

CITY COUNCIL MEETING OF
JULY 19, 2023
VERBATIM TRANSCRIPT – ITEM 69

23-0246-HPC1 - CERTIFICATE OF APPROPRIATENESS - PUBLIC HEARING -
APPLICANT/OWNER: KIYA KRIVICKAS - For possible action on an Appeal of the
Denial by the Historic Preservation Commission on a request for a Certificate of
Appropriateness application for the addition of a vestibule and metal gates on the south
side of the residence on property located at 1819 Beverly Way (APN 162-03-316-010), R-1
(Single Family Residential) Zone - Ward 3 (Diaz). Staff recommends DENIAL.

Appearance List:

CAROLYN GOODMAN, Mayor
JIM LEWIS, Deputy City Attorney
SETH FLOYD, Department of Community Development Director
STEVEN MACK, Attorney for the Applicant
KIYA KRIVICKAS, Applicant
BRIAN KNUDSEN, Councilman
DIANE SIEBRANDT, Historic Preservation Officer
REBECCA WOLFSON, Deputy City Attorney
CEDRIC CREAR, Councilman
OLIVIA DIAZ, Councilwoman
NANCY BRUNE, Councilwoman

(51 minutes, 22 seconds) [2:44:15 – 3:35:37]

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MAYOR GOODMAN

Okay. Agenda Item 69, 23-0246-HPC1 - Public Hearing - Applicant/Owner: Kiya Krivickas -
Possible action on an Appeal of the Denial by the Historic Preservation Commission on a request
for a Certificate of Appropriateness application for the addition of a vestibule and metal gates on

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the south side of the residence on property located at 1819 Beverly Way, R-1 (Single Family Residential) Zone, Ward 3 with Councilwoman Diaz. Staff recommends denial. This is a public hearing. Is the applicant or representative present? And I think we start first with our report from Historic Preservation.

JIM LEWIS

Yeah. Mayor, this is Jim Lewis. I've been asked by the Councilwoman to give a quick introduction, if that would be okay with you.

MAYOR GOODMAN

Love to have it.

JIM LEWIS

Okay. So we don't see many appeals from the Historic Preservation Commission. So what I'd just like to say is this is an appeal from a decision by the Historic Preservation Commission, and this is, this appeal is on a denial of an approval known as a Certificate of Appropriateness for the construction of a vestibule and metal gates by the appellant. The appellant before you constructed the vestibule and the metal gates prior to obtaining the approval of the HPC and prior to issuance of any building permits by the City. So after the appellant has provided the evidence and testimony in support of her appeal, Dr. Siebrandt, the Historic Preservation Officer, will prevent, will present a staff report to you, and it will explain the City's position and offer a brief factual summary.

This is the important part for me. A decision to deny the appeal today upholds the Historic Preservation Commission's decision of denial. An approval of this appeal grants the appellant the Certificate of Appropriateness, and that would be with certain conditions to be read into the record by the HPC if that happened, one of which will be to obtain all proper building permits from the City of Las Vegas. To get that building permit, a variance will be required. Thank you, Mayor.

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58 **MAYOR GOODMAN**

59 Thank you very much. So maybe we'll go over, is that, is there more to add?

60

61 **SETH FLOYD**

62 No, Mayor. So I think what Mr. Lewis just said is we'll have the applicant, because this is kind of

63 a quasi-legal proceeding, we'll have the applicant go first, and then Dr. Siebrandt will go second.

64

65 **MAYOR GOODMAN**

66 Okay. Good morning.

67

68 **STEVEN MACK**

69 Good morning. Steven Mack on behalf of the applicant, Ms. Krivickas, who's present as well.

70 I'm gonna let her speak to the factual issues on it first, and then I'll address some of the, what I

71 see as some of the legal issues.

72

73 **MAYOR GOODMAN**

74 Thank you.

75

76 **STEVEN MACK**

77 Thank you.

78

79 **MAYOR GOODMAN**

80 Morning.

81

82 **KIYA KRIVICKAS**

83 Good morning. I am Kiya Krivickas. So super honored to be standing—

84

85 **MAYOR GOODMAN**

86 Okay. Do you want to get in front of a mic because we could lose you when, there you go.

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87 **KIYA KRIVICKAS**

88 How's that?

89

90 **MAYOR GOODMAN**

91 Thank you.

92

93 **KIYA KRIVICKAS**

94 Is that better? Okay.

95

96 **MAYOR GOODMAN**

97 Yes, please.

98

99 **KIYA KRIVICKAS**

100 I am Kiya Krivickas. It's a huge honor to stand in front of the Mayor today. I am a licensed,
101 bonded, insured general contractor. I bought this house at a trustee's auction in, I bought this
102 house at a trustee sale on 4th Street in September of 2018. I bought it sight unseen and didn't
103 really know what I was buying. But I have a history of doing challenging renovations, so I
104 jumped in.

105 I also have lived in the neighborhood for over 20 years. Prior to buying this house, I lived on
106 Rexford. So familiar with the area.

107 So what did I buy? Let's take a look. So this is the house, and had these beautiful, large, bountiful
108 olive trees that are about \$2,000 in landscaping to trim every couple months. They're old. They're
109 established. They're mature. The yard that was sand and mess, and it was boogie-woogie blue.
110 So this was the backyard. And the backyard had this pergola structure, and the bases of the
111 pergola structure were all gnawed to pieces, like it was barely structurally sound. And there was
112 like chicken wire mesh, which I actually like cut myself on, and I couldn't figure out what was
113 up with that.

114 But this nice gentleman, who I called but who unfortunately has retired from the City of Las
115 Vegas' service, Alfredo Ramos, he stopped by my house one day, and he was like, wow, what a

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116 job that you did with this house because you wouldn't believe what it looked like of, you know,
117 many years ago. And I was like actually I do. But he said that on one of the worst job calls of his
118 entire career he hauled like 40 dogs out of that place, which were being like fought. And I
119 remember the smell was horrendous of both human and animal excrement.

