

Investigative Report

To: Robert Summerfield, Director
Department of Planning

From: Latania Webb, Business License Section Manager
Business Licensing Compliance & Enforcement Section

Date: August 9, 2020

Re: Ahern Hotel, 300 W Sahara Ave
G67-07812 (Permanent Hotel License)
G67-08609 (Temporary Restaurant License)
P68-00031 (Temporary Tavern License)

BUSINESS LICENSE DATA:

Ahern Hotel, 300 W Sahara Ave, under the ownership of 300 West Sahara LLC, Don F Ahern, Manager, 100% and George Harris, Key Employee currently holds a permanent hotel license, a temporary tavern license and a temporary restaurant license to operate within the City of Las Vegas.

CHRONOLOGY OF EVENTS:

Monday, August 3, 2020

Business License Section Manager Minerva Gomez sent an email to George Harris, Key Employee as a result of a news report regarding an event (Evangelicals for Trump) planned for August 6, 2020 at the Ahern Hotel. Section Manager Gomez requested that Mr. Harris provide a detailed operation plan and a floor/site plan showing how they would ensure that they would be in compliance with the governor's directives on public/private gatherings of no more than 50 people for the upcoming event.

Tuesday, August 4, 2020

I received an email from Section Manager Gomez to send out a License Officer to educate the business on the governor's directives on public/private gatherings and to provide the requested documentation on how they will ensure compliance with the upcoming event.

At approximately 1445 hours, License Officer Travis Torgerson visited the Ahern Hotel and reviewed with him and their in house counsel Sami Bakdash how they are currently permitted to operate to include public/private gatherings, social distancing and face coverings. They disagreed with Officer Torgerson as they are interpreting Directive 21 Section 10 which is for indoor venues to include convention center space which allows for 50% occupancy. Officer Torgerson explained to both that the City's interpretation is that they are limited to 50 people for gatherings. Officer Torgerson issued a courtesy notice to Shane McFarland advising him that per the governor's directives, public/private gatherings are limited to 50 or fewer people, tables need to be spaced at

least six feet apart for social distance, groups of six per table and face coverings are required to be worn and can only be removed while sitting at a table eating or drinking. Mr. McFarland signed the courtesy notice.

At approximately 1702 hours, Section Manager Gomez received a floor plan for the upcoming event showing 70 6' tables that were going to be utilized. Section Manager Gomez reached out to the business requesting again an operational plan that shows how they are going to comply with the directives.

Thursday, August 6, 2020

Received citizen complaint at 1046 hours that Ahern Hotel has an upcoming event, "Evangelicals for Trump Prayers & Patriotism," being held at 6pm today that is in violation with the governor's directive on church services.

At approximately 1500 hours, License Officer Monica Perez hand delivered a letter to the business notifying them that they must comply with the governor's directives for public/private gatherings of limiting the gathering to 50 people. George Harris signed the confirmation of hand delivery.

At approximately 1740 hours, I Business License Section Manager Latania Webb, Business License Acting Supervisor Kelly Oliverius, License Officer Monica Perez & personnel from Metro Special Investigations Section conducted an inspection of the Evangelicals for Trump event. Upon arrival we observed a large open area with hundreds of people sitting at tables & standing around. There was a stage with a live band playing music. Acting Supervisor Oliverius walked the event to video tape and used a manual counter to calculate the number of attendees which she counted 1147 and did not make it through the entire room. Officer Perez and I spoke with General Manager Keith Wright and Ahern Counsel Sami Bakdash and explained our presence. We issued a notice of violation with a \$250 civil fine to Attorney Bakdash who signed the notice but insisted that the event is legal and will appeal the civil fine. Officer Perez left him with the original notice and we left the premise.

Friday, August 7, 2020

Received a citizen complaint at 0610 hours stating that the Ahern is having an upcoming event, "Mrs. Nevada America Pageant," on June 9, 2020 and may be in violation of the governor's directives on the limited 50 person gatherings.

Saturday, August 8, 2020

At approximately 1315 hours Officer Monica Perez attempted to serve a courtesy notice to the business in regards to the upcoming Mrs. Nevada America Pageant. She spoke to the Operations Manager Todd Fields and informed him of the reason for her visit and asked that he sign the courtesy notice. Mr. Fields stated he needed to contact George Harris & Attorney Sami Bakdash by phone. Then another man walked up with a gun holstered and when asked he identified himself as the security director. Mr. Fields informed Officer Perez that Mr. Harris & Attorney Bakdash had instructed him not to sign anything as they are suing the City and to have Officer Perez escorted off the property. Another security officer arrived and both escorted her to her vehicle in the parking garage. Officer Perez immediately contacted me and informed me of what had happened. I

contacted Director Summerfield to advise him and then contacted Sgt. Jeremy Melvin with LVMPD SIS Section and advised him of the situation and that we would need Metro support when the officers go out on Sunday, August 9, 2020 to possible shutdown the event if it is in violation of the governor's directives. Sgt. Melvin informed me that Sgt. Marty is on call for Sunday and to contact him, which I did and he said he would make sure that we have Metro support when he conduct our inspection.

Sunday, August 9, 2020

Director Summerfield gave the directive to conduct the inspection of the event and determine if they were in violation. If so, then the officers are to issue a "Cease Desist" notice with no fine and advise them that the event needs to cease immediately and Metro will need to clear the attendees from the room.

At approximately 1700 hours, I Section Manager Webb, Officers Perez & Tucker met at LVMPD SIS headquarters for a briefing with their personnel over the plan for the inspection. Sgt. Jorge Marty, Captain Jack Owen, two detectives and two DTAC patrol officers were in attendance. I explained our stance regarding the inspection and Captain Owen stated that if we shut the event down that Metro would clear the attendees. He then received a call from Sheriff Lombardo who informed him that he had just spoke with Don Ahern, owner who stated that if we find that they are in violation and want them to end the event that they would shut the event down. He stated he was on his way to the hotel.

At approximately 1725 hours they all arrived at the hotel and observed that the event had approximately 150-200 attendees, the bar was open and customers were being served from the bar, people were drinking alcoholic beverages at tables without food, and walking around without face coverings. Officer Perez approached Field Operations Manager Todd Fields and explained why they were onsite and that they are in violation of the governor's directives. A short time later George Harris & Don Ahern arrived onsite. They were advised that they are in violation and that the event needs to cease & desist immediately. Mr. Harris refused to shut down the event unless the City personnel makes an announcement to the event attendees that they were shutting the event down. Officer Perez contacted me for direction and I advised Director Summerfield of the situation. I was preparing to report to the location when Officer Perez called me and informed that Mr. Harris was making the announcement to shut down the event. Captain Owen informed Mr. Harris & Mr. Ahern that they could continue with the pageant as long as they limited it to 50 people. Mr. Harris then announced to the attendees that the pageant would continue but without spectators and that they needed to leave. Mr. Harris signed the cease & desist notice. At that time Metro & Business Licensing Officers left the hotel.

