violation. He confirmed for the Mayor that those at the state level working on this program have received the City of Las Vegas data. CITY MANAGER SCOTT ADAMS added that when Clark County was designated as a Red Zone, the State required a regional response to that designation as to how the region would be brought into compliance. The City Manager asserted that he communicated directly to the Governor the City's plan in a letter. The Compliance Ambassador Program was detailed in the letter, and he noted the term Compliance Ambassadors was used as it is business-friendly. Employees were assigned from various departments, and the program was meant to be temporary.

The Mayor asked MR. ADAMS if he received confirmation from the Governor that his letter was received to which MR. ADAMS replied in the affirmative stating that the letter was received by a representative who acknowledged that the City of Las Vegas should be working through the regional effort. He indicated his letter outlined two things that the City would do to step up enforcement – one was the creation of the Compliance Ambassador Program and the second was to increase testing in targeted areas. He added that while the City has been operating the Compliance Ambassador Program, the Nevada Department of Business and Industry has been inspecting and fining non-compliant businesses.

MAYOR GOODMAN believed COVID-19 is not going away, and various departments have lost employees due to this program. MR. ADAMS said each of the City's 20 departments were evaluated to decipher which employees could temporarily participate in this program. The intent at this time is to scale back the program and use a more targeted approach. As MR. SUMMERFIELD stated, most of the non-compliance findings were in areas with higher infection rates. MAYOR GOODMAN confirmed with MR. ADAMS that this is in preparation to give staff the tools to look towards the future and be ready for another spike in positive cases.

MR. SUMMERFIELD also noted that through this empirical process, the City of Las Vegas is able to show that the compliance rate is in the 90+ percent range. The program is nearly complete, and some Compliance Ambassadors have already been released back to their normal duties. The goal is to keep 12 Compliance Ambassadors with the Department of Planning; however, it is likely that only eight to 10 Compliance Ambassadors will remain due to other programs that require attention. He reiterated that staff is targeting designated zip codes where cases are spiking. Lastly, MR. SUMMERFIELD thanked the Compliance Ambassadors for being out in the field to collect this data and building community to make life better.

MAYOR GOODMAN asked if the City assisted businesses with signage that informed patrons of the mask mandate, and MR. SUMMERFIELD confirmed that the Department of Communications printed signs that were established by Nevada Health Response and sent them out with the Compliance Ambassadors. He also noted that before the Compliance Ambassadors program began, Business Compliance Officers educated as many businesses possible and provided them with signs and other helpful information relating to COVID-19 mitigation efforts. The City's goal is to have businesses operating in compliance and remains dedicated to educating everyone during enforcement.

MAYOR GOODMAN expressed concern with the City of Las Vegas' data being combined with the rest of Southern Nevada, and ultimately suffering the consequences of another municipality's actions. She thanked the Compliance Ambassadors who spent time away from their regular duties to participate in this program.

COUNCILWOMAN FIORE wished to end the program, and said the Governor mandates everyone. She spoke of a lack of communication and said she receives phone calls every day regarding the Compliance Ambassadors. The City of Las Vegas is the only municipality to have Compliance Ambassadors, she felt the City has sent out 65 snitches to harass businesses. She said this was all done without letting the Council know and expressed her disagreement with allowing this program to continue.

COUNCILWOMAN SEAMAN asked how many Business Compliance Officers are in Code Enforcement, to which MR. SUMMERFIELD replied with eight. COUNCILWOMAN SEAMAN said the City should trust Code Enforcement, and she agreed with COUNCILWOMAN FIORE to end the program and allow Code Enforcement to handle complaints. She confirmed with MR. SUMMERFIELD that OSHA (Occupational Safety and Health Administration) is performing their own efforts in addition to what the City is doing.

COUNCILWOMAN DIAZ disagreed with COUNCILMEMBERS FIORE and SEAMAN about the value that this program brings to the city. The sooner the curve is flattened, the sooner businesses can reopen. She said the City holds the responsibility to ensure tourists and citizens that the city is safe and should be following federal guidelines in addition to state guidelines. She reminded the Council that the Federal Government visited Nevada due to the number of positive COVID-19 cases, provided a report, and tasked regional leaders with finding solutions. She applauded the City Manager for identifying two solutions that would reduce the number of positive cases, and sending them to the Governor before he was asked to do so. As a result, the Governor prompted a regional plan for every municipality to take part in. She would rather have the Ambassador program visiting businesses instead of OSHA, who will issue large fines. The Councilwoman said she will stand by this program because it shows that the City of Las Vegas takes this seriously.