120 So this is the side yard. There's carts. There's clothes. There's drug paraphernalia and debris.
121 This is, you know, any nook and cranny, Beverly Green was a different place at that time. You
122 know, there's a lot of boarded-up buildings around me. It was – rough to try to take on. I would
123 also find my neighbors' like billing statements and credit card stuff, stuff of that nature. And I
124 actually don't know how to this day but became a victim of that too. They I, they got my business
125 debit card number, and for six months it was hell to pay with ACHs and disruption of my life.

126 So here is another picture, and all this I cleaned out myself, so that was not fun, of what it looked
127 like. So here's me dropping a dumpster and picking it up. And largely it's also imperiled because
128 my front door starts where the alley ends. So this is just a constant mess of trash, garbage. People
129 poo and pee there. Homeless tents. And I have worked tirelessly myself, and with my own
130 money and time and safety have gone and boarded up these little alcoves that I guess were
131 formerly trash alcoves in this alley, buying Tapcons and stuff to keep the whole neighborhood
132 safe. And also when, you know, there were a lot of other boarded buildings around, I would go
133 buy locks with my own money, chains with my own money and help keep everything secure
134 because I was living there and it was a scary place and I wanted it, you know, everything to be
135 locked up and safe.

136 So this is examples of things that blow into my foyer. So things like this it would be not too
137 common, and we have a lot of wind and I would open my door, and stuff like this blows into my
138 house.

139 So I don't know if you've ever come home and had somebody in your home, but it's a terrifying
140 feeling. I have had the personal experience of sitting on the other side of a window and listening
141 to somebody say, discussing with somebody how they are going to rape me, murder me, and set
142 my house on fire. So I was so terrified during this time I actually went and bought another house
143 because I had tools in here. You know, every time I leave, somebody would break in. And I went
144 through not just one or two, like a lot of burglaries. It was a very terrifying experience and time

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145 in my life. It even got to the point where they would write me notes. This is my back door I
146 wrote them back.

147 So this is a, an example of the police reports. This is forced entry. They broke in and they stole
148 my safe. Don't ever put your spare car keys in your safe because not only did they still my guns.
149 And I was consumed with the idea that I could get murdered with my own firearm. They actually
150 got in the safe because they came back two weeks later and stole my truck too. So this is grand
151 larceny gun, auto burglary. Another unrelated, this is a separate burglary. This individual here
152 got in and got like credit cards and whatever. So in this time in my life, I'm consumed with like,
153 you know, doing Metro stuff and tracking down these people who are, you know, and just the
154 life disruption of having stuff like that go on is quite – a lot to deal with, you know, when you
155 have a job and other things.

156 So what else was going on in Beverly Green at this time? Now I think that I'll, I'm happy to
157 speak to this to you because I think a lot of you might recognize this name. There was a guy in
158 my neighborhood who he had a company called C&L Management, and what he was doing was
159 scamming people and taking advantage of the elderly. He was an identity thief. C&L Property
160 Management was actually somehow using County subsidies here to be able to quote unquote
161 house homeless. But instead he was like scamming people and the County. So this is an article
162 dated in 2010 from the Las Vegas Review-Journal, where this man, they were reveling that he's
163 finally out of Beverly Green and they got him locked up in Georgia. But he doesn't ever just go
164 away.

165 Here's Mr. Leslie's own handwriting. He's a former prisoner. Insurance fraud, identity fraud, and
166 theft. He, this is a City of Las Vegas Register of Actions.

167
168 **JIM LEWIS**

169 Mayor? Mayor, I'm sorry to interrupt, if I may. You know, because she's an appellant, she has
170 certain rights to present whatever it is she wants to, to this board. But what I'm hearing is a lot of
171 things that are sort of unrelated to why we're here. There's a – vestibule and a metal gate that was
172 constructed without either HPC approval or building permits or a variance. And what I'd like to
173 do is maybe help folks along because I don't think this is getting to the information that you

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174 need.

175

176 **STEVEN MACK**

177 Just to address that, I think what she's doing is giving you kind of a background of why she came
178 up with the solution she came up with, which we can move on to the next—

179

180 **COUNCILMAN KNUDSEN**

181 Sir, can you state your name for the record? Can you state your name for us?

182

183 **MAYOR GOODMAN**

184 Steve Mack.

185

186 **STEVEN MACK**

187 Oh, I'm sorry. Steven Mack.

188

189 **COUNCILMAN KNUDSEN**

190 Thanks.

191

192 **STEVEN MACK**

193 Just go on [inaudible].

194

195 **KIYA KRIVICKAS**

196 Yep. Well, my last statement about that is this is Calvin Leslie's driver's license, and the address
197 of his driver's license, as you might note, is 1819 Beverly Way, which is my house. I did not
198 know that at the time.

199 And this is a Las Vegas Review-Journal headline from a month ago, where heinous and
200 reprehensible: judge sentences man to prison for abuse and neglect at a group home, which was
201 my house.

202 So what other challenges was I facing with this house? So the house directly behind me was

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203 boarded up, and people who were out of their mind on whatever would walk straight through my
204 yard. And – it would be repeatedly boarded up, but there was a hole in the roof from a fire. And
205 so these people would get into this house and then not be able to get out. And their stretchers
206 would come and retrieve the bodies.

207 And here's more examples of the people. This is my low wall on the other side that, you know,
208 just on the other side people just hanging out. So I was like, gosh, what do I do about this? What
209 can I do?

210 So I go downtown to the old Rancho City building to try to ask and see, you know, how – you go
211 about, you know, let's build some walls. Let's, you know, get this taken care of. And so I went
212 through that process.

213 But it wasn't really just the expense. The retaining walls surrounding were not structurally sound
214 enough to build on. Also, there's not enough depth between, I have a very large house, but a
215 small lot. So it would be like walking out to like a prison wall right in front of your face. So I
216 womaned up, and I decided let's put some hills and some mounds. I'm right on the corner, and I
217 don't want cars coming into my house, but I don't really want to look at a wall. So I built
218 mounds. And my thought was if I put some really big rocks, like some higher-end, like larger,
219 three, four-inch rock, you know, people would maybe stumble, hurt themselves, and maybe not
220 come into my house. So I did that.

