

**CITY OF NORTH LAS VEGAS  
REGULAR CITY COUNCIL MEETING MINUTES**

December 7, 2005

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

**CITY COUNCIL MEETING**

**CALL TO ORDER**

6:02 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

**ROLL CALL**

**COUNCIL PRESENT**

Mayor Michael L. Montandon  
Mayor Pro Tempore Robinson  
Councilwoman Stephanie S. Smith  
Councilman Shari Buck  
Councilman Robert L. Eliason

**STAFF PRESENT**

City Manager Gregory Rose  
Assistant City Mgr. Samuel Chambers  
Assistant City Mgr. Mary Ann Ustick  
Acting City Attorney Carie Torrence  
City Clerk Karen Storms  
Finance Director Phil Stoeckinger  
Fire Chief Al Gillespie  
Human Resources Director Ali Freeman

Parks & Recreation Director Mike Henley  
Planning & Development Mgr. Marc Jordan  
Assistant Police Chief Joe Chronister  
Public Works Director Jim Bell  
Strategic Planning Director Eric Dabney  
Utilities Director David Bereskin  
Assistant City Clerk Anita Sheldon  
Deputy City Clerk Julie Shields

**WELCOME**

Mayor Michael L. Montandon

**VERIFICATION**

Karen L. Storms, CMC  
City Clerk

**INVOCATION**

Associate Pastor James B. J. Kruger  
College Park Baptist Church

**PLEDGE OF ALLEGIANCE**

Robert L. Eliason  
Councilman

**PUBLIC FORUM**

**Cristobal Corona, 3130 Holmes Circle, North Las Vegas**, thanked Council for their attention to the safety issues at the Three Bridges project, although speeding continued to be a problem.

**James Sala, 501 North Lamb Boulevard, Las Vegas**, a representative of the Nevada Carpenter's Union, thanked Council for responding to his request to look into safety issues at the Three Bridges Project. He said the area had been cleaned up and safety measures taken.

**Steven Prats, 346 Foxvale Avenue, North Las Vegas**, stated he was interested in having a dog park in North Las Vegas since the nearest one is seven miles away.

**John Piccola, 341 Foxvale Avenue, North Las Vegas**, presented a petition with 247 signatures which showed interest in the creation of a dog park in North Las Vegas. He said that brought the total number of signatures to 906.

**Amber Price, 3129 Manti Peak Drive, North Las Vegas**, asked Council to look at safety issues at Tartan Elementary School. She claimed there was exposed rebar around the school, no crossing guard or sidewalks, and there was excessive speeding in the school zone. City Manager Gregory Rose stated he would have someone look into the issue.

**AGENDA**

**1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF DECEMBER 7, 2005.**

ACTION: APPROVED, AS AMENDED; ITEM NO. 6 CONTINUED TO DECEMBER 21, 2005

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**CONSENT**

7. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH PICERNE DECATUR BIDDEFORD, LLC, FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT DEER SPRINGS WAY AND DECATUR BOULEVARD IN THE AMOUNT OF \$9,915 OR 1.6% OF THE TOTAL COST; ROME BOULEVARD AND DECATUR BOULEVARD IN THE AMOUNT OF \$94,675 OR 16.5% OF THE TOTAL COST; AND TROPICAL PARKWAY AND DECATUR BOULEVARD IN THE AMOUNT OF \$17,019 OR 3.2% OF THE TOTAL COST, FOR THE ROME VALLEY APARTMENTS, LOCATED ON THE SOUTHEAST CORNER OF ROME BOULEVARD AND VALLEY DRIVE.**

ACTION: PAYMENT ACCEPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Shari Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

8. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH REAL HOMES, A DIVISION OF CENTEX HOMES, FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT TROPICAL PARKWAY AND BRUCE STREET IN THE AMOUNT OF \$6,023 OR 0.9% OF THE TOTAL COST; ANN ROAD AND BRUCE STREET IN THE AMOUNT OF \$3,718 OR 0.6% OF THE TOTAL COST; AND TROPICAL PARKWAY AND LOSEE ROAD IN THE AMOUNT OF \$24,673 OR 4.3% OF THE TOTAL COST, FOR THE TROPICAL AND LAWRENCE - UNIT 1 DEVELOPMENT, LOCATED ON THE SOUTHEAST CORNER OF TROPICAL PARKWAY AND LAWRENCE STREET.**

ACTION: PAYMENT ACCEPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Shari Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

9. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH GSG ALEXANDER, LLC, FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT ALEXANDER ROAD AND MARTIN LUTHER KING BOULEVARD IN THE AMOUNT OF \$8,160 OR 6.8% OF THE TOTAL COST; CRAIG ROAD AND MARTIN LUTHER KING BOULEVARD IN THE AMOUNT OF \$6,720 OR 5.6% OF THE TOTAL COST; AND GOWAN ROAD AND MARTIN LUTHER KING BOULEVARD IN THE AMOUNT OF \$6,000 OR 5.0% OF THE TOTAL COST, FOR THE PARK AT NORTHPOINT OFFICE PARK, LOCATED ON THE NORTHEAST CORNER OF ALEXANDER ROAD AND MARTIN LUTHER KING BOULEVARD.**

ACTION: PAYMENT ACCEPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Shari Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

10. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH KB HOME NEVADA, INC., FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT GRAND TETON DRIVE AND DECATUR BOULEVARD IN THE AMOUNT OF \$8,674 OR 1.2% OF THE TOTAL COST, AND ELKHORN ROAD AND DECATUR BOULEVARD IN THE AMOUNT OF \$5,313 OR 1.0% OF THE TOTAL COST, FOR THE GRAND TETON/DECATUR RESIDENTIAL DEVELOPMENT, LOCATED ON DECATUR BOULEVARD, NORTH OF GRAND TETON DRIVE.**

ACTION: PAYMENT ACCEPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Shari Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

11. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH SCHWAN'S HOME SERVICE, INC., FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT CHEYENNE AVENUE AND MARTIN LUTHER KING BOULEVARD IN THE AMOUNT OF \$1,200 OR 1.0% OF THE TOTAL COST, FOR THE SCHWAN'S BUSINESS PARK, LOCATED ON THE SOUTHWEST CORNER OF CHEYENNE AVENUE AND TRADE DRIVE.**

ACTION: PAYMENT ACCEPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Shari Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

12. **AN APPEAL SUBMITTED BY GEORGE GARCIA ON BEHALF OF THE APPLICANT OF THE DECISION OF THE PLANNING COMMISSION TO DENY AMP-57-05 (CENTENNIAL & UPRR); AN APPLICATION SUBMITTED BY DEVELOPMENT FUNDING GROUP, ON BEHALF OF DAVID MORGAN, LLC, ET AL, AND THE JOHN AND MOLLIE GUBLER TRUST, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MEDIUM-LOW DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL ON PROPERTY GENERALLY LOCATED SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 675 FEET EAST OF NOVAK STREET. (SET PUBLIC HEARING FOR DECEMBER 21, 2005) (ASSOCIATED ITEM NO. 13, APPEAL, ZN-83-05)**

ACTION: PUBLIC HEARING SET FOR DECEMBER 21, 2005

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Shari Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

13. **AN APPEAL SUBMITTED BY GEORGE GARCIA ON BEHALF OF THE APPLICANT OF THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-83-05 (CENTENNIAL & UPRR); AN APPLICATION SUBMITTED BY DEVELOPMENT FUNDING GROUP, ON BEHALF OF DAVID MORGAN, LLC, ET AL, AND THE JOHN AND MOLLIE GUBLER TRUST, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 675 FEET EAST OF NOVAK STREET. (SET PUBLIC HEARING FOR DECEMBER 21, 2005) (ASSOCIATED ITEM NO. 12, APPEAL, AMP-57-05)**

ACTION: PUBLIC HEARING SET FOR DECEMBER 21, 2005

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Shari Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

14. **AN APPEAL SUBMITTED BY CASEY MCGUIRE, A PERSON WHOSE PROPERTY RIGHTS ARE OR MAY BE AFFECTED, BY THE DECISION OF THE PLANNING COMMISSION TO APPROVE UN-101-05 (CENTENNIAL PLAZA); AN APPLICATION SUBMITTED BY CASH AMERICA, INC., OF NEVADA ON BEHALF OF SIMMONS 15, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A PAWN SHOP ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND SIMMONS STREET. (SET PUBLIC HEARING FOR DECEMBER 21, 2005)**

ACTION: PUBLIC HEARING SET FOR DECEMBER 21, 2005

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Shari Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

15. **AMP-61-05 (INTERNATIONAL VILLAGE); AN APPLICATION SUBMITTED BY RYLAND HOMES NEVADA, LLC, ON BEHALF OF CAREFREE HOLDINGS, LP, 5440 W. SAHARA, LLC, ZOMACK 1, LLC, AND D'NAL 3, LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LOW DENSITY RESIDENTIAL TO MEDIUM-LOW DENSITY RESIDENTIAL, ON PROPERTY GENERALLY LOCATED APPROXIMATELY 800 FEET NORTHEAST OF THE INTERSECTION OF VALLEY DRIVE AND GOWAN ROAD. (SET PUBLIC HEARING FOR DECEMBER 21, 2005)**

ACTION: PUBLIC HEARING SET FOR DECEMBER 21, 2005

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Shari Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

16. **VAC-32-05 (LA MADRE/BRUCE); AN APPLICATION SUBMITTED BY TIOGA GRAND, LLC, ON BEHALF OF TIOGA GRAND, LLC, AND TOK SUN KIM, PROPERTY OWNERS, TO VACATE A PORTION OF LA MADRE WAY FROM BRUCE STREET TO HAROLD STREET (APPROXIMATELY 585 LINEAL FEET). (SET PUBLIC HEARING FOR JANUARY 4, 2006)**

ACTION: PUBLIC HEARING SET FOR JANUARY 4, 2006

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Shari Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

17. **VAC-33-05 (LONE MOUNTAIN ESTATES II); AN APPLICATION SUBMITTED BY CELEBRATE HOMES ON BEHALF OF CELEBRATE PROPERTIES, LLC, PROPERTY OWNER, TO VACATE A 10-FOOT WIDE PORTION OF THE NORTHERLY SIDE OF LONE MOUNTAIN ROAD COMMENCING**

**APPROXIMATELY 35 FEET WEST OF THE NORTHWEST CORNER OF ALLEN LANE AND LONE MOUNTAIN ROAD AND PROCEEDING WEST APPROXIMATELY 610 LINEAL FEET. (SET PUBLIC HEARING FOR JANUARY 4, 2006)**

ACTION: PUBLIC HEARING SET FOR JANUARY 4, 2006

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Shari Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**BUSINESS**

**18. ACCEPTANCE OF THE AUDIT REPORT FOR THE FISCAL YEAR ENDING JUNE 30, 2005 AND APPROVAL OF THE CORRECTION PLAN IN RESPONSE TO THE SCHEDULE OF FINDINGS.**

Finance Director Phil Stoeckinger and Don Slaughter of Piercy, Bowler, Taylor and Kern presented findings of the Comprehensive Annual Financial Report, fiscal year ended June 30, 2005. Director Stoeckinger stated it was the cleanest audit performed over the past ten years. One audit finding pertained to a Detention Department grant administered by a third party; the funds questioned as part of this finding were reimbursed to the City.

