

**Commission for Cultural Centers and Historic Preservation  
May 16, 2019 5:00pm.  
Meeting Minutes**

Teleconferenced:

Department of Conservation and Natural Resources  
Bryan Building, 5<sup>th</sup> Floor, Jeffrey Conference Room  
&  
Conference Calling

- 1. Call to order by Chairman Robert Ostrovsky, (*the Chair*) at 5:03pm.**
- 2. Roll Call:**

Commissioners:

Robert Ostrovsky, Chairman (Board of Museums and History, Governor's Appointee)

**Present via Phone**

Robert Stoldal, *Vice Chair* (Board of Museums and History) **Present Via Phone**

Judy Michaels Simon (State Council on Library and Literacy) **not Present**

Patricia Olmstead (At-Large, Governor's Appointee) **Present Via Phone**

Bill Marion (Nevada Humanities) **Present Via Phone**

Gail Rappa (Nevada Arts Council) **not Present**

E'sha Hoferer (Native American Representative) **not Present**

***Chair determined a quorum was present.***

Staff Present:

Rebecca Palmer, Historic Preservation Office

Craig Burkett, Senior Deputy, Attorney General's Office

Robin Reed, Historic Preservation Office

Kristen Brown, Historic Preservation Office

David Gardner, Senior Deputy, Attorney General's Office present via phone

Public:

None

- 3. Public comment:** *The Chair* asked for any public comment. There were no comments.
- 4. Discussion and decision concerning the Commission for Cultural Centers and Historic Preservation's action against Eli Mizrachi, ECT Holding L.L.C., King George L.L.C., and Does I-XX for alleged violations of Commission for Cultural**

**Affairs restrictive covenants held by the State on the Huntridge Theater, Las Vegas, Clark County and current status of actions against Mr. Mizrachi, ECT Holdings L.L.C., King George L.L.C. and Does I-XX**

*The Vice Chair* asked about the public notice provided concerning the request by the City of Las Vegas to stay the May 29, 2019 hearing for six months. *The Vice Chair* stated that he didn't believe that the request by the City of Las Vegas was properly agendaized.

*Burkett* stated that Agenda Item #4 is broadly written and the request to stay the May 29, 2019 hearing by the City of Las Vegas can be considered part of the discussion concerning the Commission's actions against Eli Mizrachi, ECT Holding LLC, King George LLC, and Does IXX.

*The Vice Chair* that he respectfully disagreed and would not be voting on any motion concerning the request for a stay by the City of Las Vegas. It is a very specific request from the City of Las Vegas with a very specific action. *The Vice Chair* stated that he thought it was separate from Agenda Item #4, the discussion of actions against Eli Mizrachi. He will not be participating in the discussion on the stay.

*The Chair* asked the AG's office if the Commission doesn't consider the City's request, and does not vote on that request, what action would the AG's Office take? Would they take any action?

*Burkett* stated that the Commission would be in the same position that they are right now. *Burkett* wouldn't have any authority to respond so there wouldn't be a response. Practically, it would be the same response if the Commission decided it didn't agree to the stay. This would achieve a goal, if there are individuals who had that desire.

*The Chair* asked if any other Commissioners felt strongly about the discussion. If the Commission didn't make a decision on this point, the AG's Office would not respond to the offer made by the City of Las Vegas which would essentially tell the City "no". *The Chair* asked if any Commissioners want to make a motion or should the Commission let the matter settle in the AG's Office? No comments were heard.

*The Chair* stated that it appears that the Commission would prefer not to take any action on the request by the City of Las Vegas to stay the hearing on May 29, 2019. *The Chair* moved onto the status of the case and asked the AG's Office for a brief summary of the case and the decision that the Commission needs to make to direct the AG's Office for the hearing.

*Burkett* stated that the AG's Office intends to attend the hearing on the 29<sup>th</sup> of May if the Commission has any specific direction that the Commission wants the AG's Office to follow to request relief in this contempt hearing, he is willing to consider whatever the Commission's desire is.

*The Chair* asked *the Vice Chair* if there was a position that he would like to state?

***The Vice Chair* made a motion that the AG's Office move forward seeking the judgment of \$389,000 as well as Court costs and extend the Covenants for an additional three years due to Mr. Mizrachi's failure for the last three years to live up to the terms of the settlement with the AG's Office focusing additional weight on the importance of the Covenants.**

*The Chair* asked if any Commissioner wanted to second that motion?

***Commissioner Olmstead* seconded the motion.**

*The Chair* asked, under the discussion portion of the action, if that motion gave the AG's Office enough leeway to make arguments in the Court?

*Burkett* stated that it does.

*The Chair* asked if there was any further discussion of *the Vice Chair's* motion? None were heard.

**The Commission voted unanimously for the motion.**

*The Vice Chair* asked before the vote was finalized if *the Chair* had asked if there was any comments from the public?

*The Chair* stated that he could and he asked if there were any comments from the public concerning the motion. None were heard.

**The Commission voted a second time for the motion. The vote was unanimous in favor of the motion.**

**5. Public Comment:**

*The Chair* asked if any member of the public would like to make comment at this time. No comments were heard.

*The Chair* stated that the meeting was concluded and he thanked the Commissioner's for their work on a very difficult issue.

**6. Adjournment at 5:20 pm.**