221 And then, you know, COVID happened, and I–

222
223 **MAYOR GOODMAN**

224 Okay. Well, you know, I'm hearing you, and I can see all of this where we're headed. Let's go
225 'head and stick with why the vestibule and the metal gates. So if you can move us forward. I
226 mean, you obviously had hardships in the neighborhood, and everybody has been working
227 Beverly Grant Glen, trying to get it improved. But the – issue, as Mr. Lewis tried to remind us
228 and me, is the vestibule and the metal gate.

229
230 **KIYA KRIVICKAS**

231 Okay.

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232 **MAYOR GOODMAN**

233 So it's on appeal for that, the denial from the Historic Preservation. So if you can move forward.
234 Know that you've convinced us you had a mess. And let's get to why the vestibule and why the
235 metal gates in particular and go from there, please.

236

237 **KIYA KRIVICKAS**

238 Thank you, Ms. Mayor. So I – have done 20 plus years of almost exclusively historic restoration
239 in my professional career. And so, turning to your point, so here's an example of that, that
240 backyard, that – pergola. Instead of tearing it down or ripping it up, I spent more than that
241 retaining what was already there. I spent a lot of time–

242

243 **MAYOR GOODMAN**

244 But you're still not on the vestibule and on the gates. You're in the back. So let's get forward to
245 the front of the house and what we are talking about there, which is–

246

247 **KIYA KRIVICKAS**

248 Okay.

249

250 **MAYOR GOODMAN**

251 Thank you.

252

253 **KIYA KRIVICKAS**

254 So – we have that alley. And in beautifying my home and making it look as it more does today,
255 the neighborhood improved. I got better neighbors. We worked together. I worked actually
256 specifically with Olivia Diaz's office in coordinating this. We were really bummed. The office
257 came back to us saying we had to have 100 percent of the owners sign this petition. I drafted this
258 petition, got my neighbors engaged, and we were able to clean up the alley.
259 And then in April, I did find stones finally that matched the–

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260 **MAYOR GOODMAN**

261 No. Let's get back to the gate, please, and the vestibule. You're still around the house. I think this
262 is really important why the vestibule and the metal gates.

263

264 **STEVEN MACK**

265 Actually, Your Honor, Steven Mack, she's getting to – a part of the vestibule now.

266

267 **MAYOR GOODMAN**

268 Okay.

269

270 **STEVEN MACK**

271 The – rocks are important because they're one of the things that are listed as a reason for denial.

272

273 **MAYOR GOODMAN**

274 Oh, okay.

275

276 **KIYA KRIVICKAS**

277 Yeah. So one of the reasons of denial was the – rocks did not match the house. Now, I mean, the
278 house was painted boogie-woogie blue, and I did not do that. This is the original house. It was
279 tan with natural stone. And denial was upset that, you know, the – white. But I actually didn't
280 like the white, and I was thinking maybe I'd, you know, sandblast it back to natural. But it got
281 really hot, and I was like that's a mess. Maybe I'll do it in the fall.

282 So I – found these stones that were actually reclaimed, that were 40 years old, and they matched
283 the original. So I was really excited. So guess what? Threw them in the car and – built the
284 structure.

285 Now it would be said that this was all done without a permit, but that's not entirely true. I did
286 make many attempts to – retrieve, to – initiate, I did initiate the permits multiple times. And
287 here's a list of those permit requests. They are marked here accepted. And I didn't get any
288 feedback or response. And sometimes I know working with government sometimes that takes

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289 some time. And I didn't understand, you know, why that hadn't been achieved yet.

290 And I did follow up by e-mail in late August, which is why, which is where I was like I think it
291 was like August – 29. And I reached out and I said, hey, you know, what's going on with this?
292 And Marco Bucky, who's a supervisor in the Planning, was like, well, you know, the lady who
293 got her job in December of 2019, that thinks the house was always yellow and looked like that,
294 said no because it's in the Beverly Green Historic District. And she said, you – know, you can
295 look right here on the website, and the website says 1951 to 1964. And my house was built in
296 1973.

297 There was a lot of confusing and conflicting information and responses that I got when I – spoke
298 to people. You know, and there's a couple of other things. It needed to be 50 years old, which my
299 house was not, and it was not home to any like historic figure.

300 Here's a text message on November 2 from the actual code enforcement officer that I was dealing
301 with. And imagine how confusing this is to me. He says I was reaching out about 1819 Beverly
302 Way. After review, the City agrees that your property is not subject to the historical district. With
303 that said, a permit is still necessary. If you submit a new application, it will not be denied for
304 historical review reasons.

305 So this whole entire process has been very like, you know, just very confusing. And, you know, I
306 was just like how is this happening because just a couple years ago I made a major change to this
307 building by permitting the curbs. I had them lowered to create a circular driveway around the
308 former front of my building. And, you know, permitting lowering curbs, I mean, is a major
309 change. And I didn't deal with, you know, any of these problems when I successfully did that
310 permit at that time. So I don't know what's going on here. I mean, maybe if I hire a wonderful
311 and very expensive attorney, he can explain it to me.

312 And so, again, you know, here is – there's a couple of issues with the historical designation, that
313 they don't want the doors to be visible from the – street. But I have these very well-established
314 and large olive trees that very much block it. You cannot see it all from Beverly proper. I – made
315 this so that you can see like you've got to walk around and really stand in front of it. And if
316 somebody had come to me and said, you know, maybe put like some Italian cypresses right
317 directly in front, you know, and something, I mean, that could have been a thing. But I had like

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318 zero communication whatsoever that has kind of brought me here.

