



Recommending Committee Minutes

1. Call to Order

Minutes:

COUNCILMAN ANTHONY called the meeting to order at 10:00 a.m.

PRESENT: COUNCILMEMBERS ANTHONY, FIORE (excused until 10:03 a.m.) and KNUDSEN

ALSO PRESENT: CHIEF OPERATIONS AND DEVELOPMENT OFFICER TOM PERRIGO (excused until 10:05 a.m.), ASSISTANT CITY ATTORNEY JEFF DOROCAK, CITY CLERK LUANN D. HOLMES and DEPUTY CITY CLERK GABRIELA PORTILLO-BRENNER

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. Bill No. 2021-11 - For possible action - Amends the Symphony Park Design Standards to update and clarify the scope and processes relative to requests for minor deviations and waivers regarding the Design Standards. Proposed by: Tom Perrigo, Chief Operations and Development Officer

Minutes:

COUNCILMAN ANTHONY declared the Public Hearing open.

PETER LOWENSTEIN, Deputy Director of the Planning Department, said this bill accomplishes exactly what is indicated in the subject matter, and it is in order.

COUNCILMAN ANTHONY declared the Public Hearing closed and announced after the vote that this bill is eligible for adoption at the City Council meeting of April 21, 2021.

Motion made by Brian Knudsen to Approve as Do Pass

NOTE: Under Item 5, Councilwoman Fiore requested her vote reflect affirmatively for this Bill.

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

For-Michele Fiore, Stavros Anthony, Brian Knudsen;

4. Bill No. 2021-12 - For possible action - Amends LVMC 19.16.110(P) regarding the termination of special use permit approvals to clarify the circumstances under which a special use permit may be voided for failure to keep a related temporary business license in active status or convert it to a permanent business license. Proposed by: Tom Perrigo, Chief Operations and Development Officer

Minutes:

COUNCILMAN ANTHONY declared the Public Hearing open.

PETER LOWENSTEIN, Deputy Director of the Planning Department, said this bill provides additional clarity, and it is in order.

COUNCILMAN ANTHONY declared the Public Hearing closed and announced after the vote that this bill is eligible for adoption at the City Council meeting of April 21, 2021.

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. 2021-13 - For possible action - Amends LVMC Title 16 to add a new chapter establishing an inspection program for certain non-transient lodging properties, including certain residence hotels/motels, and amends various provisions of LVMC Title 6 to provide parallel licensing changes, including a change in the definition of "apartment house" to include structures with four dwelling units. Proposed by: Jorge Cervantes, City Manager

Minutes:

COUNCILMAN ANTHONY declared the Public Hearing open.

PETER LOWENSTEIN, Deputy Director of the Planning Department, said the proposed bill is intended to provide an inspection program to include routine inspections in response to complaints in order to reduce substandard housing, promote code compliance and safeguard health, property, safety and welfare.

Title 16 is amended with the addition of Chapter 22 to establish the inspection program, which will apply to all existing and future converted non-transient lodging properties. The Code Enforcement Division will conduct routine inspections each calendar year and will be authorized to issue notices of non-compliance, violation, order to comply and other methods leading to the issuance of criminal citations or processing of civil violations. Property owners shall be prohibited from renting a unit that is subject of pending enforcement action. Violations may be processed criminally and/or civilly. In the event of excess calls for service to the property within adequate response from the owners or frequent code violations, the City may take disciplinary action against the business license or revoke the land-use entitlement.

Title 6 is amended to update the definition of Apartment House to include structures with four or more dwelling units that do not qualify as a townhouse, residential, hotel, condominium or multi-unit structure owned cooperatively or in common, as well as clarifies that no person shall engage in the business of operating a business, hotel/motel without a business license.

MR. LOWENSTEIN added that ASSISTANT CITY ATTORNEY JEFF DORACAK would discuss additional changes, as part of a Proposed First Amendment, regarding the following three matters, which are components of the original draft: 1) All non-transient properties with 12+ units shall have a property manager living on-site with access to every room so as to provide access to first responders and enforcement personnel; 2) The Landlord Training Program shall be required of each property manager or operator, if no manager, at least once every 24 months; and 3) All property managers shall maintain an active work card, which should be available during annual inspection of the property.

MR. DOROCAK referenced the Proposed First Amendment, a copy of which he submitted for the record, and indicated that it was drafted based upon feedback received to address several issues raised by the City Manager's Office and the City Council. He went through the amendments. To 16.22.20, a clause was added clarifying that any out-of-town owner of a converted non-transient property is subject to the City's regulations. To 16.22.50, a sub-section requiring the posting of a City telephone number in a prominent location of each floor of a converted, non-transient lodging property for anyone to call and report concerns regarding life-safety systems in the building. He noted that the City will do everything legally possible to keep the identity of the caller anonymous if requested by the caller. To 16.46.10, the definition of property manager was defined as any person who is responsible for the daily operations of a non-transient lodging property, to include but not limited to collecting rent and to access control-room keys and serves as an unseen contact for enforcement officials.

