

MEETING NOTICE AND AGENDA CITY OF NORTH LAS VEGAS REGULAR CITY COUNCIL

August 19, 2009

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

CITY COUNCIL MEETING

CALL TO ORDER

6:00 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

WELCOME

The North Las Vegas City Council welcomes each of you to its City Council Meeting. If you wish to speak, please complete one of the blue cards which are located at the back of the room. Please give the card to the City Clerk. When the Mayor calls upon you to speak, we request that you limit your comments to no more than five minutes, and that you avoid repetition. **Please keep in mind the rules of decorum by addressing the Council as a whole and not individual members and limiting your comments to issues regarding City government.** As a courtesy to others, we ask that cellular phones and pagers be turned off during the meeting.

The North Las Vegas City Council Chamber is accessible to all persons. For reasonable accommodations to those with disability impairments, please contact the ADA Coordinator at (702) 633-1510 or TDD (800) 326-6868 at least seventy- two (72) hours in advance of the meeting. For general questions regarding this agenda, please contact the City Clerk's Office at (702) 633-1030.

All agenda items are action items except those listed for discussion only and Public Forum issues.

VERIFICATION

Verification the Agenda and Meeting Notice was properly posted on the bulletin board at City Hall, the bulletin board at the Public Safety Building, the bulletin board at the North Las Vegas Public Library, the Aliante Library, and the Alexander Library in compliance with N.R.S. 241, "The Open Meeting Law."

INVOCATION

Dr. Anne Jones
Life Christian Center

PLEDGE OF ALLEGIANCE

Councilwoman Anita G. Wood

PUBLIC FORUM

This is the first of two portions of the meeting devoted to the Public. After completing and submitting a blue card, please come forward upon recognition by the Mayor and feel free to speak on any topic or item not listed on the agenda. Usually items received under this heading will be referred to the City Manager for action at a later date. Items listed on the agenda will be heard after introduction by the City Manager. In consideration of other citizens, we ask that you please limit your comments to five minutes and that repetition be avoided. The Mayor may, at his discretion, hold the cards until the second Public Forum at the end of the meeting.

AGENDA

1. Approval of the Regular City Council Meeting Agenda of August 19, 2009.

PUBLIC HEARINGS - 6:15 P.M.

2. [An appeal submitted by Kummer, Kaempfer, Bonner, Renshaw & Ferrario, on behalf of the applicant, of the Planning Commission's decision to deny **AMP-10-08** \(Goldfield II\); an application submitted by Taney Engineering on behalf of William Lyon Homes, Inc., and Archana Patel, property owners, for an Amendment to the Comprehensive Plan, Land Use Element, to change the current designation of Single Family Low \(up to 6 dwelling units/acre\) to Neighborhood Commercial on property located at the northwest corner of Lone Mountain Road and North 5th Street. \(Continued December 17, 2008, January 21, February 4, June 3 and June 17, 2009\) \(Associated Item No. 3, Appeal of ZN-25-08\)](#)

3. [An appeal submitted by Kummer, Kaempfer, Bonner, Renshaw & Ferrario, on behalf of the applicant, of the Planning Commission's decision to deny **ZN-25-08** \(Goldfield II\); an application submitted by Taney Engineering, on behalf of William Lyon Homes, Inc., and Archana Patel, property owners, for a reclassification of property from R-E Ranch Estates District and R-1 Single Family Residential District to C-1 Neighborhood Commercial District on property located at the northwest corner of Lone Mountain Road and North 5th Street. \(Continued December 17, 2008, January 21, February 4, June 3 and June 17, 2009\) \(Associated Item No. 2, Appeal of AMP-10-08\)](#)

4. [**UN-37-09** \(Poppa's Bar\); an application submitted by Bill Weiler on behalf of Bill Weiler Under Trust Agreement, property owner, for a Special Use Permit in an M-2 General Industrial District to allow an "On-Sale" establishment \(restricted gaming liquor\) and to allow a waiver of the 2,500 foot distance from an existing restricted gaming liquor establishment, and the 1,500 foot distance requirement from an existing church on property located at 2750 East Craig Road.](#)