319 And – speaking on that point about eyesores, you've got all kinds of inappropriate art and – stuff
320 all around. Even my neighbor who has a historic building has actually tried to camouflage her
321 home from the people, vagrants wandering about by strapping grass to her fence line, which,
322 so I'm providing examples of other similar properties, which, you know, and notates similar
323 styles that were built along the same, in the same year span. Here is one from I think that is, go
324 back, 1800, this is 1800 Silver. This was built in 1977. Sold for just over \$3 million. This is 208
325 Desert View Street, \$880,000, with like a foyer area that's taller than its roofline. This is another
326 example. This is 2021 Mills Circle. This was built in 1962 with a similar, ranch with a similar
327 roofline at the foyer.

328 This is probably the best example. This is a couple blocks away from me. This is 1900 South
329 15th Street, 89104. It was built in 1964, and you'll see like with a – higher front foyer area and
330 the metal security doors on the front of the building. So that would be a really similar structure.

331 And then this one, its color even matches mine, is what I – found.

332 And I think there were some other issues about like an asymmetrical roofline, but you see that all
333 over Vegas. And so while there's still hardship and stuff, you know, I really felt like it was
334 completely necessary for my own security, and I actually did so with every respect and intention
335 of emulating the original stone and continuing that line of the house perfectly along the way.

336 And here is a picture from yesterday morning of stuff that's in my front yard.

337
338 **MAYOR GOODMAN**

339 Okay. Then–

340
341 **STEVEN MACK**

342 If I may just address, Your Honor–

343
344 **MAYOR GOODMAN**

345 Yes, please, go ahead.

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346 **STEVEN MACK**

347 Steven Mack.

348

349 **MAYOR GOODMAN**

350 And then we'll hear from Dr. Siebrandt.

351

352 **STEVEN MACK**

353 I just want to kind of address the legal issues on this and go down one by one. I know my client
354 kinda wanted to give you a little bit of a history of the neighborhood and what she's tried to do
355 and the reason for having the security doors that are there.

356 And so the issues, apparently one is the height of the addition is taller than the original doorway.
357 While it is, she showed at least five examples of similar properties that were built in a similar
358 time, some earlier even than the time frame that's set for this neighborhood, that have the large
359 vestibule. So clearly, at that point in time, there were houses that were built with larger
360 vestibules.

361 And the second item was the asphalt shingles don't match the color. That's a simple fix. If that's
362 all they wanted, we could have, my client could have changed the shingles to a different color.
363 The gabled roof does not match the hipped roof on the house. But in the neighborhood, if you
364 walk around that neighborhood, there are hipped with gable and gable upon gable, and there's –
365 all kinds of different variations of it.

366 The stone cladding doesn't match the size or color of the stones on the house. That's inaccurate.
367 She found the stones that matched. The – stones that are on the vestibule are a match for the ones
368 that she has. They're just in the natural color. They're not white. I mean, she was intending, like
369 she said, when it got cooler, to – sandblast and try to get back to the original color on the white.
370 But the – stones do match.

371 The black iron gates do not match existing doors and windows of the house. That is correct. But
372 if you walk around the neighborhood, sometimes you'll see a door painted red or yellow or and
373 variations and certainly doesn't match any of the other doors that are in the house. They're
374 typically different.

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375 The scrollwork design doesn't match the color design elsewhere in the home. Again, the same, I
376 think those two are that really the same issue.

377 And the last thing really is the site doesn't meet Title 19 corner-side yard setback requirements. It
378 misses it by two feet, which would might require a variance, which my client is willing to apply
379 for.

380 The biggest thing is, is that she applied, I think, multiple times, and I don't remember the date
381 beginning that she applied for the—

382

383 **KIYA KRIVICKAS**

384 June.

385

386 **STEVEN MACK**

387 —beginning in June and of 2022?

388

389 **KIYA KRIVICKAS**

390 Yeah.

391

392 **STEVEN MACK**

393 And received no response. They were accepted, accepted, accepted. And then she had texts, she
394 was dealing with them on the curb. The curb was approved. She dealt with the one inspector who
395 text her back. And part of the problem was whether or not this house actually fell in the historic
396 district because of the year of the house. The house doesn't meet the year requirement. But what
397 they did was designate a geographic area, and her house does fall, finally, after a meeting that I
398 attended and we – attended with the City, we figured out that it was because it's a geographic
399 area that they designated, but not necessarily the age of the house. So the house could have built
400 been built in 1990 for all intents and purposes and still be included in the historic preservation
401 area. So her house is kind of a unique house in that regard.

402 The stucco matches the stucco. The color matches the color. Everything that she did, other than
403 maybe the gabled roof, matched her house. And certainly it was a higher vestibule. But the, there

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are examples she gave where there are houses built in that time frame and certainly meet that requirement.

The biggest problem that we have, I see, from a legal perspective, is that there's no designation of what the requirements are. It's ambiguous. The only requirements that exist are titled John S. Park. They're not even – for this neighborhood. And those, if you look at them, don't have any kind of real description, other than basically what the Historic Preservation Committee decides. It's not, there's no guidelines specifically to follow. And so it becomes very difficult to know exactly what can be built. I mean, five years from now, the committee sitting up there may like what she has up there, and it may be okay.

So unless there's specific guidelines that can be followed to know exactly what's going on, when you have other houses built in that era that have the same type of entry, to simply deny it, and then the reasons for denial are – kind of, you know, vague. I mean, and so we're dealing with a situation where you're saying it's got to be black and white, but there's no black and white. And so it's a feeling.

So, you know, that's why we're here today because she did make the applications prior to beginning building this thing, building it. Where she's licenses in Chicago. Sometimes it can take quite a while to get a building permit there. That's what she was used to, that you just go ahead and start, and then the inspector comes in and starts looking and doing what they need to do. So she built this because for her safety. That's the whole point of her presentation prior was that she needed to get this thing done so she could live in her house. And so that's where we sit today.

MAYOR GOODMAN

Okay. Thank you, Mr. Mack. All right. Let's hear from the Historic Preservation, Dr. Siebrandt and.