Mayor Pro Tempore Robinson asked whether the administrator was still in place and Director Stoeckinger responded they no longer administered the grant. City Manager Rose added the appropriate Detention and Finance Staff would monitor this grant to insure compliance. Director Stoeckinger conveyed corrective measures were in place, along with appropriate grant tracking of accounts receivable. Mr. Slaughter read the finding into the record related to the U. S. Department of Labor Grant, for which the City was subrecipient: "The specific requirements of the grant were the subrecipient shall maintain such records and accounts as are required in accordance with regulations and directives of the Southern Nevada Work Force Investment Board, State Work Force Investment Support Service Unit, and the U.S. Department of Labor. Additionally, written policy should exist that provides direction for making and documenting eligibility determinations, calculating eligibility amounts, consistent with program requirements and processes that insure the accuracy and completeness of data used to determine eligibility." Mr. Slaughter added completed documentation in this form did not exist and there were no written policies related to the specific grant that governed the documentation of eligibility. Subsequently, the examination of grant documentation revealed that eligibility requirements were not complied with; specifically, ineligible individuals were provided services. A cost in the amount of \$114,498



was disallowed due to non-compliance with regulations. Mr. Slaughter recommended the Police Detention/Corrections Division and Finance Department insure that grant management personnel possess appropriate knowledge to provide reasonable assurance that all eligibility requirements were complied with. The response from Staff was the City contracted with a third party, who subsequently returned the questioned costs and installed the appropriate personnel to monitor the grants in this area.

ACTION: REPORT ACCEPTED; CORRECTION PLAN APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Stephanie Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

#### **PUBLIC HEARINGS - 6:15 P.M.**

**2. AMP-51-05 (K & G FOAM DESIGN); AN APPLICATION SUBMITTED BY KEVIN BOYD ON BEHALF OF ALEXANDER & BELMONT, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS TO DELETE AN UNNAMED EAST-WEST STREET BEGINNING ON BELMONT STREET APPROXIMATELY 625 FEET SOUTH OF ALEXANDER ROAD AND PROCEEDING APPROXIMATELY 1000 FEET WEST.**

Mayor Montandon opened the Public Hearing.

Public Works Director Jim Bell stated the street was not essential for public need and Public Works was in favor of its removal from the Master Plan of Streets and Highways.

Mayor Montandon asked for Mr. Annotti's comments and he responded the delay in getting the street removed also delayed the Flood Control Channel from being completed between the north and south end. Councilman Eliason thanked Mr. Annotti for the work he had done to assist in expediting this process.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

3. **AMP-54-05 (ROSE LAKE 20); AN APPLICATION SUBMITTED BY CENTEX HOMES, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF HIGH DENSITY RESIDENTIAL TO MEDIUM-LOW DENSITY RESIDENTIAL, ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF TROPICAL PARKWAY AND PECOS ROAD. (ASSOCIATED ITEM NO. 35, ORDINANCE NO. 2208)**

Mayor Montandon opened the Public Hearing.

Planning and Development Manager Marc Jordan stated the Planning Commission unanimously approved this item, and recommended Low Density Residential, rather than Medium-Low Density Residential, as requested by the applicant. The Tentative Map showed 4.39 units to the acre which was consistent with the Low Density Residential, and the applicant concurred with that recommendation.

**Dean Rasmuson, 7391 Prairie Falcon Road, Las Vegas**, concurred with Planning Commission's and Staff's recommendations.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED, AS AMENDED TO LOW DENSITY RESIDENTIAL

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

35. **ORDINANCE NO. 2208; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 20± ACRES THEREIN FROM AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-82-05, ROSE LAKE 20), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF TROPICAL PARKWAY AND PECOS ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 3, AMP-54-05)**

Ordinance No. 2208 as introduced by the City Manager:

ORDINANCE NO. 2208; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 20± ACRES THEREIN FROM AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-82-05, ROSE LAKE 20), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF TROPICAL PARKWAY AND PECOS ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

4. **AMP-55-05 (CENTER POINTE - PHASE I); AN APPLICATION SUBMITTED BY THE STRATTON GROUP, ON BEHALF OF CENTENNIAL POINTE, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MEDIUM-HIGH DENSITY RESIDENTIAL TO VERY HIGH DENSITY RESIDENTIAL, ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF DEER SPRINGS WAY AND NORTH FIFTH STREET. (ASSOCIATED ITEM NO. 36, ORDINANCE NO. 2209)**

Mayor Montandon opened the Public Hearing.

Planning and Development Manager Marc Jordan stated the Planning Commission unanimously approved this item which was in compliance with the recently adopted guidelines within the Comprehensive Plan for Very High Density Residential.

**Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas**, concurred with Planning Commission's and Staff's recommendations.

Councilwoman Smith requested an update from Ms. Lazovich regarding her plans. Ms. Lazovich stated although she had not seen the final plan, she understood Commercial and

Free-Standing Commercial would be done in the area fronting North 5<sup>th</sup> Street and some type of mid-rise development on the back five acres within the same property. Ms. Lazovich added that access off of North 5<sup>th</sup> Street would be important if Commercial were to be located on the frontage of North 5<sup>th</sup> Street.

Councilwoman Smith stated she initially did not want to approve the entire area for High-Density zoning, and now realized it would have other combined uses. Councilwoman Smith asked if the plans would be presented when the Mixed Use Ordinance was passed and adopted and Ms. Lazovich responded she would work with Staff before the Mixed Use Ordinance was adopted.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

36. **ORDINANCE NO. 2209; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 10.29 ACRES THEREIN FROM AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO AN R-4 HIGH DENSITY RESIDENTIAL DISTRICT (ZN-60-05, CENTER POINTE - PHASE I), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF DEER SPRINGS WAY AND NORTH FIFTH STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 4, AMP-55-05)**

Ordinance No. 2209 as introduced by the City Manager:

ORDINANCE NO. 2209; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 10.29 ACRES THEREIN FROM AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO AN R-4 HIGH DENSITY RESIDENTIAL DISTRICT (ZN-60-05, CENTER POINTE -

PHASE I), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF DEER SPRINGS WAY AND NORTH FIFTH STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

5. **AMP-56-05 (CENTER POINTE - PHASE II); AN APPLICATION SUBMITTED BY THE STRATTON GROUP ON BEHALF OF CENTENNIAL POINTE, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MEDIUM-HIGH DENSITY RESIDENTIAL TO VERY HIGH DENSITY RESIDENTIAL ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF DEER SPRINGS WAY AND GOLDFIELD STREET. (ASSOCIATED ITEM NO. 37, ORDINANCE NO. 2210)**

Mayor Montandon opened the Public Hearing.

