

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

April 18, 2007

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

CITY COUNCIL MEETING

CALL TO ORDER

6:03 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

ROLL CALL

COUNCIL PRESENT

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

STAFF PRESENT

City Manager Gregory Rose
Assistant City Manager Sam Chambers
Assistant City Manager Maryann Ustick
City Attorney Carie Torrence
City Clerk Karen Storms
Communications Director Brenda Fischer
Finance Director Phil Stoeckinger
Fire Chief Al Gillespie
General Services Director Eric Dabney

Human Resources Director Joyce Lira
Information Technology Director Steve Chapin
Parks and Recreation Director Mike Henley
Planning and Zoning Manager Marc Jordan
Police Chief Mark Paresi
Public Works Director Majed Al-Ghafry
Senior Assistant to the City Manager Kenny Young
Assistant to the City Manager Michelle Bailey-Hedgepeth
Chief Deputy City Clerk Anita Sheldon

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Karen L. Storms, CMC
City Clerk

INVOCATION

Pastor Rose Haag
Flaming Sword Ministries

PLEDGE OF ALLEGIANCE

Councilwoman Stephanie S. Smith

PUBLIC FORUM

Anthony Hodges, 123 Sir David Way, Las Vegas spoke about Ward voting.

Bob Borgersen, 7617 Island Rail Drive, North Las Vegas spoke about the All Points North bulletin.

Deborah Lewis, 4010 Hemphill Street, North Las Vegas, said that Item No. 25, regarding Craig Ranch should be a public hearing. Mayor Montandon assured Ms. Lewis she would have the opportunity to speak on this item.

PROCLAMATION

- ★ **PROCLAMATION RECOGNIZING MAY 2007 AS NATIONAL AQUATIC SAFETY MONTH.**

Mayor Montandon presented a proclamation to Parks and Recreation Director Mike Henley recognizing May 2007 as National Aquatic Safety Month.

ACTION: PROCLAMATION MADE

AGENDA

1. **APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF APRIL 18, 2007.**

ACTION: APPROVED AS AMENDED; ITEM NO. 2 WITHDRAWN; ITEM NOS. 3, 4 AND 53 CONTINUED TO MAY 2, 2007; ITEM NO. 26 TABLED TO MAY 2, 2007; ITEM NO. 35 WITHDRAWN; ITEM NOS. 49 AND 50 CONTINUED TO JUNE 6, 2007; AND ITEM NO. 51 CONTINUED TO JUNE 20, 2007

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

PUBLIC HEARINGS - 6:15 P.M.

2. **AN APPEAL SUBMITTED BY KATIE FELLOWS OF JONES VARGAS, ON BEHALF OF THE APPLICANT OF THE PLANNING COMMISSION'S DECISION TO APPROVE UN-117-06 (TERRIBLE'S LUBE #281); AN APPLICATION SUBMITTED BY TERRIBLE HERBST, INC., ON BEHALF OF RIFFAT ASIF INVESTMENT, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE SERVICE FACILITY ON PROPERTY LOCATED AT 335 WEST CRAIG ROAD. (CONTINUED APRIL 4, 2007)**

ACTION: WITHDRAWN

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

3. **AMP-02-07 (REGENA TOWNHOMES); AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF REGENA HOMES, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MIXED-USE COMMERCIAL TO MULTI-FAMILY RESIDENTIAL ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET. (CONTINUED APRIL 4, 2007) (ASSOCIATED ITEM NO. 53, ORDINANCE NO. 2359)**

ACTION: CONTINUED TO MAY 2, 2007

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. **UN-13-07 (BULK TRANSIT): AN APPLICATION SUBMITTED BY CARTER & BURGESS, INC., ON BEHALF OF GARY K. CROSS, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A RAIL TO TRUCK TRANSFER STATION USING HAZARDOUS MATERIALS (SULFURIC ACID, SODIUM HYDROXIDE, HYDROCHLORIC ACID, HYDROFLUOROSILIC ACID, ALUMINUM SULFATE, AND FERRIC CHLORIDE) ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF EL CAMPO GRANDE AVENUE AND LAMONT STREET. (CONTINUED APRIL 4, 2007)**

ACTION: CONTINUED TO MAY 2, 2007

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

CONSENT AGENDA

5. **APPROVAL OF REGULAR CITY COUNCIL MINUTES OF FEBRUARY 7, 2007.**

ACTION: APPROVED

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

6. APPROVAL OF SPECIAL CITY COUNCIL MINUTES OF FEBRUARY 21, 2007.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

7. APPROVAL OF REGULAR CITY COUNCIL MINUTES OF FEBRUARY 21, 2007.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

8. CANVASS OF THE APRIL 3, 2007 MUNICIPAL PRIMARY ELECTION RESULTS.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

9. APPROVAL OF AN APPLICATION FOR MASSAGE THERAPIST BUSINESS LICENSE FOR MARIA R. VENTURA, 1209 CYPRESS FALLS COURT, NORTH LAS VEGAS, NEVADA, 89081.

ACTION: APPROVED

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

10. APPROVAL OF AN APPLICATION FOR BEER/WINE ON-SALE BUSINESS LICENSE FOR JUNGIN CORPORATION, DBA SUSHI WOW, 5585 SIMMONS STREET, SUITE 3, NORTH LAS VEGAS, NEVADA, 89031, PENDING VERIFICATION OF WORKERS' COMPENSATION COVERAGE, PLANNING AND ZONING DEPARTMENT APPROVAL AND PAYMENT OF FEES. THIS IS A CHANGE OF OWNERSHIP FOR AN EXISTING LOCATION.

ACTION: APPROVED

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

11. APPROVAL OF AN APPLICATION FOR BEER/WINE OFF-SALE BUSINESS LICENSE FOR HESHAM M. HASSAN, DBA 7-11 STORE #13705, 3533 NORTH PECOS ROAD, LAS VEGAS, NEVADA, 89115. THIS IS A CHANGE OF OWNERSHIP FOR AN EXISTING LOCATION.

