



## Recommending Committee Minutes

1. Call to Order

Minutes:

COUNCILMAN ANTHONY called the meeting to order at 10:01 a.m.

PRESENT: COUNCILMEMBERS ANTHONY, FIORE and KNUDSEN

ALSO PRESENT: CHIEF OPERATIONS AND DEVELOPMENT OFFICER TOM PERRIGO, DEPUTY DIRECTOR OF PLANNING PETER LOWENSTEIN, DEPUTY CITY ATTORNEY JEFF DOROCAK, CITY CLERK LUANN D. HOLMES and DEPUTY CITY CLERK CHEYENNE LARANCE

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](http://www.lasvegasnevada.gov) and The Nevada Public Notice Website – [notice.nv.gov](http://notice.nv.gov).

3. Bill No. 2020-39 - ABEYANCE ITEM - For possible action - Amends LVMC Chapter 6.50 to establish a new alcohol delivery support service alcoholic beverage license category, together with associated requirements and limitations, and expand the categories under which a business can exercise an ancillary alcoholic beverage license. Sponsored by: Councilman Stavros S. Anthony

Minutes:

COUNCILMAN ANTHONY declared the Public Hearing open.

DEPUTY CITY ATTORNEY JEFF DOROCAK explained the first feature of this bill is to authorize the delivery of alcoholic beverages in their original sealed containers by a third party when purchased by a consumer from an establishment that offers off-premise alcohol sales. For that delivery to happen, the third party would need to obtain the new ancillary alcoholic beverage license. The second feature defines where these third parties can go to pick up alcohol, which is businesses that are licensed to sell alcoholic beverages for off-premise consumption. MR. DOROCAK noted that the businesses selling the alcohol also need to obtain an ancillary license. This license will then allow the business to deliver the alcohol or contract with a third party company for the delivery. Speaking to the proposed First Amendments, MR. DOROCAK advised that Versions 3 and 4 and their respective changes can be found on pages two and six of the bill. Version 3 includes an amendment which prohibits delivery by the third-party companies and by any businesses that perform their own delivery to properties that have non-restricted gaming with the exception of grocery stores. Version 4 includes an amendment that would limit delivery to residential properties only.

ATTORNEY BOB GRONAUER appeared representing Albertson's, who can currently deliver food and groceries to offices. He said if Version 4 of the ordinance were to be passed, the third-party companies would not be able to deliver to offices. They do not have any opposition to prohibiting delivery to casinos, and therefore requested that Version 4 be stricken.

VIRGINIA VALENTINE, Nevada Resort Association, appreciated the Committee's consideration to prohibit delivery to non-restricted locations. She expressed that beyond the prohibition of third-party licensees, there is still a gap where grocery stores can deliver to non-restricted locations. They would like to see this type of activity restricted, but understood that the City could not take action on this today. MS. VALENTINE therefore requested to see a follow-up ordinance to close that gap and not allow any grocery store or third-party company to deliver to non-restricted gaming locations.

RYAN SAXE appeared on behalf of Instacart, Amazon and Shipt, who are third-party grocery delivery companies that currently deliver for most of the licensed grocery stores in the city of Las Vegas. He expressed that their customers would like the ability to have alcohol delivered with their groceries. They therefore support both the original version of the bill and the First Amendment. MR. SAXE felt that restricting delivery to residentially zoned areas would not be practical because there is a lot of property in the city that is residential but appears to be commercial and vice versa. If the residential restriction verbiage is included in the bill, he asked that the record reflect that a business would comply with this requirement if its customers agreed that delivery is being requested to a residential area as opposed to requiring the delivery company to independently verify the zoning.

COUNCILWOMAN FIORE said she orders groceries and wine from Whole Foods, and asked what would change if this bill were to pass. MR. SAXE said grocery stores can currently deliver alcohol if they have an ancillary license. This bill would allow the grocery store to contract with a third-party service such as Instacart to carry out their deliveries once they apply for a privileged license as if they were a liquor retailer themselves. From a consumer's perspective, the process would not really change. COUNCILWOMAN FIORE said merchants such as Amazon and Albertson's can usually delivery groceries within a two to four hour period, and asked if this bill would affect that process. MR. SAXE said he does not represent the grocery stores in this matter, but his understanding is that the grocery stores themselves are looking to cut costs to make delivery less expensive and more available by using third-party companies. Additionally, customers who are already using these third parties are looking for alcohol delivery. MR. DOROCK said there are three grocery stores who currently have this license and should be delivering the alcohol themselves. If this bill passes, grocery stores can contract with a third party to deliver. COUNCILWOMAN FIORE used Total Wine & More as an example, and said they can deliver today themselves, and this bill would then allow Total Wine & More to contract with a third party. MR. DOROCK confirmed, and said this bill would allow them to contract with a third party to deliver, but it also requires them to obtain a special ancillary license. COUNCILWOMAN FIORE then used 7-11 as an example, and asked if they can deliver their packaged liquor by itself or if food delivery is required as well. MR. DOROCK said under this ordinance, they do not have to deliver food. Assuming 7-11 has a license for off-sale liquor, they will then obtain an ancillary license, which allows them to deliver or contract a third party to deliver. COUNCILWOMAN FIORE then inquired if packaged liquor that would normally cost \$5 would now cost \$15, and MR. DOROCK could not say for certain, but assumed there would be additional costs associated with this service.

