

**MINUTES
CITY OF NORTH LAS VEGAS
CITY COUNCIL AND REDEVELOPMENT AGENCY
REGULAR MEETING**

May 4, 2022

Website - <http://www.cityofnorthlasvegas.com>

CALL TO ORDER

4:11 p.m., Council Chambers, 2250 Las Vegas Boulevard North,
North Las Vegas, Nevada 89030

ROLL CALL

COUNCIL PRESENT

Mayor Lee
Mayor Pro Tempore Cherchio
Councilwoman Goynes-Brown
Councilman Barron
Councilman Black

STAFF PRESENT

City Manager Juden
City Attorney Moore
City Clerk Rodgers
Assistant City Manager Melesio
Chief of Staff Gipson
Community Services and Engagement Director Calvo
Deputy Director of Neighborhood and Leisure Services Guild
Director of Community Corrections Baker
Director of Library Lewis
Economic Development and Government Affairs Director Luke
Fire Chief Calhoun
Government Affairs Manager Benavides
Human Resources Director Ihmels
Land Development and Community Services Director Jordan
Senior Deputy City Attorney Jarvis
Senior Deputy City Attorney Moore
Neighborhood and Leisure Services Director Palmer
Utilities Director Brady

Police Captain Harris
Public Information Officer Walker
Public Information Officer Bridges
Deputy City Clerk McDowell
Deputy City Clerk Rivera

WELCOME

Mayor John J. Lee

VERIFICATION

Jackie Rodgers
City Clerk

INVOCATION

Reverend Michael Boykin
Second Baptist Church Las Vegas | Miracle on Madison Avenue.

PLEDGE OF ALLEGIANCE - BY INVITATION

Mayor Pro Tempore Cherchio

PRESENTATIONS

**CERTIFICATE OF RECOGNITION FOR THE BUSINESS OR ORGANIZATION
OF THE MONTH.**

Mayor Pro Tempore Richard J. Cherchio presented the Business of the Month certificate to Tree of Life Dispensary located at 150 East Centennial Parkway Suite #114, North Las Vegas. Tree of Life Dispensary's mission is, "To ensure each guest receives prompt, professional and gracious service. To give to the underserved with love and in the process, better ourselves."

Mayor Pro Tempore Cherchio introduced Doctor Florence Jameson and stated that she had spent her life dedicated to health care and to her family. Doctor Florence Jameson attended the University of California, Medical School where she earned her medical degree and finished her residency in obstetrics and gynecology at Cedars Sinai Hospital in Los Angeles. In 1985, Doctor Florence Jameson opened her private practice in Las Vegas and has now spent the last 27 years caring for women and their newborn children. Mayor Pro Tempore Cherchio stated that Doctor Florence Jameson had also dedicated herself to the welfare of the medical profession as the previous president of the Clark County Medical Society and as an officer of the Nevada Medical Association, current president election.

Doctor Florence Jameson is the founder and CEO of Volunteers in Medicine Southern Nevada (VMSN), a free health clinic dedicated to providing medical services to the uninsured who would not otherwise be able to afford it. In addition, prior to starting Volunteers in Medicine Southern Nevada, Doctor Jameson assisted in opening a clinic at the Juvenile Justice Center of Southern Nevada to care for incarcerated young women that have no healthcare. Mayor Pro Tempore Cherchio also mentioned that Doctor Florence Jameson married her childhood sweetheart, Frank Gard Jameson, and raised two children together, Michael and Julia. Mayor Pro Tempore Cherchio stated that Doctor Florence Jameson knows what a difference a healthcare provider can make in someones life. As a child, Doctor Jameson's mother struggled to provide for herself and five children. However, a family doctor did not allow for them to be without healthcare despite their ability to pay for services. Doctor Jameson now devotes her time to Volunteers in Medicine Southern Nevada and her private practice.

Mayor Pro Tempore Cherchio also introduced Doctor Frank Gard Jameson; he is an author and professor at the University of Las Vegas. He stated that Doctor Gard Jameson received his Ph. D from Pacifica Graduate Institute in 2005. He teaches Chinese and Indian philosophy in the Philosophy Department at the University of Nevada, Las Vegas. Mayor Pro Tempore Cherchio stated that prior to his tenure at the University of Nevada, Las Vegas, Doctor Gard Jameson had spent 25 years practicing as a certified public accountant and Director of Financial Planning at Piercy Bowler Taylor and Kern CPA firm in Las Vegas. Mayor Pro Tempore Cherchio also stated that Doctor Gard Jameson had published three books and had helped fund and chairs the boards of the Children's Advocacy Alliance, the Interfaith Council of Southern Nevada, and the Nevada Institute for Spirituality in Healthcare. Doctor Gard Jameson is the treasurer and cofounder of Volunteers in Medicine in Southern Nevada. In addition, Mayor Pro Tempore Cherchio stated that Doctor Gard Jameson helped fund the Nevada Community Foundation and serves on the board of the Stillpoint Center for Spiritual Development and the Alf Museum of Life in Claremont, California. Lastly, Doctor Gard Jameson is a minister at Grace Community Church in Boulder City, Nevada and has a Bachelor of Arts Degree in Religious Studies from Stanford University in 1975.

Mayor Pro Tempore Cherchio stated that there are not many businesses in North Las Vegas that take a portion of their resources and profits to give back to the community. He stated that Tree of Life Dispensary had donated 70% of their profits to various causes and he thanked them for being a great community partner. On behalf of the City Council, Mayor Pro Tempore presented the certificate of recognition, to the Tree of Life Dispensary located at 150 East Centennial Parkway Suite #114, North Las Vegas.