ACTION: APPROVED

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

12. **APPROVAL OF AN APPLICATION FOR BEER/WINE OFF-SALE BUSINESS LICENSE FOR BRETON ENTERPRISES, INC., DBA CARNICERIA GUADALAJARA, 955 WEST CRAIG ROAD, NORTH LAS VEGAS, NEVADA, 89032, PENDING VERIFICATION OF SOUTHERN NEVADA HEALTH DISTRICT APPROVAL AND REQUIRED DEPARTMENTAL APPROVALS.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

13. **APPROVAL OF AN APPLICATION FOR GENERAL OFF-SALE BUSINESS LICENSE FOR KSS, INC., DBA FIESTA SUPERMARKET, 3210 EAST LAKE MEAD BOULEVARD, SUITE 1, NORTH LAS VEGAS, NEVADA, 89030, PENDING VERIFICATION OF SOUTHERN NEVADA HEALTH DISTRICT APPROVAL, WORKERS' COMPENSATION COVERAGE, REQUIRED DEPARTMENTAL APPROVALS AND PAYMENT OF FEES. THIS IS A CHANGE OF OWNERSHIP FOR AN EXISTING LOCATION.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

14. **APPROVAL OF AN APPLICATION FOR RESTRICTED GAMING BUSINESS LICENSE FOR UNITED COIN MACHINE CO., DBA 7-ELEVEN STORE #19653, 2725 NORTH LAS VEGAS BOULEVARD, NORTH LAS VEGAS, NEVADA, 89030 PENDING VERIFICATION OF STATE GAMING COMMISSION APPROVAL. THIS IS AN ADDITIONAL LOCATION FOR A CURRENTLY LICENSED SLOT ROUTE OPERATOR.**

ACTION: APPROVED

MOTION: Councilman Eliason

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

15. APPROVAL OF AN APPLICATION FOR BEER/WINE OFF-SALE BUSINESS LICENSE FOR REBEL OIL COMPANY, INCORPORATED, DBA REBEL #91, 3608 EAST LAKE MEAD BOULEVARD, NORTH LAS VEGAS, NEVADA, 89115, PENDING VERIFICATION OF SOUTHERN NEVADA HEALTH DISTRICT APPROVAL AND REQUIRED DEPARTMENTAL APPROVALS. THIS IS AN ADDITIONAL LOCATION FOR REBEL OIL COMPANY, INCORPORATED.

ACTION: APPROVED

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

16. APPROVAL OF AN APPLICATION FOR RESTRICTED GAMING BUSINESS LICENSE FOR REBEL SLOTS, INC., DBAT REBEL #91, 3608 EAST LAKE MEAD BOULEVARD, NORTH LAS VEGAS, NEVADA, 89115, PENDING VERIFICATION OF STATE GAMING COMMISSION APPROVAL. THIS IS AN ADDITIONAL LOCATION FOR A CURRENTLY LICENSED SLOT ROUTE OPERATOR.

ACTION: APPROVED

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

17. **APPROVAL OF AN AMENDMENT OF THE SLOT ROUTE OPERATOR AND RESTRICTED GAMING BUSINESS LICENSES FOR REBEL SLOTS, INC., 2200 SOUTH HIGHLAND DRIVE, LAS VEGAS, NEVADA, 89102, DBAT REBEL #37, 2810 NORTH RANCHO DRIVE; REBEL #38, 4240 EAST CRAIG ROAD; AND REBEL #89, 2025 NORTH LAS VEGAS BOULEVARD.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

18. **APPROVAL OF AN APPLICATION FOR BEER/WINE OFF-SALE BUSINESS LICENSE FOR TERESA M. CHAMBERLAIN, DBA LUCKY T'S CONVENIENT STORE, 1100 EAST COLTON AVENUE, NORTH LAS VEGAS, NEVADA, 89030, PENDING VERIFICATION OF STATE BUSINESS LICENSE AND STATE SALES TAX PERMIT. THIS IS A CHANGE OF OWNERSHIP FOR AN EXISTING LOCATION.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

19. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT FROM GOWAN INDUSTRIAL, LLC, FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT GOWAN ROAD & CIVIC CENTER DRIVE, IN THE AMOUNT OF 2.4% OF THE TOTAL COST OR \$12,751; ALEXANDER ROAD & PECOS ROAD IN THE AMOUNT OF 1.8% OF THE TOTAL COST OR \$2,160; AND CHEYENNE AVENUE & CIVIC CENTER DRIVE - WEST LEG/DUAL LEFT, IN THE AMOUNT OF 12.7% OF THE TOTAL COST OR \$15,240, FOR THE GOWAN INDUSTRIAL COMMERCIAL PROJECT, LOCATED ON THE NORTHEAST CORNER OF GOWAN ROAD & CIVIC CENTER DRIVE.**

ACTION: PAYMENT ACCEPTED

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

20. **APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH KAY SEA, LLC, FOR A PORTION OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT CHEYENNE AVENUE & SIMMONS STREET, IN THE AMOUNT OF 2.2% OF THE TOTAL COST OR \$2,750; AND CHEYENNE AVENUE & CLAYTON STREET, IN THE AMOUNT OF 2.2% OF THE TOTAL COST OR \$2,750, FOR THE CHEYENNE & COLEMAN COMMERCIAL PROJECT, LOCATED ON THE NORTHEAST CORNER OF CHEYENNE AVENUE & COLEMAN STREET. (CNLV CONTRACT NO. C-6541)**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