DIANE SIEBRANDT

Thank you. Diane Siebrandt for the record, the Historic Preservation Officer for the City of Las Vegas. And I do have a PowerPoint presentation for this that will address some of the questions that have been brought up, if we have that PowerPoint.

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433 So I'll – start with my first slide does show the, well, we don't have it. I do have a, why don't we
434 have the PowerPoint?

435

436 **UNIDENTIFIED SPEAKER**

437 [Inaudible].

438

439 **DIANE SIEBRANDT**

440 Okay, because I really need the visuals in order to show Madam Mayor and the – Council.

441

442 **MAYOR GOODMAN**

443 Okay.

444

445 **DIANE SIEBRANDT**

446 So I'll, let me just start though, while we sort this out, of how this works. So when somebody is
447 in our historic district, and that is either a district, a residence in the district or individually listed
448 property, it is marked with we call an H for historic in our zoning. And when a person applies for
449 a building permit, then I am alerted that somebody has applied for a building permit in a historic
450 designated area.

451 At that time, I either e-mail, I call and put in our system a message that says you're in a historic
452 area. Before you can get your building permit, you have to get a certificate of appropriateness.

453 You fill out the application. I provide them with the information as far as how to do that. And
454 that if it's a major work, it does have to go in front of our Historic Preservation Commission.

455 Oh, thank you very much. The slides are up here.

456 And it is true that the applicant may not have known she was in a historic area. But once the
457 building permit is applied for and before work can start, I alert them that they have to do go
458 through this process.

459 And so here's the Beverly Green Historic District. Now it's not the entire neighborhood that is a
460 historic district. And I appreciate the examples of houses that were built in the same time frame,
461 but none of those houses are within the historic district. They may be from the same era, but they

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are not in the historic district, so they are not bound by the guidelines of our Title 19.

The star is marking 1819 Beverly Way. That shows it is in the middle of the historic district. And yes, there was some confusion about the adding this house that was built in 1973. However, it was listed initially by parcel number, not by address, and so I had to do a little bit more research to ensure that it actually was in our historic district because I wanted to work with the applicant to make sure we weren't ask her to do something that was not needed.

And we did find the documentation that not only did the then homeowner, Joyce Perlman, agree to conclude her property in the historic district, our guidelines are that 51 percent of the homeowners agreed to be in the district. So even if you don't agree to want your house in the district, and if it's older than it's not as old, 50 years old or older, if it is, 51 percent of homeowners agree, then it is in the historic district.

So this is 1819 Beverly Way. And the way that a historic district is determined is we do surveys. Historic resource surveys, we hire cultural resource management firms to do surveys of the area. They go out into the area. They take photographs. They research the history of the properties, and they provide reports that say these properties are significant to place on the historic register or they're not historically significant to place on the register.

So it was a three-phased survey that started in March of 2009. And the image here is listed March 2009 is when the survey started, is when, this is how the house looked. The survey was completed, and in September of 2016, the City went through the process of placing the historic district on the register, and that process does include, of course, approval by the Historic Preservation Commission, approval by the Planning Commission, and final approval by the City Council. And this was approved by City Council on September 16th, I'm sorry, September 21st of 2016. And then this is the house just a few months after that. It still looks like it did when it was surveyed. It maintains its character.

And the other reason why this house was included within the district, not only because the then owner agreed, is even though it is 1973, it still emulates the mid-century modern ranch style that is prevalent through that historic district. And main—, most of the properties in that district are this ranch style.

So I just want to show that throughout the years that it was maintained. Yes, the house was

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491 painted blue. However, that is not something that is in our ordinance that we can prevent.

492 Somebody can paint their house the color they wish to paint it. But you see it's still, there are no
493 exterior alterations. There is nothing that's changed the physical structure of the building or the
494 house.

495 February 2022, it still looks the same. And, as the applicant said, according to the Clark County
496 records, she did purchase the house in September of 2018. So during this time, yes, the house
497 still did appear the same.

498 We received our first complaint, in May of 2022, that a structure, an addition vestibule with
499 metal gates was added to the – house. And this is on the Canosa side of the property. It's Beverly
500 Way and Canosa. I alerted Code Enforcement at that time. Per our procedures, I have to alert
501 Code Enforcement and let them know that this, like we checked our system. There was no
502 building permit submitted. If a building permit had been submitted, I would have been alerted,
503 and I would have contacted the applicant to let the, let her know the process she needed to go
504 through.

505 So Code Enforcement was able to get out there by June 7th. And if you see on the May 16th
506 photo, the addition is partially constructed. You have drywall. You have wood. You have the
507 metal gates. There's a window. And then by June 7th, the stone cladding was added to the
508 property. And June 7th is when Code Enforcement visited the property. And it was also at this
509 time when, again, I sent an e-mail to the applicant saying you need to do a Certificate of
510 Appropriateness application in order to have this work approved by our Historic Preservation
511 Commission.

512 So I just do want to emphasize that the building permit was not submitted until June 7th, and that
513 was the first time the building permit was issued after this was already constructed. And by
514 June 27th, it appears that the property has or the house had already been completely built.

515 And so Mr. Mack had already cited the denial from the Historic Preservation Commission, which
516 after several phone calls and e-mails and a in-person meeting, the applicant did finally submit a
517 Certificate of Appropriateness application. And that was on April 22nd of 2023. And she
518 appeared before the HPC meeting on May 24th of 2023, and they did deny it for the same
519 reasons. The height of the addition is taller than the original doorway. The asphalt shingles do

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not match the color of the shingles on the house. The – gabled roof doesn't match the hipped roof. The black iron gates don't match the existing doors and windows. The cladding does not match, and the scrollwork does not match. And then the – property is or the building does not meet the setback requirements.

So I just want to go back and show, this is the house in 2017, when it was approved to be on the register as part of that historic district. And as it looks now, it has lost its mid-century modern ranch look. It is no longer a mid-century ranch look, which does not match or conform to the characteristic of that neighborhood.