Doctor Florence Jameson thanked the Mayor and Council for recognizing the work that they do and appreciated everything that they do for the City. She stated that her middle name is "access to healthcare", and between her and her staff, they have a dozen of nonprofit organizations. Doctor Florence Jameson thanked City Council for allowing her to start the Tree of Life Dispensary in North Las Vegas in order to fund their

nonprofit organizations. She stated that the dispensary is one of the safest dispensaries and if there are any issues they will address them to make the City Council proud. She also stated that from a medical point of view, cannabis is much safer than alcohol or any other drug on the street. Her own brother was very ill from heroin, and if there was any concern that cannabis would be the same, she would have never gone down this path. She also mentioned that there are people that prefer cannabis over alcohol since it is safer and if there are ever issues of addiction involved, they will provide help for those individuals. Doctor Florence Jameson stated that all the credit for the hard work put into building the dispensary and the administration goes to her team. She also stated that this process started with Mayor Lee, who provided a reference letter for their business application to the state of Nevada. Mayor Lee was able to see their vision and believed in their mission. She stated that they plan to give the community 70% of their profits, provide help to the homeless, and continue to help in anyway.

Mayor Lee stated that he first met Doctor Florence Jameson very early in her career. He stated that she mentioned that she was an American Indian Doctor and he was very proud of that. Mayor Lee also stated that Doctor Frank Gard Jameson has reached out to him yearly to attend the Mayor's prayer at the Texas Station in Las Vegas. He stated that they recite a prayer from every religion and that it is an event where children and young adults participate. Mayor Lee thanked Doctor Florence Jameson and Doctor Frank Gard Jameson for their participation in the community.

Councilman Barron stated that North Las Vegas was the leader in the state of Nevada to have dispensaries in the community. He stated that he spoke with the Mayor and they both understood the potential dispensaries would have in the community. Councilman Barron also stated that the Tree of Life changed the way the community viewed dispensaries in a positive way. In addition, he stated that this is what responsible entrepreneurship is about and he is very proud of both Doctors.

Councilwoman Goynes-Brown thanked Doctor Florence Jameson, especially for what they do for women and children in the community. She thanked them for providing services for women's health and their unborn/newborn babies. In addition, she mentioned, as far as dispensaries go, it comes down to educating the public on the ins and outs of the industry, how it can be beneficial, and how to be responsible when using cannabis for medicinal or recreational use. Councilwoman Goynes-Brown thanked Doctor Frank Gard Jameson for the prayer events that she had attended in the past; the choices they have the opportunity to pray over, for the youth engagement have been very inspiring.

Councilman Black thanked Doctor Florence Jameson and Doctor Frank Gard Jameson for the services they provide the community. He stated that both Doctors are able to focus on individuals and their needs to ensure they are being taken care of.

COUNCIL ITEMS

Councilman Barrón announced the following:

- Honored to have attended the North Las Vegas Police Department Hispanic Citizen's Academy Opening Night on April 27, 2022. He stated this was a great way to build bridges with the Hispanic community and the Police Department. Councilman also invited the public to attend numerous activities around the Valley to celebrate Cinco de Mayo.
- Participated in Dia de Niños event which was organized by CHISPA of Nevada, on April 30, 2022. He stated that he hopes this event takes place on a yearly basis.
- National Day of Prayer will be held on Thursday May 5, 2022, at City Hall organized by Doctor Tony Robinson. The National Day of Prayer is an annual day of observance held on the first Thursday of May, designated by the United States Congress, when people are asked "to turn to God in prayer and meditation".

Mayor Pro Tempore Richard J. Cherchio announced the following:

- For Teacher Appreciation Week, Mayor Pro Tempore and his colleagues visited the amazing Southern Nevada Urban Micro Academy teachers at the Neighborhood Recreation Center and Silver Mesa Recreation Center on Monday, May 2, 2022. He stated that he has never seen children so engaged with their teachers who are doing a good job. He thanked the teachers for what they are doing for the next generation.
- Will be participating at a Lunch and Learn event at Sun City Aliante on May 5, 2022 to discuss developments on the Villages at Tule Springs. The purpose of this event is to educate and inform the community of new developments that are coming to the city. He stated that Bob Gronauer and DR Horton will be attending to conduct a presentation and provide lunch. Mayor Pro Tempore Cherchio stated on record that he appreciates Mr. Gronauer and DR Horton for attending this event to inform the community of the new development. In addition, councilman Cherchio stated that Sun City Aliante received their third award for community of the year. The association does a fantastic job and they have a beautiful club house.
- Will be attending a tour of the Hearts Alive Village Animal Clinic, May 10, 2022. He stated that he is an animal advocate and appreciate the nonprofits that help animals.

Councilman Black announced the following:

- Councilman Black participated in Guy Elementary Schools Family Day on April 29, 2022 with Commissioner Kirkpatrick; Breakfast was served to 600 parents and students. He also scooped ice cream and sundaes for all grades after lunch. He also stated that this was a great event and it was nice to see students, parents and grandparents attend.
- Attended Change Lanes for Bikes awareness campaign on May 3, 2022 with North Las Vegas Police Department, Clark County School District Police Department, and Las Vegas Metropolitan Police. He rode 22 miles up and down Aliante Parkway with two Clark County School District Officers. He stated that one particular aspect of safety for him, because he rides a bicycle is the Nevada State Law to change lanes for a bicyclist, and if there isn't a lane available, drivers must give the bicyclist 3-feet.

Councilwoman Goynes-Brown announced the following:

- Thanked the beautification and graffiti team. She attended a Neighborhood Cleanup in Ward 2 on Wednesday, May 4, 2022. Councilwoman Goynes-Brown was excited that she had the opportunity to paint a fire hydrant.
- Attended the grand opening of Chicanos Por La Causa on Tuesday May 3, 2022. This organization focuses on minority businesses, housing, and education programs.
- Participated in meet and greet the seniors at Rose Gardens to pass the Ward torch from Ward 1 to Ward 2 on May 3, 2022. She had a great time talking with the seniors and listening to some of their questions and concerns.
- On May 23, 2022 will be hosting a health event from 10:00 a.m. to 3:00 p.m. at the Martin Luther King Jr Senior Center with the Armed Forces Chambers
- Attended the National Association of Women Business Owners luncheon on April 26, 2022. Amanda Payon from 5th Brewing is the first Hispanic woman to open a brewery in North Las Vegas and went through the city's small business connector. In addition, Jeannie Lorin from the Beauty Society in North Las Vegas attended the event as well as Rebecca Gipson who is Chief of Staff for the City of North Las Vegas.