21. **AN APPEAL SUBMITTED BY ROGER ANDERSON, ON BEHALF OF THE APPLICANT, OF THE PLANNING COMMISSION'S DECISION TO DENY SPR-20-07 (DESERT OAKS PLAZA); AN APPLICATION SUBMITTED BY DESERT OAK, LLC, ON BEHALF OF MICHAEL POULS, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-2 GENERAL COMMERCIAL DISTRICT, TO ALLOW WAIVERS OF PERIMETER, BUFFER AND FOUNDATION LANDSCAPING ON PROPERTY LOCATED NORTH OF CRAIG ROAD APPROXIMATELY 800 FEET WEST OF ALLEN LANE. (SET PUBLIC HEARING FOR MAY 2, 2007)**

ACTION: PUBLIC HEARING SET FOR MAY 2, 2007

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

22. **VAC-03-07 (NORTH 5TH AND ROME); AN APPLICATION SUBMITTED BY TRAMMELL CROW ON BEHALF OF DIAMOND CREEK ESTATES, PROPERTY OWNER, TO VACATE 1320 FEET OF ENGEL AVENUE COMMENCING APPROXIMATELY 610 FEET NORTH OF ROME BOULEVARD AND WEST OF NORTH 5TH STREET. (SET PUBLIC HEARING FOR MAY 16, 2007)**

ACTION: PUBLIC HEARING SET FOR MAY 16, 2007

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

23. **VAC-05-07 (ALIANTE); AN APPLICATION SUBMITTED BY NORTH VALLEY ENTERPRISES, LLC, ON BEHALF OF ALIANTE GAMING, LLC, PROPERTY OWNER, TO VACATE A 7.61 ACRE DRAINAGE EASEMENT BETWEEN ELKHORN ROAD AND THE 215 BELTWAY. (SET PUBLIC HEARING FOR MAY 16, 2007)**

ACTION: PUBLIC HEARING SET FOR MAY 16, 2007
MOTION: Councilman Eliason
SECOND: Councilwoman Buck
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith,
Buck and Eliason
NAYS: None
ABSTAIN: None

24. VAC-06-07 (LA MADRE/BRUCE); AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES, PROPERTY OWNERS, TO VACATE THE SOUTHERN 30 FEET OF LA MADRE WAY BETWEEN BRUCE STREET AND HAROLD STREET. (SET PUBLIC HEARING FOR MAY 16, 2007)

ACTION: PUBLIC HEARING SET FOR MAY 16, 2007
MOTION: Councilman Eliason
SECOND: Councilwoman Buck
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith,
Buck and Eliason
NAYS: None
ABSTAIN: None

BUSINESS

25. DISCUSSION AND/OR ACTION ON THE PREFERRED DESIGN ALTERNATIVE FOR CRAIG RANCH REGIONAL PARK.

Parks and Recreation Director Mike Henley explained that 560 people voted on the original three alternatives through community workshops, online surveys, Balloonapalooza and the newsletter. Some image board ranking was done for amenities with high ranks given to aquatics. Council had directed staff to meet with the Parks and Recreation Advisory Board and they gave extensive recommendations. It incorporated desired amenities identified by the public and recommended intensified sports field development on the site. An alternative four was recommended to be designed to see how the amenities could be configured on the site to meet the mandate. Director Henley reviewed the different alternatives through visuals to the Council. Option Four was redesigned to reorient and mitigate some of the impacts. This option would still provide the eight lighted fields, four for soccer/lacrosse and four for baseball/softball. The proposed indoor/outdoor aquatic facility was oriented at the gateway of the park. At the last meeting, Council directed Staff to put all four alternatives on the agenda and bring back an overlay to show the proposed

tree loss for each alternative. Alternative One reduced the tree canopy by 30%; Alternative Two intensified the tree loss. Director Henley explained that around the perimeter of the site the majority of the trees provided a visual buffer and a wind break to the interior of the park.

Councilwoman Buck questioned whether those trees were water intensive and would need to be removed for water problems. Director Henley explained that over time he would propose that a forestry plan be implemented for the park. He also explained that new trees would be introduced to the site and the importance of protecting the visual buffer.

Director Henley explained that Alternative Three raised the tree loss to 70%. Alternative Four was similar to alternative three. There was a need for athletic fields, playgrounds, swimming pools, basketball courts, and picnic shelters. Currently, there were sixteen baseball/softball fields and twenty-six fields were needed to meet standards. For lacrosse/soccer, there were twenty-four fields and thirty-two fields were needed to meet standards.

Scott Sauer, 5629 Midnight Breeze Street, North Las Vegas felt the public did not want all the sports fields, and the population at the neighborhood meetings recommended Alternative One.

Bob Borgersen, 7617 Island Rail Drive, North Las Vegas, felt that Staff should proceed with the option that the public recommended.

Richard Cherchio, 417 Horse Point Avenue, North Las Vegas explained that Craig Ranch Regional Park was special and unique and felt that the park should be left as natural as possible.

Bob Mersereau, 4836 Crystal Sword Street, North Las Vegas, said that 57% of the public recommended Alternative One and that was the only solution.

Deborah Lewis, 4010 Hemphill Street, North Las Vegas, said that residents adjacent to the park were concerned about Alternative Three and Four and would prefer Alternative One.

Mayor Pro Tempore Robinson questioned why a survey was done asking for community input if the City was not going to abide by the results. Mayor Montandon said that the same process was followed with Silver Mesa Recreation Center and agreed there was extensive support for Alternative One.

Councilwoman Smith explained that she understood there was a need for ballfields but there was a lot of land where it could be built. She felt that once all the trees were removed there was no way to go back. She felt the site needed to be looked at as a legacy site and

kept preserved.

Councilwoman Buck said numerous people had spoken for the need of ballfields. She felt the needs of the citizens should be balanced. She recommended reviewing and comparing Alternatives One and Two. Councilwoman Buck asked for the active use versus passive use for these two alternatives. Director Henley explained with Alternative One, passive use was 61% and active use was 17%; Alternative Two passive use was 38% and active use was 33%. Councilwoman Buck recommended Alternative Two.