COUNCILMAN ANTHONY said there seems to be a consensus that the original ordinance with Version 3 will work the best, and a new ordinance surrounding grocery store delivery will be taken up at a later date.

COUNCILMAN KNUDSEN expressed his support for the ordinance with Version 3, and offered to work with staff on an ordinance for grocery stores and smaller businesses.

COUNCILWOMAN FIORE said many big staple liquor companies are still not comfortable with this bill, and she cannot offer her support at this time.

Subsequent to the motion and vote, COUNCILMAN ANTHONY announced this Bill will be eligible for adoption at the January 20, 2021 City Council meeting. MR. DOROCK said because neither of the proposed amendments were adopted, they will be made available to the City Council.

COUNCILWOMAN FIORE asked if the new ancillary license would require alcohol go through a distributor to be delivered if the actual manufacturer of the alcohol obtains that license and can deliver their own beverages. MR. DOROCK said that applies more to State liquor control, and this ordinance would not involve any of that.

COUNCILMAN ANTHONY declared the Public Hearing closed.

Motion made by Brian Knudsen to Forward to the Full Council of 1/20/2021 with No Recommendation

Passed For: 2; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Michele Fiore, Brian Knudsen; Against-Stavros Anthony;

4. Bill No. 2021-1 - For possible action - Amends the 2018 International Building Code, as adopted by the City, to amend Section 403.4.7 regarding smoke removal systems to provide for locally-appropriate adjustments and exceptions. Sponsored by: Councilwoman Michele Fiore

Minutes:

COUNCILMAN ANTHONY declared the Public Hearing open.

DEPUTY CITY ATTORNEY JEFF DOROCAK explained this bill will add a section in the International Building Code that provides specific adjustments and exceptions for Las Vegas concerning smoke removal and ventilation systems in high rise construction.

Subsequent to the vote, COUNCILMAN ANTHONY announced that the Bill would be eligible for adoption at the February 3, 2021 City Council Meeting.

COUNCILMAN ANTHONY declared the Public Hearing closed.

Motion made by Brian Knudsen to Approve as Do Pass

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

For-Michele Fiore, Stavros Anthony, Brian Knudsen;

5. Bill No. 2021-2 - For possible action - Amends the 2018 International Existing Building Code, as adopted by the City, to exempt from particular Code requirements certain types of alterations to existing buildings or structures within a redevelopment area, and to conform provisions regarding the installation of new plumbing fixtures to recently-adopted State law. Sponsored by: Councilwoman Michele Fiore

Minutes:

COUNCILMAN ANTHONY declared the Public Hearing open.

DEPUTY CITY ATTORNEY JEFF DOROCAK explained this bill permits alterations to an existing building or structure undergoing a change of occupancy or use within a redevelopment area established by City ordinance without the requirement that the existing building elements or systems comply with energy requirements of the International Energy Conservation Code. Only new building elements and systems must conform to the energy requirements of the International Energy Conservation Code. In addition, this bill requires that new plumbing fixtures comply with the WaterSense program with the exception of any existing residential, commercial or industrial structure that was constructed 50 years or more before the current year, regardless of whether that structure has been expanded or renovated since its original construction.

JORDAN KRAHENBUHL, Executive Director of the Plumbing, Heating, Cooling Contractors of Nevada, said he was also speaking to Item 8. He certifies products through WaterSense requirements, and felt these bills are good for Southern Nevada. He thanked KEVIN McOSKER, Building and Safety Director, and his staff for working with the industry professionals. COUNCILWOMAN FIORE confirmed with MR. KRAHENBUHL that he was in support of the items.

Subsequent to the vote, COUNCILMAN ANTHONY announced that the Bill would be eligible for adoption at the February 3, 2021 City Council Meeting.

COUNCILMAN ANTHONY declared the Public Hearing closed.

