Notice and Agenda
Technical Review Meeting
Council Chambers - City Hall
10 E. Mesquite Blvd. - 2nd Floor
TUESDAY, MAY 3, 2022 - 2:30 PM

Below is an agenda of all items scheduled to be considered. Unless otherwise stated, items may be taken out of the order presented on the agenda at the discretion of the Mayor and Council. Additionally, the Mayor and Council may combine two or more agenda items for consideration, and may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Public comment is limited to three minutes per person.

NOTE: There will be no eComments enable for this meeting.

1. Public Comments

During the Public Comment portion of the agenda, comments are to be limited to matters not appearing on the agenda or do not provide for specific public comment under another agenda item. . Public Comment will be provided on each agenda under each specific item of business. Any public comment shall be addressed to the Mayor, moderator, or chair of the public body and shall be direct so as to form a viewpoint of an issue. All public comments shall be limited to three (3) minutes, unless specifically extended upon request to the Mayor, moderator, or chair of the public body. Derogatory comments of non-public individuals or another public commenter shall not be permitted. The Mayor, moderator, or chair of the public body may limit the individual's comment period if proper decorum is not observed. Items raised under this portion of the agenda cannot be deliberated or acted upon until the notice provisions of the Nevada Open Meeting Law have been met. If you wish to speak at this time, please step up to the podium, and clearly state your name.

1.1. Public Comments
Cover Page

2. Consent Agenda

Items on the Consent Agenda may not require discussion. These items may be a single motion unless removed at the request of the Mayor, City Council, or City Manager.

2.1. Consideration for approval of the May 3, 2022 Technical Review Meeting agenda, the April 5, 2022 Budget Work Session Meeting minutes and the April 19, 2022 Technical Review Meeting minutes.

- Public Comment
- Discussion and Possible Action

Cover Page

2.2. Consideration of approval of:

a) Notification of Budget Transfers
b) Notification of Budget Amendments
c) Notification of Bills Paid
d) Purchase Orders

- Public Comment
- Discussion and Possible Action

Cover Page

Check Register - City Council Agenda 4.11.22 to 4.24.22.pdf

City Council - Budget Trsfrs & POS 05.10.22.pdf

2.3.. Consideration of designating Vehicles & Equipment Items as City Surplus items and direct Public Works to list these items on the Public Surplus website.

- Public Comment
- Discussion and Possible Action

Cover Page

VehiclePics.pdf

EquipmentPics.pdf

SalesfromLastAuction_Feb22.pdf

2.4. Consideration of Bid Award for Sports & Events Complex: Synthetic Turf &

Base Remediation Improvement Project.

- Public Comment
- Discussion and Possible Action

Cover Page

BidSpecifications_Apr22.pdf

3. Resolutions & Proclamations

3.1. Consideration of Approval of Resolution No. R22-014, adopting Interlocal Contract (No. 3029) between Clark County, the City of Las Vegas, the City of North Las Vegas, the City of Henderson, the City of Mesquite, the City of Boulder City and the Regional Transportation Commission of Southern Nevada for Dynamic Rumble Strips Fiscal Year 2022.

- Public Comments
- Discussion and Possible Action

Cover Page

ResNo_R22014.pdf

ContractNo3029.pdf

3.2. Proclamation - Public Works Week - May 16 through 22, 2022

Cover Page

Proclamation_PWWeek_22.pdf

3.3.. Proclamation - Mesquite Youth Law Awareness Day
Cover Page

4. Department Reports

4.1. Mayor's Comments and Reports
Cover Page

4.2.. City Council and Staff Comments or Reports
Cover Page

5. Adoption of Bills as Ordinances

5.1. Consideration of approval of Bill 22-004 as Ordinance 22-004, a staff-initiated amendment to the Mesquite Municipal Code Title 9, Chapter 7, General Commercial Zoning regulations. The change would add gun sales to the Conditional Use section for the Commercial General zones.

- Public Hearing
- Discussion and Possible Action

Cover Page

B22-004.docx

Exhibit A 9-7N-3.docx

Staff Memo..docx

5.2. Consideration of approval of Bill 22-005 as Ordinance 22-005, an amendment to the Mesquite Municipal Code Title 9, Chapter 7, General Commercial Zoning regulations. The change would add Tattoo Establishments to the Permitted Uses section for the Commercial General zones.

- Public Hearing
- Discussion and Possible Action

Cover Page

B22-005.docx

Exhibit A 9-7N-2.docx

Staff Memo Council.docx

Justification Letter.pdf

6. Real Properties

6.2. Consideration for approval of Resolution R22-015 finding that the sale of approximately .417 acre parcel of city-owned located at 1111 Birdie Lane (APN: 001-07-401-022) is in the best interest of the City of Mesquite.