Now we are not insensitive to security concerns. So these are houses within the district. Note the house on Bonita Avenue has a security gate and security fence that is appropriate. And if the applicant would like to build something similar to this, to bring forth, back to the Historic Preservation Commission for approval. And the house, before it was altered, did have the same exact or a similar look to these two properties that are in the historic district.

So we do recommend that the HPC denial is upheld and that the owner request a pre-application meeting with myself, as the Historic Preservation Officer, to discuss the submittal of a new Certificate of Appropriateness for improvements that are reflective of the mid-century modern design materials that conform to the historic character of the Beverly Green Historic District. If the appeal is granted, all necessary building permits shall be obtained and final inspection shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Division. In addition, the applicant will be required to submit a variance application prior to the issuance of building permits.

And again, I would just like to re-emphasize if the procedure had been done correctly, the applicant would have sat down with me, she would have shown me her proposed designs, I would have advised her of the proper way to conform to the historic character of the neighborhood. And by the time we go to the Historic Preservation Commission, hopefully they would also agree to approve it. Thank you very much.

MAYOR GOODMAN

Okay. Thank you.

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549 **JIM LEWIS**

550 Mayor?

551

552 **MAYOR GOODMAN**

553 Any questions? I would like to ask first of all before we go to public hearing, do you have any
554 questions for the applicant? Or we also have an attorney with us.

555

556 **JIM LEWIS**

557 And Mayor that's, if you may, this is Jim Lewis. I was going to ask Ms. Wolfson maybe to close
558 the loop on this question regarding–

559

560 **MAYOR GOODMAN**

561 Well, I was going to ask her–

562

563 **JIM LEWIS**

564 –development standards and guidelines.

565

566 **MAYOR GOODMAN**

567 I was first going to ask Ms. Wolfson to introduce herself because, as lovely as she is standing
568 there, we don't know who she is or why she is there.

569

570 **REBECCA WOLFSON**

571 Thank you, Madam Mayor. As much as I enjoy attending these City Council meetings, I am here
572 with a purpose. Regarding the–

573

574 **MAYOR GOODMAN**

575 And you are?

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576 **REBECCA WOLFSON**

577 Oh, I apologize. I am a Deputy City Attorney for the City of Las Vegas. I also am the City
578 Attorney who attends and represents the Commission for the Historic Preservation Commission
579 meetings.

580

581 **MAYOR GOODMAN**

582 And your first name and last name are?

583

584 **REBECCA WOLFSON**

585 Rebecca Wolfson.

586

587 **MAYOR GOODMAN**

588 Thank you. Okay.

589

590 **REBECCA WOLFSON**

591 I thought I said that to begin with. Apparently not.

592

593 **MAYOR GOODMAN**

594 Okay, please.

595

596 **REBECCA WOLFSON**

597 There were some statements made by the applicant's attorney, Mr. Mack, regarding these design
598 guidelines. It should be noted that Title 19 does not necessarily require there to be design
599 guidelines. However, if there aren't, it is to conform to such established or recognized standards
600 as the HPC deems appropriate. It's also my understanding that regardless anything within the
601 historic overlay or designation must comply with the Secretary of Interior standards, which, of
602 course, Dr. Siebrandt is very familiar with and would absolutely help any applicant understand if
603 they come forward with an HPC Certificate of Appropriateness application.

604 Just to note that all of this had been completed prior to any submission for a Certificate of

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605 Appropriateness or a building permit application. And again, we are here just regarding the
606 vestibule that was built and the Certificate of Appropriateness denial. Thank you.

607

608 **MAYOR GOODMAN**

609 Thank you. Thank you. Mr. Lewis, anything else you want to add to Ms. Wolfson's comments?

610

611 **JIM LEWIS**

612 No. Ms. Wolfson did a great job, and I don't want to prolong this anymore. So I'll just turn my
613 microphone off.

614

615 **MAYOR GOODMAN**

616 Okay. Thank you. All right. This is a–

617

618 **STEVEN MACK**

619 Your Honor, if I may–

620

621 **MAYOR GOODMAN**

622 –a public hearing. Do we have anyone from the public? I'll get back to you in one second.

623

624 **STEVEN MACK**

625 Okay, thanks.

626

627 **MAYOR GOODMAN**

628 Anyone one from the public who wishes to comment on Agenda 69 on Beverly Glen? Okay, I'm
629 going to close the public hearing. Now back to you, Mr. Mack.

630

631 **STEVEN MACK**

632 Thank you. Steven Mack, on behalf of the applicant. Your Honor, I do have two letters of – the
633 neighbors' approval of what was done. And – so I wanted to submit those for the record.

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634 **MAYOR GOODMAN**

635 Okay. Well, give them to the Clerk for the record. Okay.

636

637 **STEVEN MACK**

638 And just addressing, again, the mid-century, well, the mid-century look, if that's what they're
639 looking for, the examples that we gave with vestibules are mid-century look. So I'm still a little
640 confused because there isn't one in the neighborhood, then it's still mid-century modern is what
641 they're talking about.

642 The second part is we don't really deal with the color of the house. Yet they deal with the color
643 of the tiles on the roof? So I'm just confused. And I think that creates, that's what I'm talking
644 about. There's nothing in any of this Title 19 or anything of exactly what a vestibule, if you're
645 gonna to have a vestibule that is mid-century modern, what it's supposed to look like, what
646 dimensions it can have.

647

648 **MAYOR GOODMAN**

649 And I think with all the deference to what you're going to, I think Dr. Siebrandt said there and –
650 Ms. Wolfson also – said that going a different direction and asking for advice, those things could
651 perhaps have been worked through.

