

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

April 20, 2005

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

CITY COUNCIL MEETING

CALL TO ORDER

6:01 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

WELCOME

Mayor Michael L. Montandon

ROLL CALL

COUNCIL PRESENT

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

STAFF PRESENT

City Manager Gregory Rose	Planning and Development Director Jory Stewart
City Attorney Sean McGowan	Police Chief Mark Paresi
City Clerk Karen L. Storms	Strategic Planning Director Eric Dabney
Finance Director Phil Stoeckinger	Utilities Director David Bereskin
Fire Chief Al Gillespie	Lead Lobbyist Kimberly McDonald
Human Resources Director Ali Freeman	Deputy City Clerk Anita Sheldon
Parks & Recreation Director Mike Henley	

VERIFICATION

Karen L. Storms, CMC
City Clerk

INVOCATION

Aleda Nelson
Baha'i Faith

PLEDGE OF ALLEGIANCE

Derrick Thomas
Boy Scout Troop 775

PROCLAMATION

★ **PROCLAMATION RECOGNIZING FORMER STATE SENATOR RAY SHAFFER FOR HIS MANY YEARS OF PUBLIC SERVICE.**

ACTION: PROCLAMATION MADE

AGENDA

1. **APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF APRIL 20, 2005.**

ACTION: APPROVED AS AMENDED; ITEM NO. 2 CONTINUED TO MAY 18, 2005; ITEM NO. 4 WITHDRAWN WITHOUT PREJUDICE; ITEM NO. 14 SET FOR PUBLIC HEARING ON JUNE 15, 2005; ITEM NO. 43 CONTINUED TO JUNE 15, 2005.

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

Councilman Buck spoke briefly about City of North Las Vegas employee Anthony (Tony) Borruto, injured recently in an accident. She had visited him at the hospital and told him he would be remembered at the Council meeting.

CONSENT AGENDA

9. CANVASS OF THE APRIL 5, 2005 MUNICIPAL PRIMARY ELECTION RESULTS.

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

10. APPROVAL OF SPECIAL IMPROVEMENT DISTRICT NO. 58 APPORTIONMENT REPORT BASED UPON THE SUBDIVISION OF LAND INTO NUMEROUS NEW PARCELS NECESSITATING THE APPORTIONMENT OF THE ASSESSMENT ON WHICH AN IMPROVEMENT DISTRICT IS LEVIED.

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

11. APPROVAL OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH CELEBRATE HOMES, INC. TO PROVIDE FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT CENTENNIAL PARKWAY AND NORTH 5TH STREET IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR \$5,319, ANN ROAD AND NORTH 5TH STREET IN THE AMOUNT OF 8.3% OF THE TOTAL COST OR \$37,806, ANN ROAD AND BRUCE STREET IN THE AMOUNT OF 4.4% OF THE TOTAL COST OR \$27,266, AND WASHBURN ROAD AND NORTH 5TH STREET IN THE AMOUNT OF 4.5% OF THE TOTAL COST OR \$20,497 FOR THE HAMMER/BRUCE RESIDENTIAL SUBDIVISION, LOCATED ON THE SOUTHWEST CORNER OF ANN ROAD AND BRUCE STREET.

ACTION: APPROVED

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

12. **AN APPEAL SUBMITTED BY CHRISTOPHER PASKVAN ON BEHALF OF THE APPLICANT OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE T-1162 (LA MADRE-GOLDFIELD); AN APPLICATION SUBMITTED BY NLV INVESTORS, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-E RANCH ESTATES DISTRICT (PROPOSED R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT) CONSISTING OF 23 SINGLE-FAMILY DWELLINGS ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LA MADRE WAY AND GOLDFIELD STREET. (SET PUBLIC HEARING FOR MAY 4, 2005)**

ACTION: PUBLIC HEARING SET FOR MAY 4, 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

13. **AN APPEAL SUBMITTED BY GEORGE GEKAKIS, PROPERTY OWNER WITHIN 300 FEET, OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE UN-03-04; AN APPLICATION SUBMITTED BY SIMMONS ASSOCIATES, LLC, PROPERTY OWNER, FOR AN EXTENSION OF TIME TO A PREVIOUSLY APPROVED USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN ON PROPERTY GENERALLY LOCATED SOUTH OF LAKE MEAD BOULEVARD AND APPROXIMATELY 225 FEET EAST OF SIMMONS STREET. (SET PUBLIC HEARING FOR MAY 4, 2005)**

ACTION: PUBLIC HEARING SET FOR MAY 4, 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

14. **AN APPEAL SUBMITTED BY GEORGE GARCIA, ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY UN-17-05 (I-15/215 @ LINN & TROPICAL); AN APPLICATION SUBMITTED BY UNLIMITED HOLDINGS ON BEHALF OF JOHN F. AND SUSAN D. LARIK, PROPERTY OWNERS, FOR A USE PERMIT IN AN O-L OPEN LAND DISTRICT (PROPOSED M-2 GENERAL INDUSTRIAL DISTRICT) TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A BAR/TAVERN ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF LINN LANE AND TROPICAL PARKWAY. (SET PUBLIC HEARING FOR MAY 4, 2005)**

ACTION: PUBLIC HEARING SET FOR JUNE 15, 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