*****ADJOURN TO REDEVELOPMENT AGENCY MEETING*****

PUBLIC FORUM

There was no participation.

AGENDA

1. APPROVE REDEVELOPMENT AGENCY REGULAR MEETING AGENDA OF MAY 4, 2022. (FOR POSSIBLE ACTION)

ACTION: APPROVED

MOTION: Vice Chairman Barron

AYES: Chairwoman Goynes-Brown, Vice Chairman Barron, Agency Members
Lee, Black and Cherchio

NAYS: None

ABSTAIN: None

RDA CONSENT AGENDA

2. APPROVE AGREEMENT TO TERMINATE OUTDOOR LEASE WITH CLEAR CHANNEL OUTDOOR, INC. FOR BILLBOARD ON PARCEL LOCATED AT 1909 LAS VEGAS BLVD. N. (WARD 1-BARRON) (FOR POSSIBLE ACTION)

ACTION: APPROVED

MOTION: Vice Chairman Barron

AYES: Chairwoman Goynes-Brown, Vice Chairman Barron, Agency Members
Lee, Black and Cherchio

NAYS: None

ABSTAIN: None

PUBLIC FORUM

There was no participation.

*****ADJOURN TO CITY COUNCIL MEETING*****

PUBLIC FORUM

There was no participation.

AGENDA

**3. APPROVE CITY COUNCIL REGULAR MEETING AGENDA OF MAY 4, 2022.
(FOR POSSIBLE ACTION)**

ACTION: APPROVED

MOTION: Councilman Barron

AYES: Mayor Lee, Mayor Pro Tempore Cherchio, Council Members Goynes-Brown, Barron, and Black

NAYS: None

ABSTAIN: None

CONSENT AGENDA

**4. APPROVE RESTRICTED GAMING BUSINESS LICENSE FOR SARTINI
GAMING, LLC DBA TROY MARKET AND LIQUOR, 445 WEST CRAIG ROAD,
SUITE 106, NORTH LAS VEGAS, NEVADA 89031. (WARD 2-GOYNES-
BROWN) (FOR POSSIBLE ACTION)**

ACTION: APPROVED

MOTION: Councilman Black

AYES: Mayor Lee, Mayor Pro Tempore Cherchio, Council Members Goynes-Brown, Barron, and Black

NAYS: None

ABSTAIN: None

5. APPROVE CHANGE OF OWNERSHIP FOR A BEER-WINE-SPIRIT-BASED PRODUCTS OFF-SALE BUSINESS LICENSE FOR TERRIBLE HERBST, INC. DBA TERRIBLE'S #437, 5685 LOSEE ROAD, NORTH LAS VEGAS, NEVADA 89081. (WARD 2-GOYNES-BROWN) (FOR POSSIBLE ACTION)

ACTION: APPROVED

MOTION: Councilman Black

AYES: Mayor Lee, Mayor Pro Tempore Cherchio, Council Members Goynes-Brown, Barron, and Black

NAYS: None

ABSTAIN: None

6. APPROVE CHANGE OF OWNERSHIP FOR A BEER-WINE-SPIRIT-BASED PRODUCTS OFF-SALE BUSINESS LICENSE FOR TERRIBLE HERBST, INC. DBA TERRIBLE'S #438, 1450 WEST CHEYENNE AVENUE, NORTH LAS VEGAS, NEVADA 89030. (WARD 2-GOYNES-BROWN) (FOR POSSIBLE ACTION)

ACTION: APPROVED

MOTION: Councilman Black

AYES: Mayor Lee, Mayor Pro Tempore Cherchio, Council Members Goynes-Brown, Barron, and Black

NAYS: None

ABSTAIN: None

7. APPROVE CHANGE OF OWNERSHIP FOR A BEER-WINE-SPIRIT-BASED PRODUCTS OFF-SALE BUSINESS LICENSE FOR TERRIBLE HERBST, INC. DBA TERRIBLE'S #439, 2816 WEST CRAIG ROAD, NORTH LAS VEGAS, NEVADA 89031. (WARD 4-CHERCHIO) (FOR POSSIBLE ACTION)

ACTION: APPROVED

MOTION: Councilman Black

AYES: Mayor Lee, Mayor Pro Tempore Cherchio, Council Members Goynes-Brown, Barron, and Black

NAYS: None

ABSTAIN: None

8. **APPROVE PROFESSIONAL SERVICES AGREEMENT WITH LESLIE PARK IN AN AMOUNT NOT TO EXCEED \$900,000 OVER A TERM OF THREE YEARS WITH TWO POSSIBLE ONE-YEAR RENEWALS AT THE DISCRETION OF THE CITY MANAGER FOR INDIGENT DEFENSE REPRESENTATION. (CITYWIDE) (FOR POSSIBLE ACTION)**

ACTION: APPROVED

MOTION: Councilman Black

AYES: Mayor Lee, Mayor Pro Tempore Cherchio, Council Members Goynes-Brown, Barron, and Black

NAYS: None

ABSTAIN: None

9. **APPROVE MASTER LICENSE AND SERVICE AGREEMENT WITH ION WAVE TECHNOLOGIES, INC. FOR AN E-PURCHASING PROGRAM CALLED NEVADA GOVERNMENT E-MARKETING (NGEM). (CITYWIDE) (FOR POSSIBLE ACTION)**

ACTION: APPROVED

MOTION: Councilman Black

AYES: Mayor Lee, Mayor Pro Tempore Cherchio, Council Members Goynes-Brown, Barron, and Black

NAYS: None

ABSTAIN: None

10. **APPROVE FIRST AMENDMENT TO CONTRACT FOR EMPLOYEE MEDICAL SERVICES WITH ARC HEALTH AND WELLNESS CENTERS, LLC IN A TOTAL AMOUNT NOT TO EXCEED \$920,760; \$306,920 ANNUALLY FOR THE REMAINDER OF THE AGREEMENT FOR THE FIRE AND POLICE DEPARTMENTS. (CITYWIDE) (FOR POSSIBLE ACTION)**

ACTION: APPROVED

MOTION: Councilman Black

AYES: Mayor Lee, Mayor Pro Tempore Cherchio, Council Members Goynes-Brown, Barron, and Black