CONSENT AGENDA

5. [Approval of Special City Council Meeting Minutes of July 1, 2009.](#)

6. [Approval of Regular City Council Meeting Minutes of July 1, 2009.](#)

7. [Approval of an application for a Day Nursery business license for Just a Touch of Love Inc, II, dba Kingdom Kids Childcare, 305 Kings Avenue, North Las Vegas, Nevada, 89030 pending verification of Southern Nevada Health District approval, current health card for child care provider issued by the Southern Nevada Health District and required departmental approvals.](#)

8. [Approval of an application for a Day Nursery business license for Yvonne Montenegro, dba Here Wee Grow, 4839 Villa Carmen Circle, North Las Vegas, Nevada, 89031 pending verification of Southern Nevada Health District approval and required departmental approvals.](#)

9. Approval of an application for Beer-Wine-Spirit-Based Products Off-Sale business license for J.S. Deo, Inc, dba 7-Eleven Store #13693, 2100 East Cheyenne Avenue, North Las Vegas, Nevada, 89030. This is a change of ownership for a currently licensed establishment.
10. Approval of a request by J.S. Deo, Inc, dba 7-Eleven Store #13693, 2100 East Cheyenne Avenue, North Las Vegas, Nevada, 89030 to participate in the proceeds of the Restricted Gaming business license currently held at the location by United Coin Machine Co. pending verification of State Gaming Commission approval.
11. Approval of an application for Beer-Wine-Spirit-Based Products Off-Sale business license for JCW Mini Mart LLC, 3820 East Craig Road, North Las Vegas, Nevada, 89030.
12. Approval of an application for Non-Restricted Gaming (Sports Pool only) business license for Gaughan South LLC dba The Cannery Hotel Casino – Sports Pool dbat The Cannery Hotel Casino, 2121 East Craig Road, North Las Vegas, Nevada, 89030 pending verification of State Gaming Commission approval.
13. Approval of an application for Special Event Beer permit for VCF Virtual Concerts & Festivals LLC for the Fiesta Patrias event to be held at the Cheyenne Sports Complex on September 12, 2009 pending verification of Southern Nevada Health District approval and required departmental approvals.
14. Approval to receive and file the Certificates of Sales Report due to the non-payment of a Special Assessment for properties located within a Special Improvement District, in accordance with Nevada Revised Statute 271.565.
15. Approval of Final Acceptance of the Las Vegas Wash Trails, Phase II, Bid Number 1265 for maintenance and authorization to file the Notice of Completion.
16. Approval of the First Supplemental Interlocal Contract (No. 570a) with the Regional Transportation Commission of Southern Nevada for the Alexander Road, Craig Road to San Mateo Street Project which reduces the cost to an amount not to exceed \$352,000.

17. Approval of the First Supplemental Interlocal Contract (No. 592a) with the Regional Transportation Commission of Southern Nevada for the Allen Lane, Lone Mountain Road to Ann Road Project which reduces the cost to an amount not to exceed \$1,358,000.
18. Approval of the Third Supplemental Interlocal Contract (No. 444c) with the Regional Transportation Commission of Southern Nevada for the Lamb Boulevard, I-15 to Northern Beltway Project which reduces the cost to an amount not to exceed \$9,732,000.
19. Approval of the Fourth Supplemental Interlocal Contract (No. 422d) with the Regional Transportation Commission of Southern Nevada for the Ann Road, Decatur Boulevard to Camino Al Norte Project which reduces the cost to an amount not to exceed \$8,903,000.
20. Approval of the Fifth Supplemental Interlocal Contract (No. 376e) with the Regional Transportation Commission of Southern Nevada for the Cheyenne Avenue, Decatur Boulevard to Van Der Meer Avenue Project which reduces the cost to an amount not to exceed \$55,000.
21. Approval of the Fifth Supplemental Interlocal Contract (No. 420e) with the Regional Transportation Commission of Southern Nevada for the Clayton Street - Craig Road to Lone Mountain Road Project which reduces the cost to an amount not to exceed \$2,537,000.
22. Approval of Construction Change Order No. 1 for the Centennial Parkway Channel East Project, Bid Number 1304 with Eagle View Contractors in the amount of \$350,000 from the Clark County Regional Flood Control District Funds which will replenish the construction conflict funds due to unforeseen dry utility delays by Nevada Energy and to cover the cost of additional work resulting from other unforeseen conflicts.
23. Approval of a Traffic Control Improvement Cost Participation Agreement with Partnership 2001 in the total amount of \$81,562 for a portion of the cost of lighting installation, street name signs and traffic signals at various intersections for Stadium Storage located on the southeast corner of Centennial Parkway and Kitamaya Street.