15. **AMP-10-05 (VALLEY/EL CAMPO GRANDE); AN APPLICATION SUBMITTED BY PHD ASSETS, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL TO MDR MEDIUM DENSITY RESIDENTIAL ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF EL CAMPO GRANDE AVENUE AND VALLEY DRIVE. (SET PUBLIC HEARING FOR MAY 4, 2005) (ASSOCIATED ITEM NO. 36, ORDINANCE NO. 2133, ZN-26-05)**

ACTION: PUBLIC HEARING SET FOR MAY 4, 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

16. **VAC-06-05 (WASHBURN/BRUCE); AN APPLICATION SUBMITTED BY JAY JACOBSEN, ON BEHALF OF JAMES AND IDA MARTIN, PROPERTY OWNERS, TO VACATE ROSADA WAY COMMENCING AT HAROLD STREET AND PROCEEDING WEST APPROXIMATELY 282 FEET. (SET PUBLIC HEARING FOR MAY 18, 2005) (ASSOCIATED ITEM NO. 35, ORDINANCE NO. 2132, ZN-25-05)**

ACTION: PUBLIC HEARING SET FOR MAY 18, 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

17. **VAC-08-05 (PICERNE AT ROME/VALLEY); AN APPLICATION SUBMITTED BY PICERNE DEVELOPMENT ON BEHALF OF PICERNE DECATUR 32ND STREET LLC, ET AL, PROPERTY OWNER, TO VACATE CENTENNIAL PARKWAY COMMENCING APPROXIMATELY 659 FEET WEST OF VALLEY DRIVE AND PROCEEDING WEST APPROXIMATELY 304 FEET. (SET PUBLIC HEARING FOR MAY 18, 2005).**

ACTION: PUBLIC HEARING SET FOR MAY 18, 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

Item No. 18 was heard after the Public Hearings.

BUSINESS

19. **RATIFICATION OF THE APPOINTMENTS OF AL H. GILLESPIE AS FIRE CHIEF EFFECTIVE MARCH 7, 2005 AND ALI R. FREEMAN AS DIRECTOR OF HUMAN RESOURCES EFFECTIVE APRIL 11, 2005.**

ACTION: APPOINTMENTS RATIFIED

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

20. RATIFICATION OF AN APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, UNDER THE FY 2005 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM IN THE AMOUNT OF \$194,236; IF AWARDED, FUNDS WOULD BE UTILIZED FOR THE ACQUISITION OF COMPUTERS, SOFTWARE AND RELATED EQUIPMENT TO SUPPORT LAW ENFORCEMENT OPERATIONS.

ACTION: APPLICATION RATIFIED

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

21. ACCEPTANCE OF A GRANT AWARD FROM THE STATE OF NEVADA, OFFICE OF TRAFFIC SAFETY, UNDER THE FY 2005 TRAFFIC SAFETY PROGRAM, PEDESTRIAN SAFETY PROJECT, IN THE AMOUNT OF \$20,000, TO BE UTILIZED TO CONDUCT PEDESTRIAN SAFETY OPERATIONS.

ACTION: GRANT ACCEPTED

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

22. ACCEPTANCE OF A GRANT AWARD FROM THE STATE OF NEVADA, OFFICE OF TRAFFIC SAFETY, UNDER THE FY 2005 TRAFFIC SAFETY PROGRAM, JOINING FORCES PROJECT, IN THE AMOUNT OF \$15,627.36, TO BE UTILIZED FOR PARTICIPATION IN STATEWIDE, MULTI-JURISDICTIONAL TRAFFIC ENFORCEMENT EVENTS FOCUSED ON REDUCING FATALITIES AND

SERIOUS INJURY CRASHES IN NEVADA; TO PROVIDE FUNDING FOR ENHANCED ENFORCEMENT OF SAFETY BELT AND CHILD SAFETY SEAT LAWS, AND TO REDUCE IMPAIRED DRIVING THROUGH SELECTIVE TRAFFIC ENFORCEMENT PROGRAMS, SATURATION PATROLS AND DUI CHECKPOINTS.

ACTION: GRANT ACCEPTED

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

23. **APPROVAL OF PAYMENT FOR THE ORACLE LICENSES, MAINTENANCE AND SUPPORT FEES ON THE EXISTING HUMAN RESOURCES, PAYROLL, GRANTS MANAGEMENT, PROJECT MANAGEMENT, PURCHASING, AND ASSET MANAGEMENT LICENSES IN THE AMOUNT OF \$104,683.09, FOR THE PERIOD OF MAY 28, 2005 THROUGH MAY 27, 2006. (CNLV CONTRACT NO. C-4148)**

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

24. **APPROVAL OF THE PROFESSIONAL ARCHITECTURAL SERVICES AGREEMENT WITH KGA ARCHITECTURE IN THE AMOUNT OF \$178,500, FOR THE MUNICIPAL COURT AND COMMUNITY DEVELOPMENT CENTER BUILDINGS TENANT IMPROVEMENT PROJECT TO PROVIDE FOR DESIGN AND CONSTRUCTION OF TENANT IMPROVEMENTS, REPLACEMENT OF INTERIOR FINISHES AND INSTALLATION OF MODULAR FURNITURE. (CNLV CONTRACT NO. C-5949)**

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

25. APPROVAL OF THE PROFESSIONAL ARCHITECTURAL SERVICES AGREEMENT WITH MARC LEMOINE ARCHITECTURE, LLC, IN THE AMOUNT OF \$85,530, FOR DESIGN SERVICES TO INTEGRATE THE BUILDING PLANS WITH ONSITE AND OFFSITE IMPROVEMENTS AND TO PRODUCE COMPLETE CONTRACT DOCUMENTS REQUIRED FOR PUBLIC BIDDING FOR THE FIRE STATION 57 PROJECT, LOCATED ON AZURE AVENUE EAST OF STATZ STREET. (CNLV CONTRACT NO. C-5950)

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

PUBLIC HEARINGS - 6:15 P.M.