Mayor Montandon explained that in the northwest corner of the park there was a maintenance area. The land across the edge was purchased and there was an option of moving the maintenance area to that location.

ACTION: COUNCIL APPROVED OPTION NO. 1 WITH THE OPTION THAT IF NEW LAND IS ACQUIRED IN THE WEST OR NORTHWEST SECTION, BALLFIELDS WOULD BE PLACED THERE

MOTION: Councilwoman Smith

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

26. SPR-15-07 (DEER SPRINGS NORTH 5TH); AN APPLICATION SUBMITTED BY CAMDEN DEVELOPMENT, INC., ON BEHALF OF CENTENNIAL POINTE, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-4 HIGH DENSITY RESIDENTIAL DISTRICT TO ALLOW A MULTI-FAMILY COMPLEX CONSISTING OF 214 MULTI-FAMILY UNITS ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF NORTH 5TH STREET AND DEER SPRINGS WAY.

ACTION: TABLED TO MAY 2, 2007

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

27. AWARD OF REQUEST FOR PROPOSAL, NO. 010-006, TO XTRAVAGANZA, TO OPERATE A FARMER'S MARKET, ONE DAY A WEEK, TO SELL A VARIETY OF FARM PRODUCTS, PACKAGED FOODS AND PREPARED GOODS AT A MARKET LOCATED ON CITY HALL CAMPUS, 2200 CIVIC CENTER DRIVE AND NATURE DISCOVERY PARK, 2627 NATURE PARK DRIVE. (TABLED APRIL 4, 2007)

Mayor Montandon explained this item had been tabled for clarification as the applicant was appointed by the Council to an Advisory Board which needed to be disclosed but did not impact the decision.

Director Henley explained there was interest in acquiring an operator for a farmer's market. He recommended Xtravaganza be awarded the contract and that the City Manager be authorized to execute the contract.

ACTION: PROPOSAL AWARDED

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

28. APPROVAL OF A REVISED COOPERATIVE AGREEMENT WITH THE STATE OF NEVADA DEPARTMENT OF TRANSPORTATION, IN THE TOTAL AMOUNT OF \$42,310,000; \$22,556,500 FROM THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA; \$19,569,000 FROM THE NEVADA DEPARTMENT OF TRANSPORTATION; \$102,000 FROM THE SEWER UTILITY FUND; \$62,500 FROM THE WATER UTILITY FUND; AND \$20,000 FROM THE BUREAU OF LAND MANAGEMENT FOR THE CRAIG ROAD GRADE SEPARATION PROJECT. (CNLV CONTRACT NO. C-6494)

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

29. **APPROVAL OF RIGHT-OF-WAY ACQUISITION FROM GARNERTEE, LLC, PROPERTY OWNER, FOR THE ACQUISITION AND PURCHASE OF A PORTION OF APNS 139-01-302-002 TO 003 AND 139-01-203-002, IN THE AMOUNT OF \$244,309, TO BE FUNDED BY THE REGIONAL TRANSPORTATION COMMISSION, FOR THE CRAIG ROAD PHASE 3 GRADE SEPARATION PROJECT.**

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

30. **APPROVAL OF AN AGREEMENT FOR RIGHT-OF-WAY ACQUISITION AND PROJECT COSTS WITH UNION PACIFIC RAILROAD FOR THE PURCHASE OF A PERMANENT EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT FROM APNS 139-01-798-001, 139-01-398-001 AND 139-01-698-001, IN THE AMOUNT OF \$1,815,905, TO BE FUNDED BY THE REGIONAL TRANSPORTATION COMMISSION, TO PAY FOR UNION PACIFIC RAILROAD COSTS IN CONNECTION WITH THE CRAIG ROAD GRADE SEPARATION PROJECT. (CNLV CONTRACT NO. C-6542)**

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

31. RATIFICATION OF A PURCHASE AGREEMENT WITH CHUN INVESTMENTS, LLC, PROPERTY OWNER, FOR THE ACQUISITION OF APN 139-01-611-001, IN THE AMOUNT OF \$3,160,000, TO BE FUNDED BY THE REGIONAL TRANSPORTATION COMMISSION, FOR THE CRAIG ROAD PHASE 3 GRADE SEPARATION PROJECT.

ACTION: RATIFIED

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

32. APPROVAL TO AUGMENT THE PUBLIC WORKS BUDGET IN THE AMOUNT OF \$45,000, FOR THE LOSEE ROAD TEMPORARY PAVING PROJECT LOCATED ON LOSEE ROAD, NORTH OF LONE MOUNTAIN ROAD.

ACTION: APPROVED

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

33. APPROVAL OF THE FIRST SUPPLEMENTAL INTERLOCAL CONTRACT (NO. NLV04D04) WITH THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT, FOR THE GOWAN OUTFALL - LONE MOUNTAIN BRANCH, DECATUR TO CHANNEL PROJECT, WHICH REQUIRES THE ITEMS COVERED IN SECTION II - PROJECT COSTS NOT TO EXCEED A TOTAL OF \$1,331,172; ENGINEERING AND DESIGN COSTS NOT TO EXCEED \$1,196,172; RIGHT-OF-WAY DRAWINGS, LEGAL DESCRIPTIONS, TITLE REPORTS, APPRAISALS AND ACQUISITION COSTS NOT TO EXCEED \$125,000; AND A SECTION 14 ENVIRONMENTAL ASSESSMENT TO BE COMPLETED AT A COST NOT TO EXCEED \$10,000. (CNLV CONTRACT NO. C-5643)