Planning and Development Manager Marc Jordan stated the Planning Commission recommended approval for High Density Residential only, not Very High Density Residential, as requested by the applicant. Staff did not support this item as it did not comply with the guidelines for Very High Density Residential; however, the applicant agreed with High Density Residential zoning.

**Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas**, stated the Planning Commission made a recommendation for R-3 zoning, which the applicant accepted at that time; however, the applicant requested Ms. Lazovich present arguments for Very High Density Residential. The Transit Study Corridor Plan presented to the Planning Commission showed a plan for urban development, which would allow 60 units per acre. Nodes would exist at major intersections along North 5<sup>th</sup> Street and Deer Springs Way. The parcels east of North 5<sup>th</sup> were deeper and stretched back to the alignment of Donna Street. The parcels were zoned commercial, and two parcels across the street would be zoned for a mixed use project. The demarcation line was approximately 660 feet to Donna Street. Ms. Lazovich requested the same type of consideration on the west side of North 5<sup>th</sup> Street to the demarcation line on Goldfield Street.

Councilman Eliason inquired whether she was asking for the High Density or the Very High Density zoning and Ms. Lazovich responded Very High Density.

Mayor Pro Tempore Robinson asked how many units would be created and Ms. Lazovich responded 50 units per acre.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED, AS AMENDED TO HIGH DENSITY RESIDENTIAL

MOTION: Councilman Buck

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith and Buck

NAYS: Councilman Eliason

ABSTAIN: None

**37. ORDINANCE NO. 2210; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 9.22 ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT (ZN-61-05, CENTER POINTE - PHASE 2), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF GOLDFIELD STREET AND DEER SPRINGS WAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 5, AMP-56-05)**

Ordinance No. 2210 as introduced by the City Manager:

ORDINANCE NO. 2210; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 9.22 ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT (ZN-61-05, CENTER POINTE - PHASE 2), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF GOLDFIELD STREET AND DEER SPRINGS WAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Planning and Development Manager Marc Jordan stated the Planning Commission recommended R-3 zoning.

**Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas**, stated since the approval on the AMP-56-05 was for High Density Residential, it would also be appropriate for Ordinance No. 2210.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck

NAYS: Councilman Eliason

ABSTAIN: None

6. **UN-97-05 (CARTER & BURGESS, INC.); AN APPLICATION SUBMITTED BY CARTER & BURGESS, INC., ON BEHALF OF GARY K. AND DEBORAH L. CROSS, PROPERTY OWNERS, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A RAIL-TO-TRUCK TRANSFER STATION USING HAZARDOUS MATERIALS (INCLUDING SULFURIC ACID, CAUSTIC SODA, HYDROCHLORIC ACID, NITRIC ACID, AND FERRIC CHLORIDE) ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF EL CAMPO GRANDE AVENUE AND LAMONT STREET.**

Mayor Montandon opened the Public Hearing.

ACTION: CONTINUED TO DECEMBER 21, 2005

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**BUSINESS, (CONTINUED)**

19. **APPROVAL OF AUBREY BRANCH OF BRANCH HERNANDEZ & ASSOCIATES AS THE CITY OF NORTH LAS VEGAS' "BROKER OF RECORD" AND CONTRACT FOR GROUP MEDICAL INSURANCE WITH PACIFICARE AND MET LIFE FOR ACTIVE EMPLOYEES AND RETIREES WHERE CONTRACTUALLY OBLIGATED (POLICE OFFICERS ASSOCIATION) FROM FEBRUARY 1, 2006**

**THROUGH DECEMBER 31, 2007; WITH GUARANTEED RENEWAL RATES FOR MEDICAL, DENTAL, AND VISION FOR 2006 IN THE AMOUNT OF \$4,649,157.12 AND 2007 IN AN AMOUNT NOT-TO-EXCEED \$5,250,031.68. (CNLV CONTRACT NO. 6187)**

Human Resources Director Ali Freeman stated Council requested Staff review insurance carriers for the medical plan for portability and the dental plan for the addition of orthodontic care. Staff recommended PacifiCare, who would be merging with United Health Care, in January 2006. This would give employees 460,000 physicians and 45,000 hospitals to choose from. PacifiCare would provide medical and vision coverage, and Metlife would provide dental coverage.

Mayor Pro Tempore Robinson questioned how the plan would affect retirees. Director Freeman responded there was a grace period that allowed retirees to join the retiree plan. Mayor Pro Tempore Robinson clarified he was interested in how the retirement plan affected all employees, including Council persons. Director Freeman stated he needed to review the ordinance to determine how Council would be affected.

Councilman Eliason questioned whether there were any guaranteed rate freezes. Director Freeman responded there was a rate freeze for the first year and a not-to-exceed clause rate for the second year. City Manager Rose stated the maximum rate was \$5,250,031.68. Director Freeman stated this was the maximum rate based upon the premium amount determined to obtain that rate. If the usage by employees of the Health Plan was less than the premium would be lowered.

Councilman Eliason expressed his concerns regarding the increased cost over the previous carrier. The current carrier offered a savings of \$1.2 million over the next two years. City Manager Rose stated it was Staff's goal to strengthen their existing health care benefit. There were two areas of focus; the potential carrier was to be portable and orthodontics was to be included with the dental plan. Human Resources communicated these areas of focus to the current carrier when they began their search. One quote was received from the broker for PacifiCare and several quotes were received by the existing provider. City Manager Rose recommended PacifiCare as the provider.