MR. DOROCAK noted that the following changes do not apply to owners of non-transient lodging properties if they are licensed by the State of Nevada: 1) The requirement for a 24-hour contact person was replaced with

the requirement for one or more designated contact person(s) for all non-transient lodging properties, which means they do not need to live on-site. The designated contact person(s) will be contacted by first responders or Code Enforcement personnel to gain access to any room on the property when needed by law enforcement or Code Enforcement. 2) At least one operator with or without ownership interest in a non-transient lodging property who performs property manager functions must complete a landlord training program at least once every two years, unless the property owner is licensed by the State and proof of training meeting the City's regulations is provided. 3) Work cards will be required for each property manager of a non-transient lodging property with five or more units, unless the property manager is already licensed by the State, pursuant to Nevada Revised Statutes (NRS) 645.

MR. DOROCAK said the Proposed First Amendment is in order, and he recommended approval as amended.

COUNCILWOMAN FIORE confirmed with MR. DOROCAK that the bill would no longer require that a person live on-site 24/7. MR. DOROCAK added that the requirement was removed with the Proposed First Amendment.

COUNCILWOMAN FIORE requested her vote on Item 3 (2021-11) reflect affirmatively.

COUNCILMAN KNUDSEN thanked staff for their hard work, which is a testament to the City's intent to work in partnership with the business owners and to make them responsible, while keeping the patrons safe. The addition of some of the latest provisions is reflective of the City's needs.

COUNCILMAN ANTHONY declared the Public Hearing closed and announced after the vote that this bill is eligible for adoption at the City Council meeting of April 21, 2021.

Motion made by Brian Knudsen to Approve as Do Pass as a First Amendment

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

For-Michele Fiore, Stavros Anthony, Brian Knudsen;

6. Bill No. 2021-14 - For possible action - Amends LVMC 7.32.160 and 7.44.040 to update provisions regarding animal cruelty and related penalties. Sponsored by: Councilman Stavros S. Anthony

Minutes:

COUNCILMAN ANTHONY declared the Public Hearing open.

As a matter of background, ASSISTANT CITY ATTORNEY JEFF DOROCAK stated that this bill is the result of discussions with COUNCILMAN ANTHONY at a City Council meeting to have the City Attorney's Office Criminal Division, Code Enforcement, and Public Safety Animal Control review the City's animal cruelty laws. This bill adds a Subsection 7.32.160(a) to prohibit the restraining of any dog in violation of Nevada Revised Statutes (NRS) 574.100. Therefore, the Subsection prohibits tethering, tying, chaining, trolling or using a pulley system or device that is 12 feet or less, and no dog may be restrained for more than 14 hours in a 24-hour period. The Subsection incorporates a variety of prohibitions in NRS 574.100 into Subsection 7.44.040(b), which requires the City's maximum penalties upon conviction, and he reviewed the penalties, which are mandatory and within the immediate preceding seven years. First offense – not less than two days in jail, not less than 48 hours of community service and a fine of not less than \$200. Second offense – not less than ten days in jail, not less than 100 hours of community service and a fine of not less than \$500.

The final two changes authorize a Las Vegas Municipal Court (LVMC) judge to prohibit a convicted defendant, for up to four years, from harboring, owning, possessing or exercising control over any animal while residing in a household where an animal is present, or working or volunteering for a business, animal shelter or other place with access to animal. Additionally, anyone convicted for two to five years must comply with the aforementioned provisions.

MR. DOROCAK paraphrased that under this bill, anyone convicted of animal cruelty may not own an animal for two to five years. He added that the bill is in order and that several members of the Department of Public Safety were in the audience to answer any questions. RHONDA ADAMS, Deputy Director of the Department of Public Safety, expressed her support of the bill from the audience.

COUNCILMAN ANTHONY said that in reviewing the City’s animal cruelty laws to provide further protections, staff found the City already had strong laws, and he felt the proposed bill will make them stronger.

COUNCILMAN ANTHONY declared the Public Hearing closed and announced after the vote that this bill is eligible for adoption at the City Council meeting of April 21, 2021.

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. 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.

8. Adjournment

Minutes:
The meeting was adjourned at 10:20 a.m.

Respectfully submitted:

Gabriela Portillo-Brenner, 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
and
The Nevada Public Notice Website – notice.nv.gov