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

34. **APPROVAL OF THE SEVENTH SUPPLEMENTAL INTERLOCAL CONTRACT (NO. NLV17A00), WITH THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT, FOR THE CENTENNIAL PARKWAY CHANNEL EAST PROJECT, WHICH REQUIRES THE ITEMS COVERED IN SECTION II - PROJECT COSTS NOT TO EXCEED \$3,254,100; ENGINEERING AND DESIGN COSTS NOT TO EXCEED \$720,000; RIGHT-OF-WAY DRAWINGS, LEGAL DESCRIPTIONS, TITLE REPORTS, APPRAISALS AND ACQUISITION COSTS NOT TO EXCEED \$2,520,000; AND A SECTION 14 ENVIRONMENTAL ASSESSMENT TO BE COMPLETED AT A COST NOT TO EXCEED \$14,100. (CNLV CONTRACT NO. C-4754)**

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

35. **APPROVAL OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH HDR ENGINEERING, INC., IN THE AMOUNT OF \$1,542,242 TO BE FUNDED BY THE SOUTHERN NEVADA PUBLIC LANDS MANAGEMENT ACT, WHICH REPRESENTS 14.2% OF THE ESTIMATED \$10,800,000 CONSTRUCTION COST FOR THE UPPER LAS VEGAS WASH TRAIL PHASE 1, LOCATED ALONG A 3.3 MILE SEGMENT OF THE UPPER LAS VEGAS WASH FROM DEER SPRINGS WAY TO CRAIG ROAD.**

ACTION: WITHDRAWN

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. AUTHORIZE ISSUANCE OF PURCHASE ORDERS TO MOTOROLA, INC., IN AN AMOUNT NOT TO EXCEED \$74,000, FOR THE ACQUISITION OF RADIO EQUIPMENT; AND SOUTHERN NEVADA AREA COMMUNICATIONS COUNCIL IN AN AMOUNT NOT TO EXCEED \$58,000 FOR THE BUY-IN FEES FOR THE RADIO SYSTEM FOR USE IN THE UTILITIES DEPARTMENT.

ACTION: PURCHASE ORDER AUTHORIZED

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

37. APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE COMMUNITY COLLEGE OF SOUTHERN NEVADA, AND THE HENDERSON AND NORTH LAS VEGAS POLICE DEPARTMENTS IN THE AMOUNT OF \$14,000 FROM THE FY07-08 POLICE SALES TAX FUND, FOR THE PURPOSE OF PROVIDING INSTRUCTION FOR LAW ENFORCEMENT TRAINEES, IN ACCORDANCE WITH STANDARDS OUTLINED BY NEVADA POLICE OFFICER STANDARDS AND TRAINING FOR A PERIOD OF TWO YEARS, TO EXPIRE ON AUGUST 31, 2008. (CNLV CONTRACT NO. C-6543)

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

38. RATIFICATION OF AN APPLICATION FOR GRANT FUNDS SUBMITTED TO THE NEVADA DEPARTMENT OF PUBLIC SAFETY, OFFICE OF TRAFFIC SAFETY, UNDER THE HIGHWAY SAFETY GRANT-BIKE SAFETY PROGRAM IN THE TOTAL AMOUNT OF \$50,450; \$16,950 FOR FFY08, \$16,700 FOR FFY09, AND \$16,800 FOR FFY10 TO IMPLEMENT A THREE-YEAR “RETAIN YOUR BRAIN” BIKE SAFETY PROGRAM FOR 3RD THROUGH 5TH GRADE STUDENTS IN TWELVE DIFFERENT ELEMENTARY SCHOOLS BY THE POLICE DEPARTMENT.

ACTION: RATIFIED

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

39. RATIFICATION OF AN APPLICATION FOR GRANT FUNDS SUBMITTED TO THE NEVADA DEPARTMENT OF PUBLIC SAFETY, OFFICE OF TRAFFIC SAFETY, UNDER THE HIGHWAY SAFETY GRANT-PEDESTRIAN SAFETY PROGRAM IN THE TOTAL AMOUNT OF \$111,320 FOR FFY08-10, REQUIRING A LOCAL MATCH IN THE AMOUNT OF \$4,300 FOR FY08; \$4,500 FOR FY09; AND \$4,600 FOR FY10 FROM THE GENERAL FUND CONTINGENCY ACCOUNT TO IMPLEMENT THE “WATCH OUT FOR PEDESTRIANS” PEDESTRIAN SAFETY PROGRAM BY THE POLICE DEPARTMENT.

Mayor Pro Tempore Robinson questioned if this was a new program. Police Chief Mark Paresi explained this was a continuation of a program that the Police Department had been doing for the past four years.

ACTION: RATIFIED

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

40. APPROVAL OF AN EMERGENCY MANAGEMENT APPLICATION TO THE STATE DIVISION OF EMERGENCY MANAGEMENT FOR FUNDING, UNDER THE EMERGENCY MANAGEMENT PERFORMANCE GRANT, IN THE AMOUNT OF \$82,897.22, REQUIRING A LOCAL MATCH IN THE AMOUNT OF \$82,897.22, FOR THE EMERGENCY MANAGEMENT PROGRAM EXPENSES.

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

41. RESOLUTION NO. 2375; A RESOLUTION OF THE CITY OF NORTH LAS VEGAS, NEVADA, TO AUTHORIZE THE CITY MANAGER TO SIGN CERTAIN PURCHASE AGREEMENTS FOR RIGHT-OF-WAY ACQUISITIONS.

Mayor Pro Tempore requested that the City Council be apprised of any documents that are signed by the City Manager. City Manager Rose stated he would provide a quarterly report.