2. AN APPEAL SUBMITTED BY GEORGE GARCIA ON BEHALF OF THE APPLICANT OF THE DECISION OF THE PLANNING COMMISSION TO DENY AMP-104-04 (ANN & ALLEN); AN APPLICATION SUBMITTED BY KENNEDY COMMERCIAL ON BEHALF OF ALIANTE COMMONS, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF OFFICE TO COMMUNITY COMMERCIAL, ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND ALLEN LANE. (CONTINUED MARCH 2 AND APRIL 6, 2005)

Mayor Montandon opened the Public Hearing.

ACTION: CONTINUED TO MAY 18, 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

3. **AN APPEAL SUBMITTED BY THE CITY OF NORTH LAS VEGAS PLANNING AND DEVELOPMENT DEPARTMENT OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE SPR-08-05; AN APPLICATION SUBMITTED BY VISION SIGN, INC., ON BEHALF OF WAL-MART STORES, INC., PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A 60-FOOT HIGH DIRECTORY SIGN WHERE 45 FEET IS A MAXIMUM HEIGHT ALLOWED, ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF DECATUR BOULEVARD AND CENTENNIAL PARKWAY.**

Mayor Montandon opened the Public Hearing.

Planning and Development Director Jory Stewart explained Staff had received a letter from the City of Las Vegas dated February 15, 2005, objecting to the increased height of the sign. They indicated the sign height would be unsightly and would result in visual blight for the immediate vicinity and would encroach into the view corridors of the existing residential development to the west. Staff appealed this item for further consideration by the City Council.

Kristopher Munn, EN Engineering, 245 E. Warm Springs, Las Vegas, represented the applicant, Wal-Mart, and Vision Signs on this project. He explained Wal-Mart's desire to keep the 60-foot pylon sign was due to the Decatur overpass as well as the fact there would be a lowering of the parkway. It was felt the-60 foot pylon sign would be the most beneficial.

Mayor Montandon asked Planning and Development Director Jory Stewart to reference the northwest corner and Costco, under development across the street, to determine the height of their signs. Director Stewart indicated a master sign plan would be required as part of the conditions of approval but the plan had not been submitted. A restriction, as a single occupant site, was one sign that was no more than 40 feet in height, unless a master sign plan and a use permit to exceed that height were submitted. Mr. Munn added that Wal-Mart had worked with Costco and they would probably construct signs similar to those on Summerlin Parkway.

Councilwoman Smith commented that since passing the sign ordinance that addressed heights, not one exception had been granted and Council had held firm to the standards.

Mayor Montandon asked Kristopher Munn to describe the picture he brought. Mr. Munn confirmed there were multiple signs around the property, some 10-foot signs, an 8-foot sign, the 60-foot sign on the overpass and a 40-foot sign on Decatur Boulevard. Councilman Eliason inquired as to the distance between the 40 and 60-foot signs; Mr. Munn responded it was approximately 300 feet.

Mayor Montandon closed the public hearing.

City Attorney Sean McGowan recommended the reasons for the denial be placed in the record.

Councilman Eliason felt there was adequate signage on the site and did not see any reason to grant the extension for the extra footage. Mayor Pro Tempore William Robinson agreed with Councilman Eliason's comment.

ACTION: PLANNING COMMISSION DECISION OVERTURNED; SPR-08-05 DENIED

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

4. UN-133-04 (SECURED STORAGE, LLC); AN APPLICATION SUBMITTED BY SECURED STORAGE, LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A 100-FOOT HIGH OFF-PREMISE SIGN (BILLBOARD) ON PROPERTY GENERALLY LOCATED APPROXIMATELY 172 FEET SOUTHEAST OF THE NORTH FIFTH STREET AND LOSEE ROAD INTERSECTION. (CONTINUED JANUARY 19 AND FEBRUARY 16, 2005)

ACTION: WITHDRAWN WITHOUT PREJUDICE

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

5. **AMP-08-05 (THE GATEWAY); AN APPLICATION SUBMITTED BY PJ & CB, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL TO REGIONAL COMMERCIAL ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF LAWRENCE STREET AND DEER SPRINGS WAY. (ASSOCIATED ITEM NO. 41, ORDINANCE NO. 2122, ZN-15-05)**

Mayor Montandon opened the Public Hearing.

Planning and Development Director Jory Stewart stated the applicant proposed to create a 120-acre regional commercial center at the southwest corner of Losee Road and the I-215 Beltway. The parcels included in this application were a portion of that overall site.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, gave a presentation on behalf of the applicant and property owner. The area was proposed for development for a future mall site. He offered to respond to questions.

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

41. **ORDINANCE NO. 2122; 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 8.14± ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT (ZN-15-05, THE GATEWAY), FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF DEER SPRINGS WAY AND LAWRENCE STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 5, AMP-08-05)**

Ordinance No. 2122, as introduced by the City Manager:

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 8.14± ACRES

THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT (ZN-15-05, THE GATEWAY), FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF DEER SPRINGS WAY AND LAWRENCE 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

6. **AMP-09-05 (THE GATEWAY); AN APPLICATION SUBMITTED BY PJ & CB, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL TO REGIONAL COMMERCIAL ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF DEER SPRINGS WAY AND LOSEE ROAD. (ASSOCIATED ITEM NO. 42, ORDINANCE NO. 2123, ZN-22-05)**

Mayor Montandon opened the Public Hearing.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and property owner and offered to respond to questions.