City Manager Rose recommended Council direct Staff to place the insurance coverage out to bid every two to three years.

**Donald Gancursio, 11530 Termini Station, Las Vegas**, Vice President of Sales for Health Plan of Nevada, was the carrier for the City for the past nine years. The broker who serviced this account had been with the City for the past 18 years.

Mr. Gancursio stated there were concerns regarding this item, along with its supporting documentation, that were posted on the Internet. He suggested utilizing a standardized



year in which the proposal would go out to bid. Mr. Gancursio stated PacifiCare and Health Plan of Nevada were accustomed to a standardized proposal for services that went out to bid for government business, and they did not work under this environment, which caused concern relative to their proposal. Their quote was issued November 21, 2005 to renew the group health insurance for two years, which offered a premium reduction in the amount of five percent. The five percent premium reduction was for active employees' and retirees' coverages. Mr. Gancursio stated the PacifiCare offer that was posted on the Internet represented an increase to the City between years one and two, over Health Plan of Nevada's November 21st offer, of a minimum of \$622,000 to a maximum of \$1.2 million, based upon their rate cap formula. Mr. Gancursio referred to the comment section of the agenda item which referenced a savings achieved through both plans. Mr. Gancursio could not understand how a savings could be achieved in the PacifiCare plan when Health Plan of Nevada's costs were identified in their proposal at \$502 on a composite basis for an active employee and Health Plan of Nevada's proposal started at \$545 and could elevate to \$626. The comparison was drawn against rate caps that were provided to the City as part of the multiple year renewal that Health Plan of Nevada offered five years ago. Those rate caps were negated and had no validity when Health Plan of Nevada's offer of November 21, 2005 was compared to PacifiCare's offer. Health Plan of Nevada's plan included an enhancement in the benefits for all active employees and retirees under the age of 65 who resided in Clark County. A three-tier point of service program was the same as PacifiCare and provided members significantly lower cost sharing for their co-pays in tiers one and lower costs in co-insurance and out-of-pocket maximums for tiers two and three. Mr. Gancursio believed their plan was equal to, or better than, the program offered by PacifiCare, which was at a higher cost. Mr. Gancursio stated he could not comment on the retiree plans because they were not posted on the Internet. If retirees were not afforded coverage through the City and their only choice became the State, there would be a cost to the City per Nevada Statute.

Mr. Gancursio proposed the implementation of lowering of co-pays for pharmacy coverage for active employees and under 65 retirees in Clark County. He addressed the issue of portability and proposed the addition of an outside of Nevada network solution for members who chose to go outside of the service area for elective care. It was the same network attached to the retiree program for retirees who lived out of the area.

Mr. Gancursio stated should Council vote to change providers, the magnitude of moving a large number of people in a short amount of time would be distressing. Of the 1,800 members covered in Clark County, 76% received their primary care from Southwest Medical Associates; 45% of the females insured received their OB/GYN care through Southwest Medical Associates. Southwest Medical Associates was not a contracted provider through PacifiCare, and new provider relationships needed to be established.

Mr. Gancursio concluded by stating Council could vote to select their renewal offer as

proposed or Council could vote to select PacifiCare. Should Council select PacifiCare, they would work to make the transition smooth, but asked that Council consider the start date in doing so, to give employees an opportunity to meet with their doctors and establish new physician relationships. Mr. Gancursio stated the City could offer both providers and allow employees to make their selection.

Mayor Montandon thanked Mr. Gancursio and stated the issue was bigger than just the rate, and involved the integrity of the process. Mayor Montandon added when Mr. Gancursio referred to his November 21 offer, it was his third offer.

Mayor Montandon addressed Mr. Gancursio's suggestion to standardize the procedure for bid and stated the difficulty was with the brokers' reluctance or denial to bid, due to a preconceived understanding of how things worked between the City and Orgill Singer. It appeared to others in the industry that North Las Vegas was putting them through a great deal of work, and the paperwork would be taken to Sierra. The process had become corrupted. Mayor Montandon added, if the contract were awarded to Sierra Health Plan, other competitors would not be willing to bid in the future. The reason the City went out to bid was not just for the rate, but there were also concerns from the employees about not being able to get services paid for or provided.

Mr. Gancursio added there was a standardized process for health care coverage and there was a competitive playing field and it became the obligation of the broker to orchestrate that process to obtain competitive bids.

Councilman Buck stated the City should review the first bid offered by both groups to insure it was a fair Request for Proposal process. The City went above and beyond by allowing Sierra two and three bids when this practice had not been done before, and this process needed to be fair to all concerned. Mayor Pro Tempore Robinson concurred the process should have ended with the first bid for both groups, and advised Staff this should not happen in the future.

Councilman Eliason stated he wanted to insure the City was receiving equal service for equal pay.

Mr. Gancursio clarified the plan offered coverage for retirees who went out of State, but were at an increased cost. There were three coverage options: HMO, PPO and managed care.

Mayor Pro Tempore confirmed with City Manager Rose this process would be reviewed and go out to bid every three years.