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

ORDINANCES
INTRODUCTION ONLY

42. **ORDINANCE NO. 2363; AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF THE CITY OF NORTH LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) JUDICIAL/PUBLIC SAFETY REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2007A; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS AND PROVIDING FOR THE SALE THEREOF; AND PROVIDING OTHER MATTERS RELATING THERETO. (SET FINAL ACTION FOR MAY 2, 2007)**

Ordinance No. 2363 as introduced by the City Clerk:

ORDINANCE NO. 2363; AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF THE CITY OF NORTH LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) JUDICIAL/PUBLIC SAFETY REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2007A; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS AND PROVIDING FOR THE SALE THEREOF; AND PROVIDING OTHER MATTERS RELATING THERETO. (SET FINAL ACTION FOR MAY 2, 2007)

ACTION: FINAL ACTION SET FOR MAY 2, 2007

43. **ORDINANCE NO. 2364; AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF THE CITY OF NORTH LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) STREET REFUNDING BONDS, SERIES 2007B; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS, AND PROVIDING FOR THE SALE THEREOF; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; AND PROVIDING OTHER MATTERS RELATING THERETO. (SET FINAL ACTION FOR MAY 2, 2007)**

Ordinance No. 2364 as introduced by the City Clerk:

ORDINANCE NO. 2364; AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF THE CITY OF NORTH LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) STREET REFUNDING BONDS, SERIES 2007B; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS, AND PROVIDING FOR THE SALE THEREOF; PROVIDING FOR THE LEVY AND

COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; AND PROVIDING OTHER MATTERS RELATING THERETO. (SET FINAL ACTION FOR MAY 2, 2007)

ACTION: FINAL ACTION SET FOR MAY 2, 2007

44. **ORDINANCE NO. 2365; 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 21.35+ ACRES THEREIN FROM AN M-2, GENERAL INDUSTRIAL DISTRICT TO A C-2, GENERAL COMMERCIAL DISTRICT (ZN-95-07, NORTH RANCHO), FOR PROPERTY LOCATED AT 3100 NORTH RANCHO DRIVE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MAY 2, 2007)**

Ordinance No. 2365 as introduced by the City Clerk:

ORDINANCE NO. 2365; 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 21.35+ ACRES THEREIN FROM AN M-2, GENERAL INDUSTRIAL DISTRICT TO A C-2, GENERAL COMMERCIAL DISTRICT (ZN-95-07, NORTH RANCHO), FOR PROPERTY LOCATED AT 3100 NORTH RANCHO DRIVE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MAY 2, 2007)

ACTION: FINAL ACTION SET FOR MAY 2, 2007

45. **ORDINANCE NO. 2366; 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 2.11+ ACRES THEREIN FROM AN R-E, RANCH ESTATES DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-96-07, WILLIE JENKINS JR. DRIVE), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF WASHBURN ROAD AND CONWAY STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MAY 2, 2007)**

Ordinance No. 2366 as introduced by the City Clerk:

ORDINANCE NO. 2366; 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 2.11+ ACRES THEREIN FROM AN R-E, RANCH ESTATES DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-96-07, WILLIE JENKINS JR. DRIVE), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF WASHBURN ROAD AND CONWAY STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MAY 2, 2007)

ACTION: FINAL ACTION SET FOR MAY 2, 2007

46. **ORDINANCE NO. 2367; 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 1.53+ ACRES THEREIN FROM AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT TO A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-98-07, KOENIG RESIDENCE), FOR PROPERTY LOCATED AT 2930 WEST CRAIG ROAD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MAY 2, 2007)**

Ordinance No. 2367 as introduced by the City Clerk:

ORDINANCE NO. 2367; 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 1.53+ ACRES THEREIN FROM AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT TO A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-98-07, KOENIG RESIDENCE), FOR PROPERTY LOCATED AT 2930 WEST CRAIG ROAD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MAY 2, 2007)

ACTION: FINAL ACTION SET FOR MAY 2, 2007

47. **ORDINANCE NO. 2368; 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 1.50+ ACRES THEREIN FROM AN R-E, RANCH ESTATES DISTRICT TO A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-97-07, GALAXY PROPERTIES NORTH 5TH), FOR PROPERTY LOCATED AT 6215 NORTH 5TH STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MAY 2, 2007)**

Ordinance No. 2368 as introduced by the City Clerk:

ORDINANCE NO. 2368; 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 1.50+ ACRES THEREIN FROM AN R-E, RANCH ESTATES DISTRICT TO A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-97-07, GALAXY PROPERTIES NORTH 5TH), FOR PROPERTY LOCATED AT 6215 NORTH 5TH STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MAY 2, 2007)

ACTION: FINAL ACTION SET FOR MAY 2, 2007

48. **ORDINANCE NO. 2369; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-04-07); AMENDING 17.12.020, TO ADD THE DEFINITION OF "COMMERCIAL USE VEHICLE"; TO AMEND SECTION 17.24.140(A)(3) PARKING ACCESSORY TO A RESIDENTIAL USE; AND TO AMEND SECTION 17.24.170(B)(1)(H) STANDARDS AND PROVISIONS FOR PARKING OF VEHICLES ASSOCIATED WITH A HOME OCCUPATION; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR MAY 2, 2007)**

Ordinance No. 2369 as introduced by the City Clerk:

ORDINANCE NO. 2369; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-04-07); AMENDING 17.12.020, TO ADD THE DEFINITION OF "COMMERCIAL USE VEHICLE"; TO AMEND SECTION 17.24.140(A)(3) PARKING ACCESSORY TO A RESIDENTIAL USE; AND TO AMEND SECTION 17.24.170(B)(1)(H)

STANDARDS AND PROVISIONS FOR PARKING OF VEHICLES ASSOCIATED WITH A HOME OCCUPATION; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR MAY 2, 2007)