NAYS: None

ABSTAIN: None

11. RATIFY APPOINTMENT OF WILSON EDGELL AS DIRECTOR OF HUMAN RESOURCES. (CITYWIDE) (FOR POSSIBLE ACTION)

ACTION: RATIFIED

MOTION: Councilman Black

AYES: Mayor Lee, Mayor Pro Tempore Cherchio, Council Members Goynes-Brown, Barron, and Black

NAYS: None

ABSTAIN: None

12. RATIFY APPOINTMENT OF SALLY IHMELS AS ASSISTANT CITY MANAGER. (CITYWIDE) (FOR POSSIBLE ACTION)

ACTION: RATIFIED

MOTION: Councilman Black

AYES: Mayor Lee, Mayor Pro Tempore Cherchio, Council Members Goynes-Brown, Barron, and Black

NAYS: None

ABSTAIN: None

13. APPROVE PURCHASE AGREEMENT WITH DELL MARKETING, L.P. IN AN AMOUNT NOT TO EXCEED \$148,420.68 TO PROVIDE SERVER HARDWARE, MICROSOFT AND VMWARE SOFTWARE, TECHNICAL SUPPORT AND MAINTENANCE IN SUPPORT OF THE WATER RECLAMATION FACILITY TECHNOLOGY REFRESH. (CITYWIDE) (FOR POSSIBLE ACTION)

ACTION: APPROVED

MOTION: Councilman Black

AYES: Mayor Lee, Mayor Pro Tempore Cherchio, Council Members Goynes-Brown, Barron, and Black

NAYS: None

ABSTAIN: None

14. **APPROVE ANNUAL AGREEMENTS WITH ORACLE AMERICA, INC., IN AN AMOUNT NOT TO EXCEED \$500,017.60 USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332 LOCAL GOVERNMENT PURCHASING ACT FOR ANNUAL SOFTWARE MAINTENANCE, TECHNICAL SUPPORT, AND SOFTWARE UPDATES FOR THE CITY'S ORACLE DATABASE, OPERATING SYSTEMS, AND APPLICATIONS SOFTWARE AND AUTHORIZE THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE CORRESPONDING AGREEMENT IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. (CITYWIDE) (FOR POSSIBLE ACTION)**

ACTION: APPROVED

MOTION: Councilman Black

AYES: Mayor Lee, Mayor Pro Tempore Cherchio, Council Members Goynes-Brown, Barron, and Black

NAYS: None

ABSTAIN: None

15. **CONSERVATION EASEMENT RELATED TO LANDSCAPE CONVERSION PROJECT WITH SOUTHERN NEVADA WATER AUTHORITY FOR TURF REMOVAL AT ALIANTE GOLF COURSE WITHIN APNS 124-17-312-003 AND 124-17-111-134 IN CONNECTION WITH THE WATER SMART LANDSCAPES PROGRAM PROVIDING FOR AN INCENTIVE PAYMENT OF \$169,923 TO THE CITY. (WARD 4 - CHERCHIO) (FOR POSSIBLE ACTION)**

ACTION: APPROVED

MOTION: Councilman Black

AYES: Mayor Lee, Mayor Pro Tempore Cherchio, Council Members Goynes-Brown, Barron, and Black

NAYS: None

ABSTAIN: None

16. **APPROVE PURCHASE AGREEMENT WITH PHILCOR T.V. & ELECTRONIC LEASING, INC., DBA NEDCO SUPPLY TO PURCHASE TRAFFIC POLES TO REPLENISH THE CITY'S EXISTING INVENTORY IN USE AT THE TRAFFIC OPERATIONS DIVISION IN THE TOTAL AMOUNT OF \$84,297.80 (CITYWIDE) (FOR POSSIBLE ACTION)**

ACTION: APPROVED

MOTION: Councilman Black

AYES: Mayor Lee, Mayor Pro Tempore Cherchio, Council Members Goynes-Brown, Barron, and Black

NAYS: None

ABSTAIN: None

17. **APPROVE PURCHASE AND INSTALLATION SERVICES AGREEMENT WITH SHADE IN A DAY L.L.C. IN AN AMOUNT NOT TO EXCEED \$61,500.00 FOR THE PURCHASE OF CARPORT COVERS AND INSTALLATION SERVICES FOR THE CITY'S PARK ADMINISTRATION BUILDING LOCATED AT 316 EAST BROOKS AVENUE. (WARD 2-GOYNES-BROWN) (FOR POSSIBLE ACTION)**

ACTION: APPROVED

MOTION: Councilman Black

AYES: Mayor Lee, Mayor Pro Tempore Cherchio, Council Members Goynes-Brown, Barron, and Black

NAYS: None

ABSTAIN: None

18. **AWARD BID NUMBER 1650 AND APPROVE A CONSTRUCTION CONTRACT WITH CG&B ENTERPRISES INC., IN THE AMOUNT OF \$1,803,348.89: \$1,210,645.89 FUNDED BY THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA FUEL REVENUE INDEXING FUNDS, AND \$596,703 FUNDED BY NDOT FEDERAL TAP FOR THE CITYWIDE SCHOOL SAFETY IMPROVEMENTS, CIP PROJECT NO. 10493. (CITYWIDE) (FOR POSSIBLE ACTION)**

ACTION: BID AWARDED

MOTION: Councilman Black

AYES: Mayor Lee, Mayor Pro Tempore Cherchio, Council Members Goynes-Brown, Barron, and Black

NAYS: None

ABSTAIN: None

19. **APPROVE THE FIRST AMENDMENT TO THE OVERSIZING AGREEMENT FOR PUBLIC WATER BETWEEN SOLO INVESTMENTS I, LLC, MMESA 319, LLC AND THE CITY OF NORTH LAS VEGAS FOR THE OVERSIZING OF UP TO 58,800 LINEAL FEET OF WATER MAIN, POWER AND RELATED IMPROVEMENTS, AND APPURTENANCES WITHIN APEX INDUSTRIAL PARK, CIP W0067. (WARD 1-BARRON) (FOR POSSIBLE ACTION)**