- Public Comment
- Discussion and Possible Action

Cover Page

R22-015.docx

Section 2.340 (1).pdf

6.1. Consideration for approval of Resolution R22-016 of the City Council of the City of Mesquite (City) finding that the sale of approximately .471 acres of City-Owned Property consisting of a portion of current Clark County Assessor's parcel No. 001-027-401-022, commonly known as 1111 Birdie Lane, part of the parcel 2, file 96, Page 44 of Official Records, Clark County, Nevada is consistent with all Ordinances and Resolutions adopted by the City Council Regarding the disposal of Real Property for the purposes of Economic Development or redevelopment, in accordance with Mesquite City Charter Section 2.340

- Public Comment
- Discussion and Possible Action

Cover Page

R22-016 (1).docx

Exhibit A Showing .471 acres to purchase (1).pdf

Section 2.340 (1).pdf

Appraisal. Cushman and Wakefield.pdf

Appraisal. Colliers.pdf

7. Administrative Items

7.1. Consideration of approval of Conditional Use Permit, Case No. CUP-22-003, to allow gun sales at the Big 5 Sporting Goods store to be located at 1085 W. Pioneer Boulevard in the General Commercial (CR-2) Zone.

- Public Hearing
- Discussion and Possible Action

Cover Page

CUP--22-003 Big 5 Sports VicinityMap.pdf

CUP-22-003 Big 5 Staff Memo.docx

CUP-22-003.pdf

7.2.. Consideration for approval Resolution R22-012 of Zone Change Master Plan Case No. ZCM-22-004 (Mesquite Jabez) to rezone 8.02 acres of land at 820 W Mesquite Boulevard from Hotel Tourist (HT) to General Commercial (CR-2).

- Public Hearing
- Discussion and Possible Action

Cover Page

R22-012 Mesquite Jabez.docx

ZCM--22-004 Mesquite Jabez VicinityMap.pdf

ZCM-22-004 Mesquite Jabez staff memo.docx

8. Public Comments

After all council business has concluded, this Public Comment portion of the agenda shall be open to all viewpoint comments, including agendized items. . Any public comment shall be addressed to the Mayor, moderator, or chair of the public body and shall be direct so as to form a viewpoint of an issue. All public comments shall be limited to three (3) minutes, unless specifically extended upon request to the Mayor, moderator, or chair of the public body. Derogatory comments of non-public individuals or another public commenter shall not be permitted. The Mayor, moderator, or chair of the public body may limit the individual's comment period if proper decorum is not observed. Items raised under this portion of the agenda cannot be deliberated or acted upon until the notice provisions of the Nevada Open Meeting Lawhave been met. If you wish to speak at this time, please step up to the podium, and clearly state your name.

8.1. Public Comments
Cover Page

9. Adjournment

9.1. Adjournment
Cover Page

Note: Please be advised that the Standing Rules of the City Council are available for your information and posted in the bulletin board on the first floor of City Hall. The Standing Rules govern the conduct of City Council Meetings. These Standing Rules may be acted upon and utilized by the Mayor and City Council at any City Council Meeting.

To obtain any or all supporting materials for this Agenda, please contact the Clerk's Office at 702-346-5295.

Members of the public who are disabled and require special assistance or accommodation at the meeting are requested to notify the City Clerk's Office -City Hall in writing at 10 E. Mesquite Blvd., Mesquite, NV, 89027 or by calling 346-5295 twenty-four hours in advance of the meeting.

THIS NOTICE AND AGENDA HAS BEEN POSTED ON OR BEFORE 9:00 AM ON THE THIRD WORKING DAY BEFORE THE MEETING AT THE FOLLOWING LOCATIONS:

1. *Mesquite City Hall, 10 E. Mesquite Blvd., Mesquite, Nevada*
2. *Mesquite Community & Senior Center, 102 W. Old Mill Road, Mesquite, Nevada*
3. *Mesquite Post Office, 510 W. Mesquite Blvd., Mesquite, Nevada*
4. *Mesquite Library, 121 W. First North, Mesquite, Nevada*

The agenda is also available on the Internet at http://www.mesquitenv.gov and http://nv.gov

RULES OF PROCEDURE

1. Authority:

1.1 The Mesquite City Charter Article II, Section 2.060(2), Provides that the **City** Council may adopt rules for the government of its members and its meetings; These Rules of Procedure shall be in effect upon their adoption by the Council and until such time as they are amended or new rules are adopted in the manner provided by these Rules of Procedure.

2. General Rules:

2.1. **PUBLIC MEETINGS**: All meetings of the Council shall be open to the public, expect those provided in NRS 241 and 288. The agenda and backup material shall be open to public inspection in the City Clerk's Office.

2.2 **QUORUM:** A majority of the members of the Council shall constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance will be named and they shall adjourn to a later time.