COUNCILMAN CREAR agreed with COUNCILWOMAN DIAZ, and applauded the City Manager for being proactive. He fully supported the program and said if businesses are not enforcing mitigation rules and efforts, they should be told.

COUNCILMAN KNUDSEN expressed gratitude towards MR. SUMMERFIELD and MR. ADAMS. He said every Councilmember wants businesses to reopen, and they have an obligation to keep people safe and healthy. Additionally, they need to show that these efforts are being made because if people do not visit Las Vegas, Las Vegas will not exist. Currently, it is questionable if it is safe to visit Las Vegas, and he fully supported efforts made by the City Manager and MR. SUMMERFIELD'S team. He concluded with stating that inaction is not appropriate, and pointing out things that do not work is not useful.

COUNCILMAN ANTHONY understood the original idea of this program; however, he felt employees assigned to this program have particular expertise that is different than that of the Compliance Ambassador Program and should return to their normal positions. Further, he pointed out the City of Las Vegas is the only municipality doing such a program. He believed in the spirit of the program but thought it has lost its usefulness.

ROBERT KINGSTON, a member of the tavern industry, appreciated the dialogue and explained that the current situation is difficult for these types of business owners. He spoke of the efforts taken to keep patrons safe in the tavern industry and shared how navigating the Governor Directives and Declarations is a struggle.

MAYOR GOODMAN asserted that the City has done everything it can to ensure it is conveying information; however, she felt that when the Governor shut everything down, there was no plan in place to address the fallout. She expressed that the Governor is elected by the majority of the people, and the City has no control over whether bars may or may not open but must remain as strict in compliance as possible. The Mayor believed the Compliance Ambassador Program was a great concept in the beginning; however, more ideas are needed. There must be more concentration on the red zones, and she expressed concerns regarding those who have remained unemployed, how children have become affected, and she shared worries about the future.

COUNCILWOMAN FIORE motioned to cease the Compliance Ambassador Program to which COUNCILWOMAN DIAZ asked what the term cease meant and if the program can continue in specific Wards. Discussion ensued among the Council and CITY ATTORNEY BRYAN SCOTT who explained that should the motion be approved, the Compliance Ambassador Program would no longer be in place; however, Business Compliance Officers would still exist. The Compliance Ambassador Program can begin again in a different direction. MR. SUMMERFIELD asked that the program be ceased at the conclusion of the workweek. COUNCILWOMAN FIORE was agreeable to this and modified her motion. MR. SUMMERFIELD asserted that only the Business Compliance Officers will exist and at the moment, the rate of complaints does not allow them to do any proactive activity in any Ward whether it is a red zone or not. More proactive activity will be able to be done once their caseload is down. He was aware of the Mayor's desire to know about future programs; however, the present vote would cease the Compliance Ambassador Program including the additional staff that would be retained and current staff will only focus on complaint-based followup.

COUNCILMAN KNUDSEN pointed out that COVID-19 cases are still spiking in Las Vegas and reiterated that it is a Red Zone as designated by the White House.

MAYOR GOODMAN explained how she would be voting on the motion as she wished to see the new City Manager involved in any future process.

After the motion failed, MR. SCOTT said the status quo will maintain at the moment. The Mayor reiterated her request for more ideas.

COUNCILWOMAN FIORE wished to ensure the Compliance Ambassador program is scaled down to eight to which MR. ADAMS stated that he could not commit to this. MAYOR GOODMAN clarified that the motion failed so the program will stay in place. MR. ADAMS said his team will take the recommendations of the Council to heart and restated that the Compliance Ambassador Program's intent was to be business-friendly. He reminded that as a city, under state law, the City of Las Vegas only has jurisdiction over certain things and the two identified by his team were to enforce through the Business Licensing Division and, through CARES (Coronavirus Aid, Relief, and Economic Security) Act funding, stand up additional testing. Both MR. ADAMS and MAYOR GOODMAN agreed that COVID-19 is a moving target. MR. ADAMS stated that the Mitigation Task Force in Directive 30 would meet to consider the directive and as to whether to continue as originally intended or to create or place further restrictions; therefore, MR. ADAMS' team would not know until this meeting as to what the outcome of this directive is. The City's Business Licensing Divison team must then be on board with this definition and ready to go out in the field immediately following.