ACTION: APPROVED

MOTION: Councilman Black

AYES: Mayor Lee, Mayor Pro Tempore Cherchio, Council Members Goynes-Brown, Barron, and Black

NAYS: None

ABSTAIN: None

SET FUTURE PUBLIC HEARING DATES

20. **SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS.**

- | | | |
|---------------|------------------------------------|-------------------------------------|
| • VAC-04-2022 | (SA Recycling Nellis Blvd Road) | Public Hearing Set for May 18, 2022 |
| • AMP-02-2022 | (Tropical Losee) | Public Hearing Set for May 18, 2022 |
| • AMP-03-2022 | (Mixed Use Commercial - Densities) | Public Hearing Set for May 18, 2022 |
| • ZN-40-2019 | (Lone Mountain and Losee) | Public Hearing Set for May 18, 2022 |
| • ZN-06-2022 | (Tropical Losee) | Public Hearing Set for May 18, 2022 |

PUBLIC HEARINGS

21. **APPROVE VAC-03-2022 (GOLDFIELD & N. 5TH STREET) FOR APPLICANT: HARMONY HOMES TO VACATE PUBLIC RIGHT OF WAY (APN 124-27-599-010), GENERALLY LOCATED EAST OF AZURE BETWEEN GOLDFIELD AND N. 5TH STREET. (WARD 4-CHERCHIO) (FOR POSSIBLE ACTION)**

Mayor Lee opened the public hearing.

Liz Olson, 1980 Festival Plaza Drive, Suite 650, Las Vegas represented the applicant, Harmony Homes and was available for questions.

Public participation from the below participants:

Lino Croaro, 9040 W El Campo Grande Ave, Las Vegas is the property owner of Jardin Gardens Apartments. He stated that the apartment complex is in the same area that Harmony Homes wants to take over the easement and called it a Right-Of-Way. The speaker stated that this is not a Right-Of-Way and it is on the apartment complex property. If Harmony Homes begins to build homes, it will damage their side.

Cynthia Curtis, 10151 Park Run Drive, Las Vegas represented Stout Management which manages Jardin Gardens Apartments. She stated that the apartment complex sits next to the site where Harmony Homes plans to build homes. The owner of the property wants to appeal the easement for a few reasons. One of the reasons is the apartment complex is completely secured with a gate and the owner is concerned about the activity the new homes will create. She stated that the owner is concerned about the perimeter wall and the change in quality of life this will cause. There are only 80 apartment homes in the complex and they are concerned with releasing any of their easements or property to Harmony Homes.

Engineering Services Manager, Mike Hudgeons stated that he is not aware of any easements, only the vacation for the portion of the Right-Of-Way, which is a 30 foot Right-of-Way section. He is not certain on what the speaker is referring to.

Mayor Lee requested that the representative for Harmony Homes provide some clarity and information regarding the speakers concerns.

Liz Olson, 1980 Festival Plaza Drive, Suite 650, Las Vegas represented the applicant, Harmony Homes and presented a map to council and the public which showed where the applicants and apartment complex property is located. She stated that the applicant is requesting to vacate a portion of Right-Of-Way within the Harmony Homes development. Therefore, it has nothing to do with adjacent apartment homes. She stated that the applicant originally had a tentative map approved on the highlighted portion and it was to vacate a portion of the wall that was internal to the Harmony Homes property.

Cynthia Curtis, 10151 Park Run Drive, Las Vegas represented Stout Management which manages Jardin Gardens Apartments, stated that the initial documents that were received showed the easement of the wall being completely moved from the apartment community. She understands now that the easement is for a wall that is inside the Harmony Homes community, and as long as it is not on the owner's property, there are no issues.

Liz Olson, 1980 Festival Plaza Drive, Suite 650, Las Vegas representing the applicant, Harmony Homes stated that the request to vacate will not affect the eastern side of the property.

Mayor Lee turned over the discussion to staff and City Manager.

City Manager, Juden stated that the question he had was in regards to the letter the residents and Stout Management received from the applicant. He asked if there was any additional information regarding the apartment community wall.

Land Development and Community Service Director, Jordan answered City Manager, Juden's question regarding the wall. He stated that at a previous Planning Commission meeting, there was a new plan for a unit development for the property that surrounds the gas facility in the area and does not have any impact on the properties to the west. There is no movement of the wall. However, in the future there will be a proposed vacation next to the church in the area, but it will still not impact any of the walls in the area. In addition, as part of normal development, they would require some sort of buffering or landscaping by the wall.

Cynthia Curtis, 10151 Park Run Drive. Las Vegas on behalf of the property owner, Lino Croaro, stated that they are satisfied with the explanation of the vacation.

Mayor Lee asked the applicant's representative what will happen with the sidewalk on 5th street

Cynthia Curtis, 10151 Park Run Drive. Las Vegas representing the applicant, Harmony Homes answered Mayor Lee's question regarding the sidewalk on 5th Street. She stated that the plan for the sidewalk on 5th Street is part of the applicant's final development plan. However, she does not have a clear answer to the question as the agenda item is to vacate a certain area of the property.

Land Development and Community Service Director, March Jordan stated that the sidewalk on 5th Street is part of a special use permit that was approved in 2003. At the time it was presented to the Planning Commission, there were no developments in the area and the applicant, Southwest Gas, was given some leniency on when the off-sites would be in effect. There was an amendment that would require off-sites and/or landscaping once water came within 600 feet. This is something that slipped through the cracks and staff is looking into it and what they need to do to get proper offsite permits in place and landscaping.

City Manager, Ryann Juden answered Mayor Lee's concerns by stating that he is glad to hear that staff is looking into this issue. He stated that having the amended conditions with Southwest Gas, the City of North Las Vegas could implement the off-site improvements.

City Attorney, Micaela Moore answered Mayor Lee's concerns and stated that staff will work on the amendments and work with Southwest Gas.

Mayor Pro Tempore Cherchio stated that at a previous meeting, Bob Gronauer advised that he would be contacting Southwest Gas regarding the sidewalk on 5th Street. He stated that it would be terrible to leave dirt on that portion and have pedestrians walk

on the street in order to get around the dirt. This is a safety issue for the public. However, he is glad to hear staff is taking the necessary steps to take care of this issue.