Mayor Montandon closed the Public Hearing.

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

42. **ORDINANCE NO. 2123; 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 1.86± ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT (ZN-22-05, THE GATEWAY), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF DEER SPRINGS WAY AND LOSEE ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 6, AMP-09-05)**

Ordinance No. 2123, as introduced by the City Manager:

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 1.86± ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT (ZN-22-05, THE GATEWAY), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF DEER SPRINGS WAY AND LOSEE 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

7. **VAC-02-05 (RIVERWALK RANCH HIGH NOON); AN APPLICATION SUBMITTED BY D. R. HORTON, ON BEHALF OF THE LEAVITT C. FAMILY TRUST, JJMSLP AND D. R. HORTON, PROPERTY OWNERS, TO VACATE RICE AVENUE BETWEEN MONTGOMERY BOULEVARD AND SAN MATEO STREET; TO VACATE SAN MATEO STREET COMMENCING AT RANCH HOUSE ROAD AND PROCEEDING SOUTH APPROXIMATELY 466 FEET AND TO VACATE A PORTION OF SAN MATEO STREET APPROXIMATELY 300 FEET NORTH OF TROPICAL PARKWAY.**

Mayor Montandon opened the Public Hearing.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, representing the applicant and property owner, made himself available for any questions.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. As shown on the associated Tentative Map, the applicant must provide a radius on the outside corner of Rice Avenue and Montgomery Street.
2. The vacation must record concurrently with the final map. Should the Order of Vacation not record within one year from the approval date, the vacation shall be deemed null and void.

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

8. VAC-04-05 (ALIANTE COMMONS); AN APPLICATION SUBMITTED BY LOCHSA ENGINEERING ON BEHALF OF ALIANTE COMMONS, LLC, PROPERTY OWNERS, TO VACATE APPROXIMATELY 10 FEET OF THE WESTERLY RIGHT-OF-WAY OF ALLEN LANE COMMENCING APPROXIMATELY 256 FEET NORTH OF ANN ROAD AND PROCEEDING NORTH 410 FEET.

Mayor Montandon opened the Public Hearing.

Assistant Public Works Director Kelly Chuma explained this was a housekeeping vacation.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITION:

1. The vacation shall record concurrent with the dedications of the required bus turnout and flared intersection.

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 (CONT'D)

18. ACCEPTANCE OF THE LEGISLATIVE UPDATES FOR THE 2005 NEVADA STATE LEGISLATURE AND DIRECTION TO THE CITY MANAGER ON HOW TO PROCEED WITH BILLS PROPOSED IN THE STATE LEGISLATURE.

Lead Lobbyist Kimberly McDonald stated the first half of the legislative session was concluded and offered a legislative update. The status of the four North Las Vegas bills was given first.

AB 144 - Consolidated Tax Distribution Formula, was heard in February 2005 but did not survive. The issue was still alive and Ms. McDonald believed a significant stride was made in making the City's position well known. Other avenues were still being pursued.

AB 509 - City Charter Change - Flexibility for Ordinance Introductions, would allow Council to take action on ordinances no later than the second regularly scheduled meeting.

AB 11 - Red Light Cameras, died very early in the Assembly.

SB 473 - Red Light Cameras, continued to thrive with a hearing scheduled for April 12th. Chief Paresi co-presented the bill with Ms. McDonald and others. It passed out of the Senate Transportation and Homeland Security Committee. A positive and supportive editorial appeared in the Reno Gazette Journal April 17th.

SB 492 - Decrease Time Restriction for Unclaimed Property in Police Evidence Vault, was withdrawn because the language did not achieve the intent that was sought and would have resulted in significant opposition. The Nevada Chiefs and Sheriffs Association would work on the bill with the North Las Vegas legislative team during the interim session.

Lead Lobbyist McDonald reported on two additional bills the City of North Las Vegas was co-sponsoring with the Nevada League of Cities and Municipalities:

AB 22 (Legislative Clarification) - Authority of Library District to Recommend to City Council the Sell, Swap or Transfer of Donated Land, was doing very well. It passed out of the Assembly House unanimously on March 10th. It was in Senate Human Resources and the Education Committee awaiting a hearing date.

AB 89 (Enabling Language) - Alternative Municipal Facilities Designated for Voter Registration dealt with voter registration at alternative sites. City Clerk Karen Storms had testified and was expected do so again when the bill was presented. The bill was in the Senate Legislative Operations and Elections Committee at the time.

Other bills with significant impact on the City Council were as follows:

SB 148 (Expansion of City Council), proposed to expand the City Council from 4 to 6 wards (5 to 7 seats) and was withdrawn in early March of 2005 due to collaboration of the bill's sponsor and our City Council.

AB 197 (City Council Ward Vote & Election), proposed Council Members must be voted in by registered voters of the ward they represent. This passed out of the Assembly on April 18, 2005 and was in the Senate Government Affairs Committee. City Manager Rose testified in opposition of this bill and would do so again at a hearing scheduled for April 25, 2005 in Senate Government Affairs.