2.3 **MINUTES:** A written account of all proceedings of the Council shall be kept by the City Clerk and shall be entered into the official records of the Council.

2.4 **RIGHT TO FLOOR:** Any member desiring to speak shall be recognized by the chair, and shall confine his remarks to the item under consideration.

2.5 **CITY MANAGER**: The City Manager or his/her designee shall attend all meetings of the Council. The City Manager may make recommendations to the Council and shall have the right to take part in all discussions of the Council, but shall have no vote.

2.6 **CITY ATTORNEY**: The City Attorney or Deputy City Attorney shall attend all meetings of the Council and shall, upon request, given an opinion, either written or verbal, on questions of the law.

2.7 **CITY CLERK**: The City Clerk or Deputy City Clerk shall attend all meetings of the Council and shall keep the official minutes and perform such other duties as required by the Council.

2.8 **OFFICERS AND STAFF:** Department heads of the City, when there is pertinent business from their departments on the Council agenda, shall attend such Council meetings upon request of the City Manager.

2.9 **RULES OF ORDER:** "Roberts Rules of Order Newly Revised" 11th Edition shall govern the proceedings of the Council in all cases, provided they are not in conflict with these rules.

3. Types of Meetings:

3.1 **REGULAR CITY COUNCIL MEETINGS**: The City Council shall meet in regular session at 5:00 p.m. on the second and fourth Tuesday of each month. The City Council may, as it deems necessary, schedule a regular meeting on a date other than the second and fourth Tuesday of each month, in accordance with Article II, Section 2.040 of the Mesquite City Charter and the provisions of Nevada Revised Statutes ("NRS") chapter 241.

3.2 **TECHNICAL REVIEW MEETINGS**: Pursuant to Article II, Section 2.040(2) of the Mesquite City Charter, the City Council shall hold Technical Review Meeting at 1:30 p.m. on the first and third Tuesday of each month. The purpose of Technical Review Meetings shall be to establish the business to be heard for only the next relevant Regular City Council meeting and other matters properly related thereto.

3.3 **ROLE OF MAYOR**: The Mayor shall preside over both Technical Review Meetings and Regular City Council Meetings. The Mayor may decide in what order to take business from the Agenda. In the Mayor's absence, the Mayor Pro Tem shall fulfill the role of the Mayor. If both the Mayor Pro Tem and the Mayor are absent, the City Council shall choose by majority vote a temporary chair who shall fulfill the administrative duties of presiding over the City Council Meeting. Nothing in this provision shall either abridge or delegate the duties of the Mayor, Mayor Pro Tem or the City Council as provided in Article III of the Mesquite City Charter, except as to the sole issue of fulfilling administrative duties and conducting and directing business during a meeting.

3.4 **PLACE OF MEETINGS**: The City Council herewith designates as its Council Chambers, for the conduct of all regular meetings, the Council Chambers in City Hall located at 10 East Mesquite Boulevard, Mesquite, Nevada, or such other place as the City Council may from time to time determine.

3.5 **SPECIAL MEETINGS**: Special meetings of the City Council include any meeting other than its regular meetings of a quorum of the City Council not exempted from the requirements of NRS Chapter 241. Special meetings of the City Council may be called by the Mayor or a majority of the City Council in compliance with Article II, Section 2.050 of the Mesquite City Charter and the provisions of NRS chapter 241.

3.6 **ADJOURNED MEETINGS**: Any meeting of the City Council may be continued or adjourned from day to day by a call of the Mayor or Councilmember and ratified by a majority vote, and in accordance with an agenda noticed pursuant to NRS chapter 241, but not beyond the next scheduled regular meeting.

3.7 **EXECUTIVE SESSIONS**: Executive sessions, closed meetings or non-public meetings may be held in accordance with the provisions of NRS chapters 241 and 288.220.

4. Duties of Presiding Officer and Meeting Decorum

4.1 **PRESIDING OFFICER:** The Mayor, when present, shall preside as Chairman at all meetings of the City Council. In the absence of the Mayor, the Mayor Pro Tern shall preside; in the absence of the Mayor and Mayor Pro Tern, the quorum of present Councilmembers shall choose a presiding officer. The Presiding Officer of any meeting of the City Council shall have the same right as any other member of the City Council to initiate a motion, question or debate. The Presiding Officer shall preserve order and decorum, and confine Councilmembers in debate to the question under discussion.

4.2 **COUNCIL VOTE**: Unless a roll call vote is requested or necessitated due to a malfunction of the electronic vote system, the vote on any motion, resolution or ordinance shall be cast electronically and displayed for public view.

4.3 **DECORUM OF THE DAIS:** During meetings, all persons present shall assist in preserving order and decorum by limiting conversation and the use of cellular devices that may delay or interrupt the proceedings.