Mayor Lee stated that the perfect plan would be to pour concrete all around the area and make the area safe for the public.

Liz Olson, 1980 Festival Plaza Drive, Suite 650, Las Vegas represented the applicant, Harmony Homes stated that she will follow up with Bob Gronauer to obtain an update on the issue.

Mayor Lee closed the public hearing.

ACTION: APPROVED

MOTION: Councilman Black

AYES: Mayor Lee, Mayor Pro Tempore Cherchio, Council Members Goynes-Brown, Barron, and Black

NAYS: None

ABSTAIN: None

BUSINESS

22. UPDATE ON STATE OF THE CITY BY PUBLIC INFORMATION OFFICER LINDA BRIDGES.

Public Information Officer, Linda Bridges presented a video of the 2022 state of the City called, Growth by Design.

Public Information Officer, Linda Bridges stated that this is the first time the state of the City was held in person since 2020. The State of the City was a sold out event, with 736 tickets that were sold. The Aliante Ball room was filled with attendees and it was a great time to gather with local businesses and members of the community. All who attended were there to hear Mayor Lee's state of the City as it was his last event. State of the City garnered 23 on-air mentions, 13 local /web stories, 360,000 television views, and \$73,774 in advertising value. Ms. Bridges thanked her colleagues Executive Business Strategist Delen Goldberg, Public Information Officers, Patrick Walker and Sandy Lopez for amplifying the story of State of the City creating impactful reach among local and national press. The success of this year's state of the City could not have happened without the City partners, Aliante Casino Hotel and Spa, Catering services Sherrie Martinez, Montgomery Media Productions; the team at Nuro and AV Vegas. In addition, she also thanked Nevada Broadcasters Association President, Mitch Fox; Councilwoman Pamela Goynes-Brown for the pledge of allegiance and Retired NYC Firefighter, Frank Pizzaro for the National Anthem. She thanked the City

of North Las Vegas staff that took part in the State of the City. Linda Bridges thanks the council for their time.

Councilman Barron stated that the state of the City had a great time and fantastic results. He also asked Public Information Officer, Linda Bridges if there are types of awards that could be given for these types of events. Ms. Bridges responded that there are and a video would need to be submitted.

Mayor Pro Tepore Cherchio thanked the staff that was involved in the state of the City and stated that he appreciated their hard work.

Councilman Black stated that the event and video was a great way to showcase the City of North Las Vegas and where the City is headed.

Councilwoman Goynes-Brown stated that each year, these events are getting better and she cannot wait to see where the City of North Las Vegas will be in the coming years.

Mayor Lee stated that he wanted everyone to know how proud of them he was and that the event was great. He stated that the event allowed people to see the story of the City of North Las Vegas and its leadership.

**23. FULL LIQUOR OFF-SALE BUSINESS LICENSE FOR UP IN SPIRITS LLC
DBA XO LIQUOR LAKE MEAD, 1820 EAST LAKE MEAD BOULEVARD,
SUITE A1, NORTH LAS VEGAS, NEVADA 89030. (WARD 1-BARRON) (FOR
POSSIBLE ACTION)**

Land Development and Community Service Director, Marc Jordan stated that staff recommends this application be denied. In conformity with the policy of North Las Vegas Municipal Code (NLVMC) Title 5, Chapter 26 Section 010, Subsection E, the Council may deny a license upon its discretion when:

1. In the judgment of the Council the granting of such license may tend to create or constitute a public nuisance;
2. By the granting of such license, a disorderly establishment may be maintained;
3. The granting of such license may seriously and adversely affect the valuation of neighboring, adjoining, and/or contiguous property;
4. The Council, after investigation, is satisfied that the applicant is not a fit and proper person to operate the business contemplated by this application;
5. In the judgment of the Council there are ample and sufficient licensees and establishments in the area or place for which the license is to be used to properly serve such area or place;
6. For any other good and sufficient reason.

There are two land uses that cover the Redevelopment areas of the City: Downtown Business District and Downtown Area of Influence. Both of these areas cover approximately four square miles of the City. Presently, the City has approximately 80 establishments that are licensed for the full “off sale” of alcoholic beverages. Approximately 27 of those licenses are located within this four square mile area. Item 5 above states that “in the judgment of the Council there are ample and sufficient licensees and establishments in the area or place for which the license is to be used to properly serve such area or place.” Approximately 34 percent of the licenses within the City are located within this area. Therefore, there is an excessive concentration of businesses selling liquor in this area and this excessive concentration can impact the physical and emotional health of a community. The proposed license is also located in Police Sector/Beat D5. D5 consistently has more than double the number of police calls for service than any other area boundary in the City. The high call volume is a drain on City resources and D5 consistently has the highest crime rate in the City. Item 1 above states “in the judgment of the Council the granting of such license may tend to create or constitute a public nuisance.” The City’s Strategic Plan calls for a safe community where residents and visitors feel and are safe in any neighborhood throughout the community. The excessive concentration of off-sale liquor licenses within this area only has the potential to further increase crime, cause residents and visitors to not feel safe in this neighborhood, and will tend to create a public nuisance. Staff recommends this application be denied.

Assistant City Manager, Alfredo Melesio stated that in Title 5, Chapter 26, Section 270 provides that “[a]pproval of a location or of a use permit pursuant to NLVMC Title 17 does not guarantee or constitute approval of any liquor license.” He stated that the applicant might argue that there was a special use permit issued but until the Mayor and City Council approve a privilege license it is not approved. The subject site is located within the Downtown Redevelopment Area. The North Las Vegas Downtown Master Plan and Investment Strategy is to be implemented in the Redevelopment Area District. Some of the goals of the Downtown Master Plan and Investment Strategy include:

- Making the downtown area a local and regional destination with a unique identity;
- Retaining and supporting existing residents and local businesses; and
- Improving the downtown’s economic vitality with programs, incentives, and public-private partnerships to attract new business and investments.