Other major legislation proposed by the City of North Las Vegas was highlighted by Ms. McDonald:

AB 165 - Planning Commission Continuances (Assemblywoman Marilyn Kirkpatrick - North Las Vegas Delegation), stated the limitation of two granted continuances only applied to an applicant on his/her behalf and not another person. Also, good cause must be shown in order to grant an additional continuance beyond the established limitation. This passed out of Assembly Government Affairs on April 11, 2005.

AB 231 - Sidewalks Mandate (Assemblyman Kelvin Atkinson - North Las Vegas Delegation), mandated local government construct, reconstruct and maintain sidewalks within one mile of public schools. Had it survived, this bill would have had a significant fiscal impact of \$25 million to construct and \$1.5 million to maintain. On April 11, 2005 an Assembly Joint Resolution was passed for the Southern Nevada Regional Planning Coalition to study the issue of safe walking paths for children.

AB 306 - Consolidation of Government. The City of North Las Vegas testified in opposition of this bill and it did not survive. An Assembly Joint Resolution was passed to conduct an interim study regarding the effects of consolidation.

AB 312 - Public Land Auctions. Assemblyman Sibley was working with Clark County on this bill. It would require the state and local governments to sell/dispose of land by public auction. This did not affect the City's exchange process and was in response to Clark County's issue regarding the land swap process at McCarran International Airport. Two appraisers, chosen from a rotating list, must value the land within six months of the auction and sealed bids would be opened at the auction.

AB 380 - Health District Bill, would reduce North Las Vegas representation from two to one member. Although there was opposition testimony, it was amended to pass out of Assembly Health and Human Services on April 12, 2005. This and future amendments would continue to be monitored. In response to a question from Mayor Montandon, Ms. McDonald stated Las Vegas and Clark County would have two representatives, whereas Henderson, Mesquite and North Las Vegas would have one.

AB 418 - More Cops Sales Tax, authorized the Clark County Commission to increase sales tax to employ and equip more police officers. This bill passed out of the Assembly Growth and Infrastructure Committee on April 14, 2005 on its way to the Senate.

AJR 9 - "3 Strikes" Ethics Bill, stated public officials convicted of three or more ethical violations must forfeit their offices. This bill passed out of the Assembly House on April 19, 2005.

SB 277 - Franchise Fees, would take away local government authority to impose franchise fees. Marvin Leavitt testified in opposition on behalf of North Las Vegas and the Urban Consortium. The bill failed to pass in Senate Commerce and Labor on April 14, 2005 but would be monitored should it resurface during the remainder of the session.

SB 262 - Billboards, established that if any public improvement noise abatement project performed by the City or County within the right-of-way of a freeway obstructed the visibility of a billboard, the owner of the billboard, upon the consent of the entity and the Nevada Department of Transportation, could adjust the height and angle to restore visibility or relocate to another area with no cost to the State or local government.

Councilman Buck asked how this bill would address landscaping that had been planted along the freeway by the State. Ms. McDonald replied this bill did not address the landscaping element but if the landscape did obstruct the visibility of the billboard, the owner would require authorization from the State and the City to relocate or make height adjustments. In response to an inquiry by Mayor Montandon, Ms. McDonald indicated the bill did require the owner to secure permission to make changes to the billboard. City Manager Rose said he understood the billboard companies had the ability to go to the various jurisdictions and request assistance. If the jurisdictions opted not to provide that assistance, they were not obligated to provide compensation to the billboard owner. City Attorney Sean McGowan stated the jurisdiction did have discretion as to whether or not they felt there was a visual obstruction. If the entity determined there was no obstruction, the billboard owner would then have the option to go to court to seek just compensation.

SJR 5 and 6 - TABOR (Tax Payers Bill of Rights), were Constitutional amendments that would limit appropriations and authorizations for expending, generating, creating or increasing public revenue. Marvin Leavitt testified in opposition to both of these bills on behalf of the Urban Consortium. Both TABOR issues were expected to resurface as 2006 initiative petitions.

SB 380 (Nevada Commission on Homeland Security)/AB 233 (Speaker Perkins) Homeland Security Bill, worked together and would reduce the Commission to 14 members and create a Finance Committee. The bills required that all homeland security funds come before the Commission to keep them informed and to clarify which documents were deemed to be confidential. The bills also mandated the formation of an interoperable statewide

communications system. Both bills were exempt and had passed out of their respective first house committees. Law enforcement, firefighters and first responders were working together to ensure the bills contained the appropriate language.

SB 83 - Open Meeting Law: Subjects of Discussion, contained a new requirement for the Board of Regents and other public bodies to allow subjects of closed meetings to attend the meeting and present testimony and written defense on their own behalf. This bill was amended, do passed out of the Senate Government Affairs Committee on April 11, 2005.

AB 267 - Open Meeting Law: Immunity, made members of a public body or people who testify before a public body immune to defamation lawsuits for statements made at public meetings. This bill was passed out of the Senate Government Affairs Committee on April 13, 2005.

SB 415 - Open Meeting Law: Board Confidentiality, required requests by boards be kept confidential until the public body determined they could be disclosed. This bill passed through the Senate House on April 19, 2005.

Finance Director Phil Stoeckinger provided a brief update on specific bills currently in the legislature:

AB 49 - Property Tax, set a 3% cap for residential properties and an 8% cap for commercial businesses which would provide a tax revenue increase of 9.7% in the upcoming year. The average had been about 18% for the previous five years but was reduced to 13% when FY 2005-06 was included. An item of concern which still needed to be resolved in Carson City was the trailer bill addressing the tax increment of redevelopment revenues, which had not been taken into consideration when the legislation was passed. The impact on debt services was another issue to be considered.