ACTION: APPROVED

MOTION: Councilman Buck

SECOND: Mayor Pro Tempore Robinson  
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith and Buck  
NAYS: Councilman Eliason  
ABSTAIN: None

**20. APPROVAL TO AMEND THE FY 2005-06 POLICE DEPARTMENT GENERAL FUND OPERATING BUDGET IN THE AMOUNT OF \$124,600 FOR FURNITURE, FIXTURES, EQUIPMENT, DATA AND TELECOMMUNICATION EXPENSES RELATED TO THE NEW SPECIAL OPERATIONS (SWAT) BUILDING.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson  
SECOND: Councilman Buck  
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason  
NAYS: None  
ABSTAIN: None

**21. APPROVAL TO PURCHASE A CRIME SCENE INVESTIGATION VAN, IN THE AMOUNT OF \$67,500, FROM THE CITY OF TUSTIN, CALIFORNIA, TO BE USED BY THE POLICE DEPARTMENT AT CRIME SCENES.**

Mayor Pro Tempore asked whether this was a used van and City Manager Rose stated it was a 2005 van.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson  
SECOND: Councilman Eliason  
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason  
NAYS: None  
ABSTAIN: None

**22. ACCEPTANCE OF A GRANT AWARD IN THE AMOUNT OF \$15,000 FROM THE STATE OF NEVADA, DEPARTMENT OF HUMAN SERVICES, DIVISION OF CHILD AND FAMILY SERVICES, UNDER THE ENFORCING UNDERAGE DRINKING LAWS PROGRAM, TO BE UTILIZED TO CONDUCT VARIOUS**

**RELATED LAW ENFORCEMENT ACTIVITIES FOR THE PERIOD JANUARY 1, 2006 THROUGH MAY 31, 2007.**

ACTION: GRANT AWARD ACCEPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**23. APPROVAL OF THE NON-EMERGENCY FRANCHISE EXTENSION AGREEMENT WITH MERCY, INC. D/B/A AMERICAN MEDICAL RESPONSE, FOR A TEN YEAR PERIOD, COMMENCING DECEMBER 1, 2005; THE FRANCHISEE SHALL PAY AN ANNUAL FEE OF \$5,580 TO THE CITY. (CNLV CONTRACT NO. C-6182)**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**24. APPROVAL OF VARIANCE TO TITLE 15.40.010 TO ALLOW THE CITY TO PERMIT CONSTRUCTION ACTIVITIES FOR CERTAIN PORTIONS OF THE DONNA AND DEER SPRINGS DEVELOPMENT AND ISSUE CERTIFICATES-OF-OCCUPANCY FOR STRUCTURES WITHIN A SPECIAL FLOOD HAZARD AREA PRIOR TO THE PROCESSING OF THE REQUISITE CONDITIONAL LETTER OF MAP REVISION AND LETTER OF MAP REVISION THROUGH THE FEDERAL EMERGENCY MANAGEMENT AGENCY.**

Public Works Director Jim Bell stated there was no reason not to allow development in this area, and it was a mitigated flood zone.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**25. APPROVAL OF GRANT OF EASEMENT TO NEVADA POWER COMPANY FOR THE DETENTION CENTER DORMITORY FACILITY, LOCATED AT THE SOUTHEAST CORNER OF LAS VEGAS BOULEVARD AND CIVIC CENTER DRIVE, ENABLING NEVADA POWER COMPANY TO OPERATE AND MAINTAIN THEIR FACILITIES.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**26. AWARD OF BID NO. 1201 TO MASTEC NORTH AMERICA IN THE TOTAL AMOUNT OF \$2,332,309.50 TO BE FUNDED THROUGH THE INTELLIGENT TRANSPORTATION SYSTEM FUNDS CONSISTING OF NEVADA DEPARTMENT OF TRANSPORTATION FUNDS IN THE AMOUNT OF \$1,948,309.50 AND REGIONAL TRANSPORTATION FUNDS IN THE AMOUNT OF \$384,000, FOR THE PLANNING, DESIGN AND CONSTRUCTION RELATED TO THE ARTERIAL INCIDENT AND EVENT MANAGEMENT SYSTEM PROJECT, LOCATED ALONG CRAIG ROAD AND LAS VEGAS BOULEVARD NORTH, SCHEDULED TO BEGIN DECEMBER, 2005. (CNLV CONTRACT NO. C-6183)**

ACTION: BID AWARDED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason  
NAYS: None  
ABSTAIN: None

**27. APPROVAL TO AUGMENT THE HUMAN RESOURCES FY-2005-06 BUDGET IN THE AMOUNT OF \$150,000 FROM THE GENERAL FUND CONTINGENCY ACCOUNT; AND APPROVAL OF A CLASSIFIED DOLLAR VOLUME ADVERTISING AGREEMENT WITH THE REVIEW-JOURNAL TO PLACE EMPLOYMENT ADVERTISEMENTS FOR UPCOMING RECRUITMENTS. (CNLV CONTRACT NO. C-6184)**

Councilman Eliason asked whether the Police Department's budget was also augmented for recruitment purposes. City Manager Rose stated approximately 141.5 personnel were being hired. The quarter cent sales tax passed by the State and by the County, provided an additional 15 Police Officers, and Staff was unaware of this at the time of the budget process. This request was based upon the number of positions that were approved, but not adequately funded during the budget process. Human Resources funds would be primarily utilized for the recruitment of other Staff.

ACTION: APPROVED

MOTION: Mayor Montandon  
SECOND: Councilwoman Smith  
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason  
NAYS: None  
ABSTAIN: None

**28. APPROVAL OF THE AMUSEMENT CONTRACT WITH ROYAL WEST AMUSEMENTS, INC., COMMENCING MAY 4, 2006 AND ENDING MAY 7, 2006 TO PROVIDE CARNIVAL AMENITIES FOR THE ANNUAL TASTE AND TUNES EVENT, AND RECOMMENDATION TO EXTEND THE CONTRACT FOR THE 2007 AND 2008 EVENTS; THE CITY WILL RECEIVE A PERCENTAGE OF GROSS SALES AS DEFINED IN THE CONTRACT. (CNLV CONTRACT NO. C-5943)**

Mayor Pro Tempore Robinson stated Staff needed to monitor this process to insure accurate receipt of revenues. City Manager Rose stated the auditor would coordinate this process with Carnival staff.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**ORDINANCES**  
**INTRODUCTION ONLY**