Assistant City Manager, Alfredo Melesio stated that for those reasons, he agreed with staff and recommended the application be denied.

David Brown, 520 S. 4th Street, Las Vegas represented the applicants for UP IN SPIRITS LLC. He stated that the owners are good people and do everything the right way. The applicant are experienced operators and have approximately 25 liquor-related businesses with privileged licenses. The applicant has businesses in North Las Vegas, Henderson and Las Vegas City. These businesses are located in good and bad areas and they have no problems with Law Enforcement. The applicant also provides state-of-the art security for his businesses and makes their camera footage accessible to Law Enforcement when it is needed. In addition, the applicant understands staff's position, but they have spent a lot of money to start this business. Mr. Brown stated that the process the applicant took was as follows:

- October 2021 applicant had a land survey completed.
- December 21, 2021, submitted an SUP and was accepted by the City of North Las Vegas.
- December 28, 2021, they were contacted by the City of North Las Vegas and advised that an SUP was not needed. That a conditional use permit was appropriate and they were approved.
- Applicant began construction
- February 9, 2022 Liquor license application was submitted and they paid \$21,100 to process the application.
- February 16, 2022, the applicant applied for a sign permit. Permit was approved and applicant paid over \$9,000 to the sign company.
- March 8, 2022 applicant submitted a walk-in cooler permit; it was approved by the City. Applicant paid over \$100,000 for the cooler equipment.

Mr. Brown stated that once the SUP was approved, the applicant relied on that approval. He stated that up-to-date, the applicant has already spent \$250,000 to start this business. In addition, the applicant signed a personal guaranteed lease that over the next 10 years will cost around \$780,000. He also stated that there are many empty spaces in the shopping center where the applicant is requesting to start their business. Therefore, the chances of the entire shopping center being leased right away are very low.

In addition, Mr. Brown also stated that the applicant was not aware of any issues until March 16, 2022. The applicant was told that the liquor business was not right for the location and they should have submitted a business license application first. Mr. Brown stated that at this point, he was retained by the applicant. Section 5.26.190 of the City Of North Las Vegas Municipal Code states, "The licensee must commence operation of the business within thirty (30) days after the license has been approved by the city council." He stated that it is not practical for anyone to obtain a license, open a business and make them beautiful within 30 days. In addition, they would not have been able to get a business license without first passing an inspection for the business to open. Mr. Brown stated that he had another client with a similar business. He stated that he went to City Hall with his client to submit an application and where told by staff that they could not submit their liquor license application until after 45 days of the

business license. He also stated that on the North Las Vegas Business Licensing website, it states that before applicants sign a lease, they need to have the land use entitlement done first, it does not say to ensure they will be approved for a business license first. Mr. Brown understands the position City Council is in, but he asked that they reconsider since the applicants are good people.

Sahil Sharma, 4386 Melrose Abbey PI Las Vegas is the applicant for UP IN SPIRITS LLC. He thanked the Mayor and the Council members for giving him the opportunity to speak on the agenda item. The applicant stated that he did everything that the city asked him to do. He took every step that the City told him to take, and it now seems that it is his fault. He stated that in December 2021, there was no problem and his application was moving forward. The applicant then states that the city referred him to the business license department, where they provided him with a checklist of items that were needed. He stated that every single item was done as requested. The amount of items on the checklist cost him around \$30,000. He then stated that he was told by the city that all he needed was the tobacco license and permit for the walk-in cooler, which the applicant stated he paid the city fees for those applications. The applicant stated that he was made aware that everything was approved for him to move forward with his business until March 16, 2022. The applicant stated that he is requesting reconsideration from the Mayor and City Council members. He also mentioned that he spoke to the Assistant City Manager, Alfredo Melesio and he was told that there were too many transient individuals in the area and there was a concern that the Liquor store would attract more. The applicant stated that even by not having the liquor store at that location, it will not solve those issues. He stated that by denying the application, they will lose a lot of money.

David Brown, 520 S. 4th Street, Las Vegas represented the applicants for UP IN SPIRITS LLC. He stated that if there are any concerns to please relay those to the applicant. They are willing to meet any conditions.

Councilman Barron stated that he respects the amount of money that the applicant has invested in the City. He also stated that the feedback he has received from local residents is that they do not want any more liquor stores in the area. Councilman Barron accepted the recommendation from staff to deny the application.

Land Development and Community Service Director, Marc Jordan answered Mayor Lee's question and stated that the decision rests with City Council. He stated that there would be no further action from staff.

Director of Government Affairs and Economic Development, Jared Luke answered Mayor Lee's question and stated that there has been extensive efforts into meeting with City management and looking at the overall vision of the Downtown area. The Downtown redevelopment project is underway and there are many alcohol establishments in the area. In addition, he stated, there are residents and businesses that are concerned. Mr. Luke agreed with staff's recommendation for denial.

Police Chief, Michael Harris answered Mayor Lee's question regarding crime concerns at the shopping center located at 1820 E Lake Mead, North Las Vegas. He stated that between January 1, 2020 and December 31, 2021, during the two year period, the police department had 90 incidents and calls for service at the alcohol establishment at the same location. He stated that 162 calls were made to that address during that two year period. Captain Harris agreed with staff's recommendation for denial.

Councilman Barron stated there is already a liquor establishment next to the proposed location. The area has crime issues related to alcohol/ He stated that it makes little sense to place another alcohol establishment in the area. Councilman Barron again accepted the recommendation from staff to deny the application.

Mayor Lee opened the public hearing and hearing no requests to speak, closed the public hearing.

David Brown, 520 S. 4th Street, Las Vegas represented the applicants for UP IN SPIRITS LLC. He stated that a liquor store is significantly different than a night club. The night club that is currently in the same proposed location is the reason why there has been so many calls to the police department. He stated that the applicant would not allow people to drink alcohol in the parking lot or cause problems. He also stated that the inactivity of the shopping center is causing and attracting transient people to the area. Mr. Brown stated that he has heard from staff why they denying the application but they are unaware of what the applicant did wrong in the process in order to result in a denial.