SB 277 - Franchise Fees. The City of North Las Vegas received approximately \$11.2 million in franchise fees in Fiscal Year 2004-05 which equated to about 9% of the General Fund revenues. SB 277 was narrowly defeated but, according to our legislative team, there was a good chance this bill would come back. The impact of this bill would be a phase-out of the entire franchise fee of \$11.2 million, \$4.5 million in the first year.

AB 418 - Sales Tax Limitation, passed out of the Assembly Growth and Infrastructure Committee by a vote of 11 to 2. If passed, the tax would cover the entire cost of the police officers hired in FY 2005-06, including salaries and benefits.

Mayor Pro Tempore Robinson commented he believed some of the actions the legislators were taking were detrimental to cities. He felt the City should be run by the elected officials of the City of North Las Vegas. Mayor Pro Tempore Robinson further stated he felt the Legislature was being disrespectful of the City.

Mayor Montandon agreed with Mayor Pro Tempore Robinson's comments and felt a concerted effort was required to make the other entities understand there appeared to be a larger attack on the concept of home rule than seen in previous legislative sessions.

City Manager Rose indicated the City would continue to move forward consistent with the platform approved by the City Council.

ACTION: STAFF DIRECTED TO MOVE FORWARD

26. APPROVAL OF FINAL ACCEPTANCE OF THE PAVEMENT REHABILITATION PROGRAM, FISCAL YEAR 2003/04, BID NO. 1160 FOR MAINTENANCE AND AUTHORIZATION TO FILE THE NOTICE OF COMPLETION. (CNLV CONTRACT NO. 5658)

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

27. APPROVAL TO AWARD BID NO. 1186, FOR THE COLEMAN STREET PEDESTRIAN BRIDGE AND TRAIL PROJECT, TO RAFAEL CONSTRUCTION, INC., IN THE AMOUNT OF \$152,251 (PAYMENT TO BE MADE BY THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT), TO PROVIDE PEDESTRIAN ACCESS ACROSS THE OPEN FLOOD CHANNEL FOR STEVE COZINE ELEMENTARY SCHOOL STUDENTS AND SURROUNDING RESIDENCES AND TIE THE NEIGHBORHOOD NORTH OF THE CHANNEL INTO THE LAS VEGAS WASH TRAILS PHASE I PROJECT. (CNLV CONTRACT NO. 5951)

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

28. APPROVAL TO AWARD BID NO. 1192, FOR THE PURCHASE OF TWO WATERLESS BROOM STREET SWEEPERS FOR THE PUBLIC WORKS DEPARTMENT, STREET MAINTENANCE DIVISION, TO HAAKER EQUIPMENT COMPANY, IN THE AMOUNT OF \$369,690.

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

29. APPROVAL TO AWARD BID NO. 1193, FOR THE PURCHASE OF ONE AERIAL LIFT TRUCK WITH 34' WORKING HEIGHT FOR THE PARKS AND RECREATION DEPARTMENT, TO TEREX UTILITIES, IN THE AMOUNT OF \$53,109.

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 TO AWARD BID NO. 1194, TO PROVIDE ANNUAL EQUIPMENT RENTALS OF CONSTRUCTION EQUIPMENT IN THE AMOUNT OF \$200,000, TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR THE PERIOD OF APRIL 21, 2005 THROUGH DECEMBER 31, 2006, WITH AN OPTION TO RENEW FOR TWO ADDITIONAL ONE-YEAR PERIODS.

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. **APPROVAL OF WAV-01-05 (PALM AND CRAIG); AN APPLICATION SUBMITTED BY CELEBRATE HOMES, ON BEHALF OF CELEBRATE PROPERTIES, LLC, PROPERTY OWNER, FOR A WAIVER TO REDUCE THE WIDTH OF YUCCA PALM AVENUE TO 34.5 FEET WHERE 41 FEET IS REQUIRED BY TITLE 16, ON PROPERTY GENERALLY LOCATED WEST OF REVERE STREET AND APPROXIMATELY 362 FEET SOUTH OF CRAIG ROAD.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

32. **RESOLUTION NO. 2312; A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF NORTH LAS VEGAS FOR THE ADOPTION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS).**

Resolution No. 2312 as introduced by the City Manager:

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF NORTH LAS VEGAS FOR THE ADOPTION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS).

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

33. **ORDINANCE NO. 2130; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS, NEVADA, AUTHORIZING THE ISSUANCE OF THE CITY OF NORTH LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) SEWER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES).**

SERIES 2005; PROVIDING DETAILS CONCERNING THE BONDS, THEIR FORM AND THEIR SALE; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE OPERATION OF THE CITY'S MUNICIPAL UTILITY SYSTEM; AND PROVIDING THE EFFECTIVE DATE OF THE ORDINANCE. (SET FINAL ACTION FOR MAY 4, 2005)

Ordinance No. 2130, as introduced by the City Clerk:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS, NEVADA, AUTHORIZING THE ISSUANCE OF THE CITY OF NORTH LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) SEWER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2005; PROVIDING DETAILS CONCERNING THE BONDS, THEIR FORM AND THEIR SALE; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE OPERATION OF THE CITY'S MUNICIPAL UTILITY SYSTEM; AND PROVIDING THE EFFECTIVE DATE OF THE ORDINANCE.