ACTION: FINAL ACTION SET FOR MAY 2, 2007

ORDINANCES
FINAL ACTION

49. **ORDINANCE NO. 2275; 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 30.79+ ACRES THEREIN FROM A C-2, GENERAL COMMERCIAL DISTRICT TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT (ZN-27-06, CELEBRATE VILLAGE), FOR PROPERTY LOCATED WEST OF MARTIN L. KING BOULEVARD AND APPROXIMATELY 800 FEET SOUTH OF CRAIG ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED JUNE 7, JULY 5, OCTOBER 18, 2006, AND FEBRUARY 21, 2007)**

ACTION: CONTINUED TO JUNE 6, 2007

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

50. **ORDINANCE NO. 2276; 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 6.15+ ACRES THEREIN FROM A C-2 GENERAL COMMERCIAL DISTRICT TO AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT (ZN-28-06, CELEBRATE VILLAGE), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF MARTIN L. KING BOULEVARD AND CORALIE AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED JUNE 7, JULY 5, OCTOBER 18, 2006 AND FEBRUARY 21, 2007)**

ACTION: CONTINUED TO JUNE 6, 2007

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

51. **ORDINANCE NO. 2277; 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 .73+ ACRES THEREIN FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-26-06, ALEXANDER & MARTIN L. KING), FOR PROPERTY LOCATED AT 4009 NORTH MARTIN L. KING BOULEVARD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED JUNE 7, OCTOBER 18, 2006 AND FEBRUARY 21, 2007)**

ACTION: CONTINUED TO JUNE 20, 2007

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

52. **ORDINANCE NO. 2339; 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 22.91+ ACRES THEREIN FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO AN MUD, MIXED USE DEVELOPMENT DISTRICT (ZN-54-06, CRAIG & ALLEN) CONSISTING OF 440 CONDOMINIUMS AND/OR LIVE-WORK RESIDENTIAL UNITS AND 72,300 SQUARE FEET OF COMMERCIAL AREA LOCATED AT THE SOUTHWEST CORNER OF ALLEN LANE AND CRAIG ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED JANUARY 17, FEBRUARY 7, MARCH 7, AND APRIL 4, 2007)**

Ordinance No. 2339 as introduced by the City Manager:

ORDINANCE NO. 2339; 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 22.91+ ACRES THEREIN FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO AN MUD, MIXED USE DEVELOPMENT DISTRICT (ZN-54-06, CRAIG & ALLEN) CONSISTING OF 440 CONDOMINIUMS AND/OR LIVE-WORK RESIDENTIAL UNITS AND 72,300 SQUARE FEET OF COMMERCIAL AREA LOCATED AT THE SOUTHWEST CORNER OF ALLEN LANE AND CRAIG ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED JANUARY 17, FEBRUARY 7, MARCH 7, AND APRIL 4, 2007)

Planning and Zoning Planner Robert Eastman explained that this application was originally heard at the Planning Commission meeting on December 13, 2006. At that time the Planning Commission recommended approval, but the site plan had been changed to a total of 312 condominiums and a total of 50,687 square feet of commercial area. Staff and the Planning Commission recommended approval.

Bill Curran, Ballard, Spahr, Andrews and Ingersoll, 300 South Fourth Street, Las Vegas, appeared on behalf of the applicant along with George Garcia. Also in attendance were representatives of the Development Funding Group and representatives who would be building the residential portion of the project.

Mr. Curran explained there was a large Planned Unit Development approved there, which included homes and schools and part of it was built. Part of the PUD failed and the property had been vacant for a long time. He explained it was an irregular shaped piece that was difficult to develop. It currently had approval to build a big box commercial project, such as Best Buy, Costco or Lowe's. Things had changed and that was an unlikely, but possible type of development. Mr. Curran explained they had builders who would be able to build a project that was more viable for the area.

George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, NV, explained the project site was an irregular piece of property located on the corner of Craig Road and Allen Lane, which was the remaining piece of the PUD. There was a door to door survey completed in Ward 2 resulting in a 10:1 ratio in support of the project. He had a checklist showing conformity to the mixed-use district and a letter showing that while the PUD did exist it was now defunct and he had the documentation to gain approval of the PUD. He explained the plan with the big box commercial on Goldcrest Drive along the south with three entry drives, two driveways on Allen Lane and multiple driveways on Craig Road. The plan reduced the driveway curb cuts along Goldcrest Drive to zero. The two driveways along Allen Lane were reduced to a single driveway and the multiple list of driveways along Craig Road were reduced to two. What was proposed as an alternative was 30 feet of

landscaping with a double row of trees along the back, pedestrian path and pedestrian walkways connecting the perimeter and interior.

Anita Wood, 4108 Bola Drive, North Las Vegas, said that the plan changed and there were now three-story condominiums abutting single-story R-1. She felt the plan did not make sense. The previous plan was not great but this one was not compatible with the neighborhood. The representatives said the neighbors supported the project, but was in comparison to the previous plan. The neighbors had been told that the mixed-use development would resemble The District. She felt it was going back to the original proposal which the neighbors fought hard against. She also felt there would be a significant impact to the schools with the additional condominiums. Ms. Wood said that the December 13, 2006 Planning Commission report did not recommend approval but was against the project. She felt the developer knew there was a condition on the PUD when the property was purchased that prohibited residential, and the fact that they were changing it did not alter the condition.

Mr. Garcia explained that the Clark County School District was contacted and the school had closed the modular units because of lack of students. The commercial development had been moved closer to Craig Road and the buildings would go up to 30 - 40 feet in height. The apartments would be 35 feet high which was the maximum height and would be in scale with the commercial.

Mr. Curran explained this was one of the first applications considered under the new mixed-use ordinance and when it was adopted the developers were asked to submit innovative projects that would address unique properties.

Mayor Montandon explained that he was happy to see that quality developers were coming into the City and planning projects that the City asked for.

Councilwoman Buck said she felt this project was a better option. She felt single-family homes would not work on this piece of property. She recommended that a condition be placed that if any roads had to be improved for this project that they be completed before the project goes in.