24. Approval of Special Improvement District No. 54 (Civic Center Drive) Apportionment Report based upon the subdivision of land into numerous parcels necessitating the apportionment of the assessment on which an improvement district is levied.
25. **UN-52-08** (Decatur & Tropical Tavern/Restaurant); an application submitted by Decatur Tropics, LLC, property owner, to allow an extension of time for a previously approved Special Use Permit for an "On-sale Restricted Gaming Liquor" establishment (previously tavern/restaurant) in a C-2 General Commercial District on property generally located at the southeast corner of Decatur Boulevard and Rice Avenue. **(Set Public Hearing for September 16, 2009)**
26. **VAC-04-09** (Vacation of Tonopah to J. Nugget, Inc.); an application submitted by Jerry's Nugget, Inc., property owner, to vacate a portion of Tonopah Avenue between North Fifth Street and Las Vegas Boulevard. **(Set Public Hearing for September 16, 2009)**

BUSINESS

27. Discussion, possible amendments and approval of City Manager Gregory E. Rose's contract as a result of the annual performance review.
28. Appointment by the City Council of an Acting City Attorney for an indefinite period of time following the effectiveness of resignation of the current City Attorney on September 3, 2009.
29. Acceptance of Petition for annexation (Annexation No. 146) submitted by Gordon O. Schettler Family Trust, 450 H LLC, Albert C. Alvey & Roshelle D. Alvey, Sterling Trust Company C/FBO Paul Robert Barlow IRA, Gordon C. Olsen, Kim C. Moore, and Don W. Mayhue, Jr. & Janet E. Mayhue, Co-trustees U.T.D to annex various Clark County Assessor's Parcel Numbers in the Apex Industrial Park, Phase 8, generally located east of the Las Vegas Boulevard/Pabco Road intersection. **(Associated Item No. 38, Ordinance No. 2512)**

30. Approval of Release of Covenants to R & S Washburn, LLC that was required to guarantee construction of the half street improvements on Carla Ann Road, Clark County Assessor's Parcel Number 123-30-701-002.
31. Approval of Amendment No. 1 to the Professional Landscape Architectural Services Agreement with Cardno WRG, Inc., in the amount of \$2,262,797 from the Southern Nevada Public Lands Management Act funds, for the Craig Ranch Regional Park - Phase 2 Project which will allow the design and construction of an amphitheater, a central plaza, an entry way and lighted parking off Commerce Street, a playground and picnic shelter near the Commerce parking lot, and an outdoor swimming facility with beach.
32. Approval of a Utility Relocation Agreement with Embarg in the amount of \$300,451.12, using the competitive bidding exception per NRS 332 Local Government Purchasing Act, to be funded by the Regional Transportation Commission of Southern Nevada to relocate facilities associated with the North 5th Street Improvements Phase IB - Owens Avenue to Lake Mead Boulevard.
33. Approval of an Interlocal Contract (No. 594) with the Regional Transportation Commission of Southern Nevada in an amount not to exceed \$168,000, funded by the Regional Transportation Commission of Southern Nevada, for 2008–2009 PM 10 Paving Project, to be completed by July 1, 2011.
34. Award of Bid Number 1340 and approval of a construction contract with Commercial Roofers, Inc., in the amount of \$180,800 from the General Obligation Bonds, for the Detention Center Dormitories A, B, and F Roof Renovation located at 2332 North Las Vegas Boulevard.
35. Approval of an agreement with Oracle USA, Inc. in the amount of \$370,661.27 using the competitive bidding exception per NRS 332 Local Government Purchasing Act, for annual software maintenance, technical support and software updates for the Information Technology Department.