Councilman Barron answered Mayor Lee's question and stated that this nightclub was more of a bar. He stated that he has been to the bar with the police department on a ride along. That the police department found underage people which were cited at the time. He also stated that in the end, it is not about if they are good people or not. The city must determine whether the business is right for the community.

Land Development and Community Service Director, Marc Jordan recommended that any motion of denial that the council makes is under North Las Vegas Municipal Code 5.26.010 sub section 1, 5 and 6 which he spoke about earlier.

ACTION: DENIED

MOTION: Councilman Barron

AYES: Mayor Lee, Mayor Pro Tempore Cherchio, Council Members Goynes-Brown, Barron, and Black

NAYS: None

ABSTAIN: None

24. PASS AND ADOPT RESOLUTION NO. 2692, A RESOLUTION OF THE CITY OF NORTH LAS VEGAS ESTABLISHING THE NORTH LAS VEGAS CHARTER COMMITTEE AND THE BYLAWS THEREOF; AND, PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (CITYWIDE) (FOR POSSIBLE ACTION)

Government Affairs Manager, Leo Benavides stated that during the 2021 Nevada Legislative Session, the Nevada Legislature passed AB55, which made various changes to the City Charter for the City of North Las Vegas. One of the changes was the new requirement for the City to establish a Charter Committee to review the North Las Vegas City Charter and advise City Council of its recommendations regarding any necessary amendments to the Charter. The Charter Committee must meet at least once every even numbered year with extra meeting to be called when necessary and make recommendations to City Council on any proposed Charter changes prior to the start of the next Nevada Legislative Session. The Committee must be comprised of thirteen (13) members; (7) appointed by the City Council and (6) appointed by the Nevada Legislature. Each member must be a registered voter of the city and reside in the city during his/her term as well as serve without compensation. The terms of members are concurrent with the person(s) who have appointed them, (7) members are needed to fulfill a quorum, and of the members present two-thirds need to vote a supportive recommendation made to the City Council. The chairperson will then need to make a presentation with the supportive recommendation to City Council. Mr. Benavides answered Mayor Lee's question on how the members will be appointed;

1. The Mayor shall appoint two (2) members;
2. The Mayor pro tempore shall appoint two (2) members;
3. The remaining members of the City Council shall each appoint one (1) member;
4. The members of the Senate delegation representing the residents of the City and belonging to the majority party of the Senate shall appoint two (2) members;
5. The members of the Senate delegation representing the residents of the City and belonging to the minority party of the Senate shall appoint one (1) member;
6. The members of the Assembly delegation representing the residents of the City and belonging to the majority party of the Assembly shall appoint two (2) members; and
7. The members of the Assembly delegation representing the residents of the City and belonging to the minority party of the Assembly shall appoint one (1) member.

Resolution No. 2692 follows the requirements of the North Las Vegas City Charter and includes bylaws for the Charter Committee.

Senior Deputy City Attorney, Rhiann Denman Jarvis answered Mayor Lee's question and stated that the Charter Committee will still need to meet in the year between sessions. During these meetings, the Charter can discuss any changes and would then need to be presented to the legislature.

Government Affairs Manager, Leo Benavides answered Mayor Lee's question and stated that the City can recommend an item to be changed to the Charter Committee and then the Committee can vote on whether they want to make the approval or not. The City can then determine if they want to bring the item into BDR (bill draft request). The committee will be filled by the last Monday in June.

Councilman Barron stated that he is very pleased with the direction education in the community is going and he supports this resolution.

ACTION: PASSED AND ADOPTED RESOLUTION NO. 2692

MOTION: Councilman Barron

AYES: Mayor Lee, Mayor Pro Tempore Cherchio, Council Members Goynes-Brown, Barron, and Black

NAYS: None

ORDINANCES - INTRODUCTION ONLY

25. **INTRODUCE ORDINANCE NO. 3114; AN ORDINANCE RELATED TO ZONING; AMENDING AN EXISTING PUD, PLANNED UNIT DEVELOPMENT DISTRICT CONTAINING APPROXIMATELY 8.53 ± ACRES (ZN-40-2019, LONE MOUNTAIN AND LOSEE), CONSISTING OF 51 RESIDENTIAL LOTS AND ONE COMMERCIAL LOT FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF LONE MOUNTAIN ROAD AND LOSEE ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (WARD 2-GOYNES-BROWN) (SET FINAL ACTION FOR MAY 18, 2022)**

ACTION: INTRODUCED

26. **INTRODUCE ORDINANCE NO. 3118; AN ORDINANCE RELATED TO ZONING; RECLASSIFYING APPROXIMATELY 15.19 ± ACRES FROM A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, (ZN-06-2022, TROPICAL LOSEE) CONSISTING OF A 196-LOT, MULTI-FAMILY (TOWNHOME) SUBDIVISION, FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LOSEE ROAD AND TROPICAL PARKWAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (WARD 2-GOYNES-BROWN) (SET FINAL ACTION FOR MAY 18, 2022)**

ACTION: INTRODUCED

APPOINTMENTS

27. **APPOINT BARBARA ARBUCKLE AS A TRUSTEE TO THE LIBRARY DISTRICT BOARD OF TRUSTEES TO FILL A VACANCY WITH A TERM EXPIRING ON NOVEMBER 30, 2024. (CITYWIDE) (FOR POSSIBLE ACTION)**

ACTION: APPOINTED

MOTION: Councilwoman Goynes-Brown

AYES: Mayor Lee, Mayor Pro Tempore Barron, Agency Members Cherchio, Goynes-Brown, Black

NAYS: None

ABSTAIN: None

28. **RE-APPOINT CITY COUNCILMEMBER PAMELA A. GOYNES-BROWN TO THE SOUTHERN NEVADA ENTERPRISE COMMUNITY BOARD FOR A THREE-YEAR TERM FROM OCTOBER 7, 2021 TO OCTOBER 6, 2024. (CITYWIDE) (FOR POSSIBLE ACTION)**

ACTION: APPOINTED

MOTION: Councilman Barron

AYES: Mayor Lee, Mayor Pro Tempore Barron, Agency Members Cherchio, Goynes-Brown, Black

NAYS: None

ABSTAIN: None