ACTION: FINAL ACTION SET FOR MAY 4, 2005

34. **ORDINANCE NO. 2131; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING APPROXIMATELY 7.16 ACRES FROM R-E RANCH ESTATES TO R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-24-05, LA MADRE/BRUCE), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF LA MADRE WAY AND BRUCE STREET; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MAY 4, 2005)**

Ordinance No. 2131 as introduced by the City Clerk:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING APPROXIMATELY 7.16 ACRES FROM R-E RANCH ESTATES TO R-1 SINGLE-FAMILY RESIDENTIAL

DISTRICT (ZN-24-05, LA MADRE/BRUCE), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF LA MADRE WAY AND BRUCE STREET; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR MAY 4, 2005

35. **ORDINANCE NO. 2132; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING APPROXIMATELY 7.16± ACRES FROM R-E RANCH ESTATES TO R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-25-05, WASHBURN/BRUCE), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF WASHBURN ROAD AND HAROLD STREET; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MAY 4, 2005) (ASSOCIATED ITEM NO. 16, VAC-06-05)**

Ordinance No. 2132, as introduced by the City Clerk:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING APPROXIMATELY 7.16± ACRES FROM R-E RANCH ESTATES TO R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-25-05, WASHBURN/BRUCE), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF WASHBURN ROAD AND HAROLD STREET; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR MAY 4, 2005

36. **ORDINANCE NO. 2133; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING APPROXIMATELY 10.33 ACRES FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 53 SINGLE-FAMILY DWELLINGS (ZN-26-05, VALLEY/EL CAMPO GRANDE), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF EL CAMPO GRANDE AVENUE AND VALLEY DRIVE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION**

FOR MAY 4, 2005) (ASSOCIATED ITEM NO. 15, AMP-10-05)

Ordinance No. 2132, as introduced by the City Clerk:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING APPROXIMATELY 10.33 ACRES FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 53 SINGLE-FAMILY DWELLINGS (ZN-26-05, VALLEY/EL CAMPO GRANDE), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF EL CAMPO GRANDE AVENUE AND VALLEY DRIVE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR MAY 4, 2005

37. **ORDINANCE NO. 2134; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-03-05); AMENDING SECTION 17.20.020 (D), 17.20.030 (D), 17.20.040 (D), 17.24.050, 17.24.140 (B), 17.24.210 (G), TO ALLOW DETACHED GUEST QUARTERS/CASITAS WITHIN THE R-E RANCH ESTATES RESIDENTIAL DISTRICT, RE-L RANCH ESTATES LIMITED DISTRICT AND R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR MAY 4, 2005)**

Ordinance No. 2134, as introduced by the City Clerk:

AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-03-05); AMENDING SECTION 17.20.020 (D), 17.20.030 (D), 17.20.040 (D), 17.24.050, 17.24.140 (B), 17.24.210 (G), TO ALLOW DETACHED GUEST QUARTERS/CASITAS WITHIN THE R-E RANCH ESTATES RESIDENTIAL DISTRICT, RE-L RANCH ESTATES LIMITED DISTRICT AND R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: FINAL ACTION SET FOR MAY 4, 2005

38. **ORDINANCE NO. 2135; AN ORDINANCE AMENDING TITLE 17 OF THE**

MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-04-05); AMENDING SECTION 17.20.140(E)(2), TO ALLOW A MINIMUM LOT WIDTH OF 50 FEET IN THE R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR MAY 4, 2005)

Ordinance No. 2135, as introduced by the City Clerk:

AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-04-05); AMENDING SECTION 17.20.140(E)(2), TO ALLOW A MINIMUM LOT WIDTH OF 50 FEET IN THE R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: FINAL ACTION SET FOR MAY 4, 2005

39. **ORDINANCE NO. 2138; AN ORDINANCE AMENDING ORDINANCE NO. 2110 OF THE NORTH LAS VEGAS CITY COUNCIL STRIKING REFERENCES TO PLANNING COMMISSION CONSIDERATION OF SALOON, TAVERN/RESTAURANT AND NON-PROFIT CLUB USES AS A HOUSEKEEPING ITEM TO CLEAN UP THE RECENTLY ADOPTED AMENDMENTS TO NORTH LAS VEGAS MUNICIPAL CODE TITLE 17 AND FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR MAY 4, 2005)**

Ordinance No. 2138, as introduced by the City Clerk:

AN ORDINANCE AMENDING ORDINANCE NO. 2110 OF THE NORTH LAS VEGAS CITY COUNCIL STRIKING REFERENCES TO PLANNING COMMISSION CONSIDERATION OF SALOON, TAVERN/RESTAURANT AND NON-PROFIT CLUB USES AS A HOUSEKEEPING ITEM TO CLEAN UP THE RECENTLY ADOPTED AMENDMENTS TO NORTH LAS VEGAS MUNICIPAL CODE TITLE 17 AND FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: FINAL ACTION SET FOR MAY 4, 2005

40. **ORDINANCE NO. 2139; AN ORDINANCE AMENDING ORDINANCE NO. 2114 OF THE NORTH LAS VEGAS CITY COUNCIL STRIKING THE DEFINITION OF TAVERN IN NORTH LAS VEGAS MUNICIPAL CODE TITLE 5 AND FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR MAY 4, 2005)**

Ordinance No. 2139, as introduced by the City Clerk:

AN ORDINANCE AMENDING ORDINANCE NO. 2114 OF THE NORTH LAS VEGAS CITY COUNCIL STRIKING THE DEFINITION OF TAVERN IN NORTH LAS VEGAS MUNICIPAL CODE TITLE 5 AND FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: FINAL ACTION SET FOR MAY 4, 2005

ORDINANCES
FINAL ACTION

43. **ORDINANCE NO. 2124; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING APPROXIMATELY 2.0 ACRES FROM O-L OPEN LAND DISTRICT TO M-2 GENERAL INDUSTRIAL DISTRICT (ZN-19-05, I-15/I-215 @ LINN & TROPICAL), FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF TROPICAL PARKWAY AND LINN LANE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2124 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING APPROXIMATELY 2.0 ACRES FROM O-L OPEN LAND DISTRICT TO M-2 GENERAL INDUSTRIAL DISTRICT (ZN-19-05, I-15/I-215 @ LINN & TROPICAL), FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF TROPICAL PARKWAY AND LINN LANE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: CONTINUED TO JUNE 15, 2005

MOTION: Mayor Montandon

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

44. **ORDINANCE NO. 2125; 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 5.21 ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-16-05, LA MADRE/GOLDFIELD), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF LA MADRE WAY AND GOLDFIELD STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Ordinance No. 2125, as introduced by the City Manager:

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 5.21 ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-16-05, LA MADRE/GOLDFIELD), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF LA MADRE WAY AND GOLDFIELD STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Planning and Development Director Jory Stewart said the applicant proposed to create a 5.21 acre single-family residential subdivision with an R-1 density. The Planning Commission recommended approval.

Jeff Bade, 4940 Goldfield Avenue, North Las Vegas, stated he objected to all two-story houses being built on this property which was across from his home. He was interested in maintaining the existing single-story character of the neighborhood. He advised other developers have made concessions with existing single-story residents in the area. Mayor Montandon advised the applicant in this particular case was the landowner and not the developer. Mr. Bade said the owner contacted him and advised two -story houses would be constructed on the property. Mayor Montandon reiterated the landowner was just requesting to zone the property at this time. Planning and Development Director Jory Stewart and Mayor Montandon advised Mr. Bade he would be able to come before the Planning Commission to comment after the property was sold to a developer and a tentative map was submitted.

Director Stewart added the associated tentative map was scheduled to be heard at the May 4, 2005 Council Meeting.

Councilwoman Smith asked City Attorney Sean McGowan if the City had any discretion, upon zoning approval, as to what type of structure would be built on the property. City Attorney McGowan responded he believed Council did have the discretion to require single-story homes at the tentative map stage. Mayor Montandon added the Council had placed

restrictions on tentative maps previously.

ACTION: PASSED AND ADOPTED

MOTION: Councilman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

45. ORDINANCE NO. 2126; 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 6.17± ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-17-05, GOLDFIELD PROJECT), FOR PROPERTY LOCATED 307 FEET NORTH OF LONE MOUNTAIN ROAD AND WEST OF NORTH FIFTH STREET.

Ordinance No. 2126, as introduced by the City Manager:

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 6.17± ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-17-05, GOLDFIELD PROJECT), FOR PROPERTY LOCATED 307 FEET NORTH OF LONE MOUNTAIN ROAD AND WEST OF NORTH FIFTH STREET.

Planning and Development Director Jory Stewart stated the proposed zone change would comply with the Comprehensive Plan. The Planning Commission recommended approval.

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

46. ORDINANCE NO. 2127; 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 3.61± ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-18-05, GOLDFIELD PROJECT), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF GOLDFIELD STREET AND LONE MOUNTAIN ROAD.

Ordinance No. 2127, as introduced by the City Manager:

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 3.61± ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-18-05, GOLDFIELD PROJECT), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF GOLDFIELD STREET AND LONE MOUNTAIN ROAD.

Planning and Development Director Jory Stewart stated the Planning Commission recommended approval.

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

47. ORDINANCE NO. 2128; 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 4.6± ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-21-05, GOLDFIELD PROJECT), FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF GOLDFIELD STREET AND SERGEANT JORDAN AVENUE.

Ordinance No. 2128, as introduced by the City Manager:

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 4.6± ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-21-05,

GOLDFIELD PROJECT), FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF GOLDFIELD STREET AND SERGEANT JORDAN AVENUE.

Planning and Development Director Jory Stewart stated the Planning Commission recommended approval.

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

48. ORDINANCE NO. 2129; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS TO AMEND ORDINANCE NO. 1551 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.

Ordinance No. 2129 as introduced by the City Manager:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS TO AMEND ORDINANCE NO. 1551 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: PASSED AND ADOPTED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

APPOINTMENTS

49. RATIFICATION OF THE APPOINTMENTS OF HUMAN RESOURCES DIRECTOR ALI FREEMAN AND ASSISTANT TO THE CITY MANAGER BRENDA JOHNSON TO THE NORTH LAS VEGAS DEFERRED COMPENSATION PLAN ADVISORY COMMITTEE FOR INDEFINITE TERMS.

ACTION: APPOINTMENTS 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

COUNCIL ITEMS

Councilwoman Smith recommended changes to the display on the screens during the City Council meetings. Strategic Planning Director Eric Dabney said Staff would investigate and report back to Council.

PUBLIC FORUM

There was no public participation.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 7:13 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: July 6, 2005

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

ATTEST:

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