36. **Resolution No. 2429**; resolution of the governing bodies of the County of Clark and the Cities of Henderson, Las Vegas and North Las Vegas to form the Southern Nevada Regional Housing Authority. (Associated Item No. 41, Appointment of two at-large citizens to serve as commissioners to the Southern Nevada Regional Housing Authority)
37. **Resolution No. 2430**; resolution transferring \$10,709,407 of State 2009 Private Activity Bond Cap Ceiling of the City of North Las Vegas, Nevada to the State of Nevada in connection with the financing of affordable housing projects.

ORDINANCE
INTRODUCTION ONLY

38. **Ordinance No. 2512** (Annexation No. 146); an ordinance extending the corporate limits of the City of North Las Vegas, Nevada, to include within, annex to, and make a part of said City certain specifically described territory adjoining and contiguous to the corporate limits of said City; declaring said territory and the inhabitants thereof to be annexed to said City and subject to all debts, laws, ordinances, and regulations in force in said City; offering a map or plat of said described territory to be recorded in the Office of the County Recorder of the County of Clark, State of Nevada; and providing other matters properly relating thereto. (Set Final Action for September 2, 2009) (Associated Item No. 29, Petition for Annexation)

ORDINANCES
FINAL ACTION

39. **Ordinance No. 2511**; an ordinance of the City of North Las Vegas amending Ordinance No. 2492, amending Section 15.42.010 of the "North Las Vegas Municipal Code", adopting by reference the Las Vegas Valley Flood Control Master Plan Update 2008 Edition and the Apex/Kapex Flood Control Master Plan 2009 Edition; and providing for other matters properly relating thereto.
40. **Ordinance No. 2513**; an ordinance amending Title 17 of the Municipal Code of the City of North Las Vegas, relating to zoning (ZOA-04-09); amending 17.20.100 (C-1, Neighborhood Commercial District), 17.20.110 (C-2, General Commercial District), 17.24.025 (Conditional Uses) to add "Truck and Trailer Rental" as a conditional use; and providing for other matters properly related thereto.

APPOINTMENTS

41. [Appointment of two at-large citizens to serve as commissioners to the Southern Nevada Regional Housing Authority. \(Associated Item No. 36, Resolution No. 2429\)](#)
42. [Appointment of three citizen members to the Traffic and Parking Advisory Committee for terms co-terminus with the appointing Council members. \(Tabled August 5, 2009\)](#)
43. [Appointment of a member to the North Las Vegas Airport Aviation Safety Committee.](#)
44. [Appointment by Councilman Cherchio of a member to the Parks and Recreation Advisory Board for a term ending June 30, 2011.](#)
45. [Appointment by Councilman Eliason of a citizen member to the Redevelopment Advisory Committee for a term ending June 30, 2013.](#)

COUNCIL ITEMS

CITY MANAGER'S REPORT

PUBLIC FORUM

This is the portion of the meeting devoted to the Public. After completing and submitting a blue card, please come forward upon recognition by the Mayor and feel free to speak on any topic. Usually items received under this heading will be referred to the City Manager for action at a later date. In consideration of other citizens, we ask that you please limit your comments to five minutes and that repetition be avoided.

ADJOURNMENT

The City Clerk keeps the official record of all proceedings of the City Council. In order to maintain a complete and accurate record of all proceedings, any photograph, map, chart, or other document used in any presentation to the Council should be submitted to the City Clerk. If materials are to be distributed to members of the City Council, please provide ten copies for distribution to the City Manager, Assistant City Managers, City Attorney, City Clerk, and Staff.