Mayor Montandon explained that condition would require a policy change. The process would be difficult to do with the sewer and water connections along with the road paving.

Planner Robert Eastman explained the road network would need to be completed prior to the first building being finalized as explained in Condition #15.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Buck

SECOND: Mayor Montandon

AYES: Mayor Montandon, Council Members Buck and Eliason

NAYS: Mayor Pro Tempore Robinson and Councilwoman Smith
ABSTAIN: None

53. **ORDINANCE NO. 2359; 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 4.33+ ACRES THEREIN FROM AN R-2, TWO FAMILY RESIDENTIAL DISTRICT TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT (ZN-47-07, REGENA TOWNHOMES), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED APRIL 4, 2007) (ASSOCIATED ITEM NO. 3, AMP-02-07)**

ACTION: CONTINUED TO MAY 2, 2007

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

54. **ORDINANCE NO. 2361; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-03-07); AMENDING 17.12.020, TO PROVIDE A DEFINITION OF "ZIPPER LOT (Z-LOT)" AND "ZIPPER LOT BUILDING ATTACHMENT"; AND TO ADD ALLOWANCES FOR Z-LOT ATTACHED STRUCTURES WITHIN THE R-2, TWO-FAMILY RESIDENTIAL DISTRICT; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

Ordinance No. 2361 as introduced by the City Manager:

ORDINANCE NO. 2361; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-03-07); AMENDING 17.12.020, TO PROVIDE A DEFINITION OF "ZIPPER LOT (Z-LOT)" AND "ZIPPER LOT BUILDING ATTACHMENT"; AND TO ADD ALLOWANCES FOR Z-LOT ATTACHED STRUCTURES WITHIN THE R-2, TWO-FAMILY RESIDENTIAL DISTRICT; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Planning and Zoning Planner Robert Eastman explained the application was initially submitted by Ryland Homes who requested a Z-lot configuration be allowed in the R-2 district and wanted the definition amended to allow their unique connections to be able to be classified as duplexes. Staff amended the language and recommended approval along with the Planning Commission.

Robert Flax, 8925 West Russell Road, Las Vegas, represented Ryland Homes and concurred with Staff.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Buck

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

55. **ORDINANCE NO. 2362; 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 19 ACRES THEREIN FROM AN M-2, GENERAL INDUSTRIAL DISTRICT TO AN MUD/MX-3, MIXED USE DEVELOPMENT DISTRICT/REGIONAL CENTER MIXED USE SUBDISTRICT (ZN-24-07, NORTHGATE PHASE II) CONSISTING OF 163 RESIDENTIAL UNITS, 50,000 SQUARE FEET OF OFFICE SPACE AND 34,600 SQUARE FEET OF COMMERCIAL RETAIL SPACE LOCATED ON THE SOUTH SIDE OF TROPICAL PARKWAY APPROXIMATELY 290 FEET EAST OF MARION DRIVE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2362 as introduced by the City Manager:

ORDINANCE NO. 2362; 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 19 ACRES THEREIN FROM AN M-2, GENERAL INDUSTRIAL DISTRICT TO AN MUD/MX-3, MIXED USE DEVELOPMENT DISTRICT/REGIONAL CENTER MIXED USE SUBDISTRICT (ZN-24-07, NORTHGATE PHASE II) CONSISTING OF 163 RESIDENTIAL UNITS, 50,000 SQUARE FEET OF OFFICE SPACE AND 34,600 SQUARE FEET OF COMMERCIAL

RETAIL SPACE LOCATED ON THE SOUTH SIDE OF TROPICAL PARKWAY APPROXIMATELY 290 FEET EAST OF MARION DRIVE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Planning and Zoning Planner Robert Eastman explained this was Northgate Phase II, just northeast of Northgate Phase I. There was one parcel that separated the two. This was in the same area, but farther northeast of the Alhambra development. They proposed 163 residential units, 50,000 square feet of commercial office space and 34,600 square feet of retail space. It was a mixed-use product and complied with the mixed-use ordinance. Staff recommended approval as well as the Planning Commission. He distributed a revised ordinance to address concerns. The first revision amended Condition #9 to read "that the use permitted within this development unless otherwise specified herein shall be restricted to those uses allowed in the C-1 Neighborhood Commercial District or C-2 General Commercial District and shall be subject to the appropriate principally permitted or special use procedures". Additionally Staff was deleting Condition #17A from the original ordinance.

George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, along with Stephanie Allen from Kummer Kaempfer Bonner Renshaw & Ferrario, concurred with Staff and Planning Commission's recommendation.

ACTION: PASSED AND ADOPTED AS AMENDED

MOTION: Councilwoman Smith

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

COUNCIL ITEMS

Mayor Pro Tempore requested that a meeting be scheduled to discuss recyclables.

Councilwoman Buck requested a timeline for Craig Ranch. Parks and Recreation Director Mike Henley said Staff intended to submit the design alternative to MIG tomorrow to finalize within 45 days and would get back with a timeline.

She was concerned about rebar left in the desert after elections and recommended that candidates be responsible for removal.

Councilman Eliason directed Staff to explore amending the Charter to allow two candidates vying for a vacant seat to be elected at the Primary Election rather than the General

Election.

Councilwoman Smith congratulated Councilwoman Buck on her re-election.

CITY MANAGER'S REPORT

City Manager Rose recommended a work session to discuss the policy for developers to build roads before the first building goes in.

Councilwoman Smith spoke about developers buying property within a few feet of the road to avoid putting the road in.

PUBLIC FORUM

There was no public participation.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 7:59 P.M.

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

APPROVED: May 16, 2007

/s/ Michael L. Montandon
Mayor Michael L. Montandon

ATTEST:

/s/ Karen L. Storms
Karen L. Storms, CMC
City Clerk