29. **ORDINANCE NO. 2211; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 1937 WHICH RECLASSIFIED APPROXIMATELY 168 ACRES KNOWN AS THE VILLAGES AT SIERRA RANCH (ZN-08-04) TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT BY ALLOWING MODIFICATIONS TO CONDITION NUMBER 5; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR DECEMBER 21, 2005)**

Ordinance No. 2211 as introduced by the City Clerk:

ORDINANCE NO. 2211; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 1937 WHICH RECLASSIFIED APPROXIMATELY 168 ACRES KNOWN AS THE VILLAGES AT SIERRA RANCH (ZN-08-04) TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT BY ALLOWING MODIFICATIONS TO CONDITION NUMBER 5; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR DECEMBER 21, 2005

30. **ORDINANCE NO. 2212; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-11-05), TO AMEND TITLE 17 (ZONING ORDINANCE) SECTION 17.24.110(L), OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE TO REDUCE THE NUMBER OF SUBDIVISION DIRECTIONAL SIGNS ALLOWED PER DEVELOPMENT AND ADD A BUFFER FROM EXISTING RESIDENTIAL DWELLINGS, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR DECEMBER 21, 2005)**

Ordinance No. 2212 as introduced by the City Clerk:

ORDINANCE NO. 2212; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-11-05), TO AMEND TITLE 17 (ZONING ORDINANCE) SECTION 17.24.110(L), OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE TO REDUCE THE NUMBER OF SUBDIVISION DIRECTIONAL SIGNS ALLOWED PER DEVELOPMENT AND ADD A BUFFER FROM EXISTING RESIDENTIAL DWELLINGS, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: FINAL ACTION SET FOR DECEMBER 21, 2005

31. **ORDINANCE NO. 2213; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 6.65± ACRES THEREIN FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-73-05, CRAIG AND ALLEN) CONSISTING OF A MINI-WAREHOUSING FACILITY, FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND ALLEN LANE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR DECEMBER 21, 2005)**

Ordinance No. 2213 as introduced by the City Clerk:

ORDINANCE NO. 2213; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 6.65± ACRES THEREIN FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-73-05, CRAIG AND ALLEN) CONSISTING OF A MINI-WAREHOUSING FACILITY, FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND ALLEN LANE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR DECEMBER 21, 2005

32. **ORDINANCE NO. 2214; AN ORDINANCE AMENDING THE MUNICIPAL CODE**



**OF THE CITY OF NORTH LAS VEGAS; AMENDING SECTION 020 OF CHAPTER 16 OF TITLE 2 TO INCREASE THE COMPENSATION FOR PLANNING COMMISSION MEMBERS FROM \$50.00 TO \$75.00 FOR EACH MEETING ATTENDED. (SET FINAL ACTION FOR DECEMBER 21, 2005)**

Ordinance No. 2214 as introduced by the City Clerk:

ORDINANCE NO. 2214; AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS; AMENDING SECTION 020 OF CHAPTER 16 OF TITLE 2 TO INCREASE THE COMPENSATION FOR PLANNING COMMISSION MEMBERS FROM \$50.00 TO \$75.00 FOR EACH MEETING ATTENDED.

ACTION: FINAL ACTION SET FOR DECEMBER 21, 2005

33. **ORDINANCE NO. 2215; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS TO AMEND ORDINANCE 2170, PRESENTLY CODIFIED IN TITLE 2, CHAPTER 68 OF THE NORTH LAS VEGAS MUNICIPAL CODE TO ESTABLISH TERMS AND CONDITIONS IN THE CIVIL SERVICE RULES AND REGULATIONS FOR EMPLOYMENT AND RECRUITMENT WITHIN THE CITY AND PROVIDING OTHER RELATED MATTERS. (SET FINAL ACTION FOR DECEMBER 21, 2005)**

Ordinance No. 2215 as introduced by the City Clerk:

ORDINANCE NO. 2215; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS TO AMEND ORDINANCE 2170, PRESENTLY CODIFIED IN TITLE 2, CHAPTER 68 OF THE NORTH LAS VEGAS MUNICIPAL CODE TO ESTABLISH TERMS AND CONDITIONS IN THE CIVIL SERVICE RULES AND REGULATIONS FOR EMPLOYMENT AND RECRUITMENT WITHIN THE CITY AND PROVIDING OTHER RELATED MATTERS.

ACTION: FINAL ACTION SET FOR DECEMBER 21, 2005

**ORDINANCES**

**FINAL ACTION**

34. **ORDINANCE NO. 2185; AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, NEVADA AS FOLLOWS: (1) AMENDING SECTION 5.26.330 REDUCING THE ANNUAL NUMBER OF ALLOWABLE GENERAL ON-SALE AND GENERAL ON-OFF-SALE LIQUOR LICENSES FROM TEN TO ONE; (2) AMENDING SECTIONS 5.26.360 AND 17.28.050 TO INCREASE THE PROXIMITY RESTRICTIONS BETWEEN SALOONS, TAVERN/RESTAURANTS OR NONPROFIT CLUBS TO 2,500 FEET WHERE 1,500 FEET IS CURRENTLY REQUIRED; (3) AMENDING SECTION 17.28.050 TO ADD A NEW PROXIMITY RESTRICTION PROVIDING THAT SALOONS, TAVERN/RESTAURANTS OR NONPROFIT CLUBS MUST BE AT LEAST 500 FEET FROM ANY DEVELOPED RESIDENTIAL DISTRICT; (4) AMENDING SECTION 17.28.050 TO CLARIFY WHICH SALOON, TAVERN/RESTAURANT OR NONPROFIT CLUB PROXIMITY REQUIREMENTS ARE SUBJECT TO WAIVER; (5) AMENDING PRIOR ORDINANCES 2110, 2114 AND 2138 AS DESCRIBED ABOVE; AND (6) PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED NOVEMBER 16, 2005)**