Motion made by Brian Knudsen to Approve as Do Pass

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

For-Michele Fiore, Stavros Anthony, Brian Knudsen;

6. Bill No. 2021-3 - For possible action - Amends the Southern Nevada Amendments to the 2018 International Swimming Pool and Spa Code, as adopted by the City, to correct language regarding the required distance between a pool or spa and a building or structure. Sponsored by: Councilwoman Michele Fiore
- Minutes:  
COUNCILMAN ANTHONY declared the Public Hearing open.
- DEPUTY CITY ATTORNEY JEFF DOROCAK explained this bill changes code language to fix a typographical error, and will prohibit any pool or spa placement closer than 60 inches to any building or structure rather than any window as it is currently worded.
- COUNCILWOMAN FIORE thanked KEVIN McOSKER, Building and Safety Director, for his assistance.
- Subsequent to the vote, COUNCILMAN ANTHONY announced that the Bill would be eligible for adoption at the February 3, 2021 City Council Meeting.
- COUNCILMAN ANTHONY declared the Public Hearing closed.
- Motion made by Brian Knudsen to Approve as Do Pass
- Passed For: 3; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Michele Fiore, Stavros Anthony, Brian Knudsen;
7. Bill No. 2021-4 - For possible action - Amends the Southern Nevada Amendments to the 2018 Uniform Mechanical Code, as adopted by the City, to correct contact information regarding certain boilers and water heaters. Sponsored by: Councilwoman Michele Fiore
- Minutes:  
COUNCILMAN ANTHONY declared the Public Hearing open.
- DEPUTY CITY ATTORNEY JEFF DOROCAK said this bill corrects the contact name for the State of Nevada Regulator of Boilers and Water Heaters. It is currently listed as Nevada Division of Occupational Safety and Health, but it will be changed to Nevada Division of Industrial Relations.
- Subsequent to the vote, COUNCILMAN ANTHONY announced that the Bill would be eligible for adoption at the February 3, 2021 City Council Meeting.
- COUNCILMAN ANTHONY declared the Public Hearing closed.
- Motion made by Brian Knudsen to Approve as Do Pass
- Passed For: 3; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Michele Fiore, Stavros Anthony, Brian Knudsen;
8. Bill No. 2021-5 - For possible action - Amends the 2018 Uniform Plumbing Code and the Southern Nevada Amendments to the 2018 Uniform Plumbing Code, as adopted by the City, to make adjustments regarding plumbing fixtures to be consistent with State law and to make various other adjustments to reflect City-specific conditions. Sponsored by: Councilwoman Michele Fiore
- Minutes:  
COUNCILMAN ANTHONY declared the Public Hearing open.
- DEPUTY CITY ATTORNEY JEFF DOROCAK explained this bill modifies requirements based on feedback from the Public Works Department, Planning Department and the Southern Nevada Health District. It reduces alternate methods and material requests needed for unique conditions, and specifies which products must meet WaterSense requirements. It also adds an air admittance valves request that was received from the plumbing industry.
- Subsequent to the vote, COUNCILMAN ANTHONY announced that the Bill would be eligible for adoption at the February 3, 2021 City Council Meeting.

See Item 5 for related discussion.

COUNCILMAN ANTHONY declared the Public Hearing closed.

Motion made by Brian Knudsen to Approve as Do Pass

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

For-Michele Fiore, Stavros Anthony, Brian Knudsen;

9. Bill No. 2021-6 - For possible action - Adopts an updated Administrative Code pertaining to the administration and enforcement of the City's building and related technical codes (including fee tables), and makes a corresponding change to the City's Fire Code. Sponsored by: Councilwoman Michele Fiore

Minutes:

COUNCILMAN ANTHONY declared the Public Hearing open.

DEPUTY CITY ATTORNEY JEFF DOROCAK explained this bill broadly modifies and cleans up the City's Administrative Code based on how the Building and Safety Department currently conducts business. It adds provisions and formalizes a temporary certificate of occupancy process, increases the number of permit exemptions and updates fees based on a consultant study. Building permit fees increase overall by an average of 16 percent, miscellaneous permits increase by eight percent, and trade permits decrease by eight percent. MR. DOROCAK said these changes are all supported by the Building and Safety Enterprise Fund Committee.

Subsequent to the vote, COUNCILMAN ANTHONY announced that the Bill would be eligible for adoption at the February 3, 2021 City Council Meeting.

COUNCILMAN ANTHONY declared the Public Hearing closed.

Motion made by Brian Knudsen to Approve as Do Pass

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

For-Michele Fiore, Stavros Anthony, Brian Knudsen;

10. Citizens Participation: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the Committee. No subject may be acted upon by the Committee 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 and correct spelling 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.

11. Adjournment

Minutes:

The meeting was adjourned at 10:32 a.m.

Respectfully submitted:

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Cheyenne LaRance, Deputy City Clerk

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](http://www.lasvegasnevada.gov)  
and  
The Nevada Public Notice Website – [notice.nv.gov](http://notice.nv.gov)