MAYOR GOODMAN wished for staff to be sensitive to the comments of the Councilmembers of Wards 2, 4, and 6 as Compliance Ambassadors are sent out.

COUNCILWOMAN SEAMAN asked for clarity regarding the number of Compliance Ambassadors to remain and suggested that the remaining Compliance Ambassadors be knowledgeable of what the directives are. MR. SUMMERFIELD said as of now the intent of the program is to scale the Compliance Ambassador down to 12 but it could be as low as eight. MAYOR GOODMAN encouraged these Compliance Ambassadors to concentrate on the red zones on the map to which MR. SUMMERFIELD affirmed. He was fine receiving suggestions and would forward where appropriate.

Motion made by Michele Fiore to cease the Compliance Ambassador Program effective 8/22/2020

Passed For: 3; Against: 4; Abstain: 0; Did Not Vote: 0; Excused: 0

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

SET DATE

74. 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 CITY CLERK LUANN D. HOLMES to set the dates for applicable items.

CITIZENS PARTICIPATION

75. 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:
DANIEL BRAISTED shared information regarding the Inventors Convention and submitted a handout for the record.

MACK MILLER, Republican nominee for Assembly District 5, spoke about complaints received from Ward 2 businesses that were visited by city officials as well as OSHA (Occupational Safety and Health Administration) and issued fines. Although he was in support of ceasing the Compliance Ambassador Program (Item 73), he was also in support of anything to keep the region in compliance.

HEIDI GUSTAFSON, Foundation for Recovery, appeared representing the Southern Nevada Health District and spoke about International Opioid Awareness Day which is a global event held on August 31st of each year. She commented that a proclamation would be received from the Mayor and shared the website nvoverdoseday.com which would live-stream a virtual event. She distributed lapel pins to the Council.

PATRICIA REID shared comments made by COUNCILWOMAN FIORE on a local radio station regarding the NAACP (National Association for the Advancement of Colored People), and indicated that the Councilwoman has called Ward 6 constituents to ask them to remove their names from the Expel Michele petition.

JOHN JOHNSON, Executive Director of Empowerment through Education and Training, spoke about the lack of housing for the ex-offender population and asked for the Council's assistance in focussing on this population. MAYOR GOODMAN was aware that MR. JOHNSON has spoken to COUNCILMAN KNUDSEN and encouraged him to continue the dialogue.

VERA MOORE, Director of True Beginnings, believed humanity is important and commented on the effects of the COVID-19 pandemic on those who are marginalized. She indicated that 500 individuals are released from prison each month and make up 11 percent of the homeless population. MS. MOORE also asked for the Council's assistance in housing these individuals. MAYOR GOODMAN advised MS. MOORE to also reach out to COUNCILMAN KNUDSEN who has a fabulous relationship with the surrounding jurisdictions.

COUNCIL MEMBER RECOGNITION

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

Minutes:
COUNCILMEMBERS SEAMAN, CREAR, DIAZ, and KNUDSEN announced the various events taking place in their wards on various dates throughout the month of August. Some of the Councilmembers submitted flyers, which are attached as backup, regarding their events and points of interest. The Mayor expressed her gratitude to the staff working the meeting.

The meeting was adjourned at 1:10 p.m.

Respectfully submitted:

____
Ashley Foster, Deputy City Clerk

____
LuAnn D. Holmes, MMC, City Clerk

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THIS MEETING WAS PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS
IN ACCORDANCE WITH THE STATE OF NEVADA EXECUTIVE DEPARTMENT
DECLARATION OF EMERGENCY DIRECTIVE 006
The City of Las Vegas website – www.lasvegasnevada.gov
and
The Nevada Public Notice Website – notice.nv.gov