4.4 **POINTS OF ORDER:** Any Councilmember may at any time raise a point of order objection as appropriate by stating the phrase "Point of Order." The Councilmember shall be afforded the opportunity to explain his or her point of order objection to the Mayor. The Mayor shall rule on the point of order. The Mayor may seek advice from the City Clerk in ruling upon any point of order. If the Mayor's ruling is against the Council member's call for the Point of Order, a vote of the Council may be requested.

5. Order of Business and Agenda

5.1 **AGENDA:** The order of business of each meeting shall be as contained in the agenda in accordance with NRS 241 prepared by the City Clerk and approved by the City Manager. The agenda shall be delivered to members of the Council at least three (3) working days preceding the meeting to which it pertains.

5.2 **SPECIAL INTEREST/PRESENTATION ITEMS**: Unless otherwise approved by the City Manager, and in order to provide for the effective administration of City Council business, a maximum of four (4) items of special interest or presentation shall be scheduled on one agenda. Special Interest/Presentation items must appear on the agenda and it is not appropriate for presentations to be made during the public comment portion of the meeting.

6. Voting

6.1 All voting procedures shall be in accordance with Parliamentary Authority.

6.2 **POINT OF INFORMATION:** This is a request by a Council member, directed to the Presiding Officer or appropriate individual for information relevant to the pending item. A Point of Information takes precedence over a main motion, is not debatable, is not amendable, is not superseded by other motions, and is ruled on for appropriateness by the Presiding Officer.

6.3 **ABSTENTIONS:** A member may abstain from voting for any reason s/he deems appropriate.

6.4 **FAILURE OF AFFIRMATIVE MOTION:** The failure of a motion calling for affirmative action is not the equivalent of the passage of a motion calling for the opposite negative action. The failure of such affirmative motion constitutes no action.

6.5 **FAILURE OF NEGATIVE MOTION**: The failure of a motion calling for a negative action is not the equivalent of the passage of a motion calling for the opposite affirmative action. The failure of such a negative motion constitutes no action.

6.6 **LACK OF PASSAGE OF A MOTION:** In some instances (maps in particular, per NRS) lack of passage of a motion may result in the item being "deemed approved." In other instances no action may result in confusion and complication for the applicant. In all cases the City Council will strive to achieve a decision or action.

7. Citizens' Rights

7.1 **ADDRESSING THE CITY COUNCIL:** Any person desiring to address the Council by oral communication can do such during Public Comments (at the beginning and closing of the meeting), or on a particular item on the agenda.

7.2 **TIME LIMIT:** Each person addressing the Council shall step to the microphone, shall give his/her name in an audible tone of voice for the record and, unless further time is granted by the Presiding Officer, shall limit the time of his/her comments to three (3) minutes.

7.3 **PUBLIC COMMENT CONTENT**: The presiding officer or the majority of City Council may prohibit comment if the content of the comments is a topic that is not relevant to, or within the authority of, the public body, or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.

7.4 **DISRUPTIVE CONDUCT:** Any person who willfully disrupts a meeting to the extent that its orderly conduct is made impractical may be removed from the meeting by order of the Presiding Officer or majority of the City Council. A person willfully disrupts a meeting when s/he (1) uses physical violence, threatens the use of physical violence or provokes the use of physical violence, or (2) continues to use loud, boisterous, unruly, or provocative behavior after being asked to stop, which behavior is determined by the Presiding Officer or a majority of the City Council present to be disruptive to the orderly conduct of the meeting, or (3) fails to comply with any lawful decision or order of the Presiding Officer or of a majority of the City Council relating to the orderly conduct of the meeting.

7.5 **WRITTEN COMMUNICATIONS:**

a. In General: Interested parties or their authorized representatives may address the Council by written communication in regard to any matter concerning the City's business or over which the Council has control at any time by direct mail to Council members, email, or by addressing it to the City Clerk and copies will be distributed to the Council members.

b. At City Council Meetings: Except as provided in subsection c, written communications will not be read at City Council meetings, but will be attached to the item as part of the record, tallied, and reported by the City Clerk as generally in favor of or against the proposition.

c. Exceptions: A written communication to the City Council may be read by City staff at a City Council meeting when (1) the person making the written communication has asked it be read aloud, (2) the person is unavailable to be at the meeting due to emergency or illness, (3) the written communication can be read in an ordinary cadence within three minutes, and (4) the person's name appears on the written communication and will be read into the record.

8. Suspension and Amendment of These Rules

8.1 **SUSPENSION OF THESE RULES**: Any provision of these rules not governed by law may be temporarily suspended by a majority vote of the City Council.

8.2 **AMENDMENT OF THESE RULES:** These rules may be amended, or new rules adopted, by a majority vote of all members of the City Council, provided that the proposed amendments or new rules have been introduced into the records at a prior City Council meeting.