652 So I want to make sure that there are no questions from Council here. Yes?

653

654 **COUNCILMAN CREAR**

655 I don't know if you want to–

656

657 **MAYOR GOODMAN**

658 Well, what I wanted to do was get down to Councilwoman Diaz on this because I think there, we
659 understand, we can understand everything that you have presented. But then again, being not
660 Chicago and having our ordinances, recommendations, everything else, the key is knowing this
661 neighborhood for a long, long time and having been here since the '60s, I understand why that
662 area has been so designated. So it is through the questions, the designations that may, you might

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663 have clarity on and to find out also from Planning if there are anything else. So please, if you
664 have the question and/or comments. And then we'll get to you after Councilman Crear.

665

666 **COUNCILMAN CREAR**

667 Thank you. Just a number of questions. You said that you're a licensed GC.

668

669 **KIYA KRIVICKAS**

670 Yes.

671

672 **COUNCILMAN CREAR**

673 And it's very hard for me to understand how a licensed GC doesn't feel as though, that you would
674 just build this and then sort of pray for forgiveness later. You know, we do get people who come
675 in that are unaware of what is or, you know, maybe what the rules and regulations are and there's
676 mitigating circumstances. But it, I mean, like saying to Mr. Mack, who comes in and say, who's
677 an attorney, oh, I didn't know the law. You're a GC, according to you. And it seems as though the
678 reasoning that I didn't hear back from anybody at the City doesn't seem to give you the right to
679 just move forward with a project. I mean, we're all governed by the same standards, including
680 myself in my home, for what we do.

681 And so you didn't pull a building permit until June 27th. And did you know that when you were,
682 when you purchased this home— you said you hadn't seen it before, you purchased it sight
683 unseen, that it was in a historic preservation neighborhood?

684

685 **KIYA KRIVICKAS**

686 Wow, did I leave out a really big part. Thank you. I actually, when I did the permits to change
687 the – slope of the public way sidewalks, I cannot remember his name at the top of my mind right
688 now. I do have his card. I've got pictures of his card on my phone. And I went through this with
689 him about adding security doors, and he didn't think it would be much of a thing. And if you're
690 questioning me about that, I'm happy to send you the recorded call.

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691 **COUNCILMAN CREAR**

692 No I, my question was simple. Did you know, you said you purchased the home sight unseen?

693

694 **KIYA KRIVICKAS**

695 Mm-hmm.

696

697 **COUNCILMAN CREAR**

698 When you purchased the home, did you know that it was in a historic preservation area?

699

700 **KIYA KRIVICKAS**

701 No, and I wouldn't assume that it would be—

702

703 **COUNCILMAN CREAR**

704 Okay.

705

706 **KIYA KRIVICKAS**

707 —given that it wasn't 50 years old or any of the parts of the criteria that make up the, it's not a

708 landmark or any of the number of itemized things that you're supposed to be.

709

710 **COUNCILMAN CREAR**

711 Okay. I don't know. I mean, I find it hard, we have a Historic Preservation Committee for a

712 reason. We've hired Dr. Siebrandt years ago to ensure that we are copacetic, as we move across

713 the spectrum of the city in our historic preservation areas. And the City has invested a lot of

714 money into our historic preservation, and so we really believe that it's important obviously. And

715 if you come in and build this and then you come back and say, oh, I didn't know, or I didn't hear

716 back from anybody, or I didn't know, I mean, anybody else behind you could do the same thing.

717 And so I'm — not sold on the fact that you didn't know. And if you didn't know, then you

718 probably should have known, especially being a licensed GC. So it's hard to have a lot of

719 empathy for you when this is your profession, this is what you say you do. Thanks.

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720 **MAYOR GOODMAN**

721 Okay. Mayor Pro Tem, you had a comment, question, please.

722

723 **COUNCILMAN KNUDSEN**

724 Thank you, Mayor. And Ms. Siebrandt, this is for you. I just wanted to clarify because maybe

725 I'm not hearing it correctly. But when you do apply for that building permit, it automatically

726 triggers your – response?

727

728 **DIANE SIEBRANDT**

729 Yes, that is correct. Diane Siebrandt for the record. Once a building permit is submitted, then it

730 alerts me, and I know that somebody wants to do something, an alteration to a historic property,

731 and that is when I contact the applicant.

732

733 **COUNCILMAN KNUDSEN**

734 And then for Mr. Lewis, since you're down there, when we, the standard process for anybody

735 doing work within the city that requires a permit is they apply for the permit before they start the

736 work. Is that correct?

737

738 **JIM LEWIS**

739 That is absolutely correct.

740

741 **COUNCILMAN KNUDSEN**

742 Okay. Thank you.

743

744 **MAYOR GOODMAN**

745 Okay. All right. So at this point, any other comments that you have to make on this? Any

746 concluding before I turn this over to Councilwoman Diaz? Anything to add? I think we have a

747 sense of what's – turning, going on. So please, Councilwoman Diaz.

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748 **COUNCILWOMAN DIAZ**

749 Thank you, Madam Mayor. First, I want to thank Ms. Krivickas. Obviously, she's made a
750 significant improvement with the ownership of the house. We have so many similar struggles in
751 my ward. I completely understand what you inherited. So I do have complete understanding of
752 that.

753 I want to thank her for her work with the Beverly Green Neighborhood Association, for putting
754 the alley on our radar. I know that we're still continuing to work through the best path for that
755 alley to bring the best, optimal win for the neighbors and the entire community. And I know that
756 we've been sending our maintenance crews through that alley, and we've been trying to make
757 sure that nothing that is going to impact our neighbors negatively continues to happen that, so
758 we're going to brighten up lights, and there's still some things in the works. So I just wanted to let
759 you know, as a city, we are being responsive to the community's needs in terms of the alleyway.
760 You mentioned that is causing a lot of issues.

761 Obviously, this issue came to us as a city because the neighbors reported the work happening at
762 your home in May. The unfortunate reality of purchasing a home back in 2018 in this historically
763 designated neighborhood, which was designated in 2016, is that it does come with an extra
764 buffer of limitations to the homeowners as to what they can and can't do to their property
765 because you're part of that registry. It's very important to the neighbors to make sure that they're
766 continuing to keep the essence and the ethos of the mid-century modern vibe in their community,
767 and that's why they alert us. We're constantly being alerted by our community saying, they're
768 modifying, altering, and changing things. Can you look into it?