Ordinance No. 2185 as introduced by the City Manager:

ORDINANCE NO. 2185; AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, NEVADA AS FOLLOWS: (1) AMENDING SECTION 5.26.330 REDUCING THE ANNUAL NUMBER OF ALLOWABLE GENERAL ON-SALE AND GENERAL ON-OFF-SALE LIQUOR LICENSES FROM TEN TO ONE; (2) AMENDING SECTIONS 5.26.360 AND 17.28.050 TO INCREASE THE PROXIMITY RESTRICTIONS BETWEEN SALOONS, TAVERN/RESTAURANTS OR NONPROFIT CLUBS TO 2,500 FEET WHERE 1,500 FEET IS CURRENTLY REQUIRED; (3) AMENDING SECTION 17.28.050 TO ADD A NEW PROXIMITY RESTRICTION PROVIDING THAT SALOONS, TAVERN/RESTAURANTS OR NONPROFIT CLUBS MUST BE AT LEAST 500 FEET FROM ANY DEVELOPED RESIDENTIAL DISTRICT; (4) AMENDING SECTION 17.28.050 TO CLARIFY WHICH SALOON, TAVERN/RESTAURANT OR NONPROFIT CLUB PROXIMITY REQUIREMENTS ARE SUBJECT TO WAIVER; (5) AMENDING PRIOR ORDINANCES 2110, 2114 AND 2138 AS DESCRIBED ABOVE; AND (6) PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Finance Director Stoeckinger stated at the November 16th City Council meeting, concerns were raised regarding Section 1, whether the limitation of general on-sale and general on-off-sale liquor licenses from 10 to 1 would pertain to supper clubs, and the manner in which one license would be granted. Staff conferred with the City Attorney's office and the

Planning and Development Department and there was an additional concern raised regarding how to handle the previously approved Use Permit holders. Staff believed a long-term solution to address Council's concerns was to separate the Planning from the Business License section, which would be brought back to Council at a later time.

There were 15-16 previously approved Use Permits and the recommendation was to amend the existing ordinance by eliminating Section 1, and to grandfather the 15-16 previously approved Use Permits.

Director Stoeckinger stated the Mixed Use Ordinance, that did not apply to this Ordinance, would be brought forward to Council in the future.

Planning and Development Manager Marc Jordan stated in addition to the recommendation to remove Section 1, Staff recommended that the words "Planning Commission" be replaced with "City Council" in Section 4, Paragraphs D1 and D2, regarding consideration of waivers.

**Dick Kuiper, 2750 E. Craig Road, N. Las Vegas**, represented Pappas Entertainment who had two establishments in North Las Vegas, and agreed with the proposed amendment. Mr. Kuiper stated there were two different types of bars; i.e. saloons versus tavern/restaurant. Pappas Entertainment had gone to extremes to create an environment conducive to a supper club that would appeal to families. Food, rather than alcohol, was the focus of his establishments.

Councilman Buck clarified with Mayor Montandon that Section 1 would be removed from the Ordinance and not be returned. In addition, she wanted to be sure there was a fair procedure in place to determine the manner for granting one license.

ACTION: AMENDMENTS APPROVED AS FOLLOWS:

AMEND SECTION 4 (D)(I) AND 4(D)(II) BY REPLACING "PLANNING COMMISSION" WITH "CITY COUNCIL"

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

ACTION: AMENDMENTS APPROVED AS FOLLOWS:

DELETE SECTION 1

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith  
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith,  
Buck and Eliason  
NAYS: None  
ABSTAIN: None

ACTION: ORDINANCE PASSED AND ADOPTED, AS AMENDED:

MOTION: Councilwoman Smith  
SECOND: Councilman Eliason  
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith,  
Buck and Eliason  
NAYS: None  
ABSTAIN: None

### **COUNCIL ITEMS**

Councilwoman Smith asked Staff to look at ways to encourage the citizens to clean up litter and graffiti. Mayor Montandon stated Judge Van Landschoot was creating a clean-up crew and also requested Staff to create and put into action, a multi-faceted approach to clean up the City for litter, streets and graffiti. City Manager Rose stated suggested programs for cleaning the City would be presented to Council sometime in January.

Councilman Eliason stated Staff would be making a presentation on the North 5<sup>th</sup> Street corridor at the Regional Transportation Commission meeting on Thursday, December 8<sup>th</sup> at 9:00, in the Government Center.

He also thanked Staff and the rest of the Council for their support during his bereavement period.

### **CITY MANAGER'S REPORT**

City Manager Rose introduced Samuel Chambers, the new Assistant City Manager of Administration, and Maryann Ustick, the new Assistant City Manager of Development.

### **PUBLIC FORUM**

**Douglas Byrd, 418 Dune Ridge Avenue, North Las Vegas**, stated a concrete barrier had been placed in front of the emergency access to his subdivision and the Fire Department had told him they would not be able to get emergency vehicles through the access. Mayor Montandon stated he would have staff look at the issue.

**Joe Hernandez, 3643 Australian Cloud Drive, Las Vegas**, thanked Council for selecting his firm as the broker of record.

**Aubrey Branch, 1720 Silent Sunset Avenue, North Las Vegas**, thanked Council for selecting him as the City's broker of record.

**Tom Murphy, 2913 Lark Sparrow Street, North Las Vegas**, stated he would like to see more affordable golfing available in North Las Vegas. Mayor Montandon responded the City had spent a tremendous amount of time analyzing this issue. There were three costs associated with golf: land, water and operations. A golf course was not a viable option for the City due to the scarcity and cost of water, and the cost of land. The City was examining options for its nine-hole course.

### **ADJOURNMENT**

ACTION: THE MEETING ADJOURNED AT 7:50 P.M.

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**APPROVED: March 1, 2006**

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Mayor Montandon

**ATTEST:**

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Karen L. Storms, CMC, City Clerk