769 Obviously, when I look at the amount of work that was done in May of 2022 and you apply for
770 permit to build in June, the process is backwards. Just like we have to call before we dig, we
771 need to do our due diligence and call and sit down—

772

773 **KIYA KRIVICKAS**

774 I did.

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775 **COUNCILWOMAN DIAZ**

776 –with the experts and get briefed because Dr. Siebrandt could have avoided a lot of the
777 frustration and the investment and the time so that there could be a win-win. We're not negating
778 the fact that as a homeowner you should do things to protect yourselves and your homes. But
779 there is a process that we have to adhere to. And that process is applying for the Certificate of
780 Appropriateness, getting the blessing from the Historic Preservation Commission, and then
781 moving forward with your permit in hand to do the work.

782 And so, unfortunately, we didn't follow that process. We didn't follow those guidelines.

783 Councilman Crear is on point with his question. And being in this space, we shouldn't ever build
784 without having that permit in hand. And obviously, Councilman Knudsen just stated, with our
785 legal team supporting it, that we shouldn't be doing work until we have a permit in hand.

786 And so that's why I can't look the other way on this matter. We need to make sure that our
787 community is aware. If you live in Beverly Green, if you live in John S. Park, you must stick to
788 the process that is established.

789 And the argument about there not being a lot of consistency as to what you can do, we're actually
790 working right now. We've contracted some folks to help us develop some guidelines and
791 standards about windows and doors and everything else. So that is coming down because we're,
792 we are hearing a lot of people jumping the gun, trying to get it done, and then trying to come
793 back and beg for forgiveness. But we do need to follow this process in order to keep that
794 neighborhood's just historic preservation efforts alive.

795 And so, with that, I am going to make the motion to—

796

797 **KIYA KRIVICKAS**

798 May I respond to that?

799

800 **COUNCILWOMAN DIAZ**

801 I think we gave you, do I, well, I'll defer to my legal counsel. Mr. Lewis, do I, is this a time for a
802 back-and-forth, or is this a time to just—

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803 **JIM LEWIS**

804 Well, Councilman, normally in the process, we let the appellant speak. They – get to talk. They
805 let their legal counsel speak. We then speak. Then it comes to you.

806

807 **MAYOR GOODMAN**

808 Well, I think it is the chair that I am running the meeting.

809

810 **JIM LEWIS**

811 And the Mayor decides if they gets to speak.

812

813 **MAYOR GOODMAN**

814 It would be my decision. And I think we've given you ample time. I think that you've met with
815 Councilwoman Diaz. And out of respect just for everything that's been presented here and the
816 amount of time, I think you just go ahead and make your motion and that will be it.

817

818 **COUNCILWOMAN DIAZ**

819 Okay. So it will be my motion to deny the appeal and uphold the Historic Preservation
820 Commission's finding. And I know, Mr. Floyd, we have to give a window of time optimally to
821 rectify and hear the situation. So I'm looking to you for guidance on completing my motion.

822

823 **SETH FLOYD**

824 Yeah, thank you, Councilwoman. Seth Floyd for the record. So yes, because this originated with
825 a Code Enforcement case, that Code Enforcement case is currently on pause pending the
826 outcome of the hearing. If the motion passes and the appeal is denied, I think a reasonable time, I
827 think 90 days is probably sufficient before, to allow the applicant to remedy the situation. And
828 there's a couple of ways she could do that, and we can talk offline about that if she'd like to. But
829 90 days and then we can restart the code enforcement action if it's not addressed, removed, or
830 resolved by that time.

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831 **MAYOR GOODMAN**

832 Now you are giving 90 days for the completion of which we know nothing at this point. So 90
833 days to respond to Code Enforcement and the City and Councilwoman?

834

835 **SETH FLOYD**

836 Yeah.

837

838 **MAYOR GOODMAN**

839 Okay.

840

841 **SETH FLOYD**

842 So, Mayor, Seth Floyd for the record. At this time, I mean, unless there is a modification to the
843 work consistent with what Dr. Siebrandt showed on her last, I think they're still up here, or
844 maybe it was her last slide, the only way to remedy the Code Enforcement case at this time
845 would be to remove the structure, and that's why I was suggesting the 90 days to give her
846 sufficient time to remove it.

847

848 **MAYOR GOODMAN**

849 Okay. Okay. There's a motion and please vote and please post.

850

851 **COUNCILWOMAN DIAZ**

852 Does that suffice for the motion, Mr. Lewis?

853

854 **JIM LEWIS**

855 Absolutely. Your motion was, just as I recall, to deny the appeal and uphold the HPC decision of
856 denial.

857

858 **MAYOR GOODMAN**

859 And post, please.

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860 **COUNCILWOMAN DIAZ**

861 And giving the applicant the 90 days–

862

863 **JIM LEWIS**

864 That's right.

865

866 **COUNCILWOMAN DIAZ**

867 –to remove the structure or work something out with Dr. Siebrandt.

868

869 **MAYOR GOODMAN**

870 Councilwoman Brune, oh, she's not here. She stepped away.

871

872 **COUNCILWOMAN BRUNE**

873 She's here. She's here. We're all here.

874

875 **MAYOR GOODMAN**

876 Oh, there you were. Sorry. There it is. And that has passed as a denial. (**Motion carried**

877 **unanimously.**) So you have 90 days to proceed and be in touch with Code Enforcement at this

878 point. Thank you. And thank you, Ms. Wolfson. Thank you, Dr. Siebrandt. Thank you, both. Mr.

879 Mack as well.

880

881 **STEVEN MACK**

882 Thank you.

883

884 **MAYOR GOODMAN**

885 Appreciate you coming down.

886

887 **STEVEN MACK**

888 Thank you very much.

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889 **MAYOR GOODMAN**

890 Thank you.

891 (END OF DISCUSSION)