

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

August 17, 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 Pro Tempore William E. Robinson

ROLL CALL

COUNCIL PRESENT

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

EXCUSED

Mayor Michael L. Montandon

STAFF PRESENT

City Manager Gregory Rose
City Attorney Sean McGowan
City Clerk Karen Storms
Economic Development Director
Mike Majewski
Finance Director Phil Stoeckinger
Fire Chief Al Gillespie

Human Resources Director Ali R. Freeman
Parks & Recreation Director Mike Henley
Planning and Development Director Jory Stewart
Public Works Director Jim Bell
Strategic Planning Director Eric Dabney
Utilities Director David Bereskin
Deputy City Clerk Anita Sheldon

VERIFICATION

Karen L. Storms, CMC
City Clerk

INVOCATION

Pastor Chris Duncan
Canyon Ridge Christian Church

PLEDGE OF ALLEGIANCE

Councilwoman Stephanie S. Smith

PRESENTATION

★ **PRESENTATION TO KB HOME FOR THEIR FINANCIAL CONTRIBUTION
TOWARD EQUIPPING THE ALIANTE LIBRARY**

Councilman Buck made the presentation to Randy Tarr of KB Homes.

ACTION: PRESENTATION MADE

Councilman Eliason presented a plaque to Councilman Buck for her work on the Regional Flood Control District Citizen Advisory Committee.

PUBLIC FORUM

Bob Borgersen, 7617 Island Rail Drive, North Las Vegas, stated a stop light was needed at Losee Drive and the I-215 Beltway to help prevent any more fatalities. Public Works Director Jim Bell advised Staff was meeting with the County on a regular basis to urge them to install the signal.

Wes Kiser, 1516 Blue Star Drive, North Las Vegas, stated that every morning Southern Nevada Paving closed a lane on southbound 5th Street to westbound Cheyenne. He asked if they had a permit. Public Works Director Jim Bell stated he would have someone take a look at the area. Mr. Kiser asked about street cuts on Martin Luther King Boulevard after the new asphalt was installed. Mayor Pro Tempore Robinson asked Director Bell to look into this issue.

Jeff Burgoz, 1519 Bradfox Lane, North Las Vegas, asked about the purchase of the sport utility vehicle for the Police Department. Assistant Detention Chief Joe Forti stated the vehicle will be used to transport training equipment and personnel.

Bill Dolan, 6725 Song Sparrow Court, North Las Vegas, stated I-15 needed more signage to reflect that Lamb Boulevard and the I-215 Beltway were North Las Vegas exits. He also thanked the City Council for the job they were doing.

AGENDA

1. **APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF AUGUST 17, 2005.**

ACTION: APPROVED, AS AMENDED: ITEM NO. 4 WITHDRAWN; ITEM NOS. 5, 6, 8, AND 45 CONTINUED TO SEPTEMBER 7, 2005; ITEM NO. 7 WITHDRAWN; ITEM NO. 30 TABLED TO SEPTEMBER 21, 2005; ITEM NO. 33 TABLED TO SEPTEMBER 7, 2005

MOTION: Councilwoman Smith

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

PUBLIC HEARINGS - 6:15 P.M.

2. **UN-76-03 (DECATUR AND TROPICAL); AN APPLICATION SUBMITTED BY DECATUR TROPICS, LLC, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF TROPICAL PARKWAY (CENTENNIAL PARKWAY) AND DECATUR BOULEVARD. (CONTINUED JUNE 1, JUNE 15, JULY 20, AND AUGUST 3, 2005)**

Mayor Pro Tempore Robinson opened the Public Hearing.

Planning and Development Director Jory Stewart advised this was the third request by the applicant for an extension of time.

George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, advised since this item was originally approved, the conditions and circumstances of the surrounding area changed in such a manner that the realignment of Centennial Parkway now abutted the subject site along the southern property line where it had previously been identified as Tropical Parkway. The applicant did not feel it was his responsibility to meet the right-of-

way conditions imposed by the Planning Department. He stated an alternative had been discussed with Staff and D.R. Horton to return Tropical Parkway back to its original "T" intersection. Mr. Garcia requested Council approval without the right-of-way conditions.

Councilwoman Smith stated the issue was not about the road but felt there was not a need for another tavern in the neighborhood.

Michael Cuddy, 6170 West Lake Mead Drive, Las Vegas, represented D.R. Horton and requested the motion include reference to the 30-day requirement for dedication of the road alignment.

Mayor Pro Tempore Robinson closed the Public Hearing.

ACTION: ONE-YEAR EXTENSION APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. That AMP-53-03 and ZN-75-03 be approved by the City Council, otherwise this application shall be considered null and void; and
2. That no site plan approval is granted, assumed or implied. All reviewing departments and agencies shall reserve the right to provide comments, corrections and conditions related to the site until such time that the Major Site Plan is submitted for review and approval by the Planning Commission; and
3. That the applicant file for and obtain approval from the Planning Commission for a Major Site Plan Review for the entire shopping center prior to applying for any building permits related to the development of this site; and
4. That the applicant shall submit a survey, stamped by a surveyor licensed in the State of Nevada, to the Development Services Department as proof of compliance with the 1,500-foot separation requirement prior to the application of a business license or building permit; and
5. That customers entering the establishment and/or waiting to be seated shall be separated from the bar area by a 100% opaque wall not less than 8 feet in height; and
6. That the restrooms be located such that patrons are not required to go through the bar area to access those facilities; and
7. That windows be provided throughout the building, except where the kitchen and restrooms are proposed to be located, and the windows shall match the style of the approved retail center; and

8. That the floor area of the bar shall not exceed 50% of the total public restaurant floor area; and
9. That, unless expressly authorized through a variance, waiver or another approved method, the development shall comply with all applicable codes and ordinances; and
10. That the following right of way dedications are required:
 - a. Dedicate an additional 10' right of way for Centennial Parkway between Decatur Boulevard and Montgomery Street alignment
 - b. Dedicate Centennial Parkway 100' in width from Montgomery Street to San Mateo Street.
 - c. Dedicate Tropical Parkway as it intersects Centennial Parkway and the associated spandrels.
 - d. Dedicate right of way for flared intersection at Tropical Parkway and Decatur Boulevard.
 - e. Additional right of way dedication is required at Decatur Boulevard and Tropical Parkway for the flared intersection per *Clark County Area Uniform Standard Drawings for Public Works Construction Off-site Improvements* drawing number 201.1; and
11. That all local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*; and
12. That approval of a drainage study is required prior to submittal of the civil improvement plans; and
13. That all known geologic hazards shall be shown on the tentative map and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original tentative map layout; and
14. Revise the plans to reflect the realignment of Tropical Parkway to conform to the Master Plan of Streets and Highways; and
15. That a reversionary map must be filed to combine all parcels; and
16. That Tropical Parkway must be labeled as Centennial Parkway; and
17. That the applicant be required to submit an application for vacation of San Mateo Street from the Centennial Parkway alignment to the old Tropical Parkway alignment; and

18. That the applicant be required to submit an application for vacation of Tropical Parkway alignment between San Mateo Street and Centennial Parkway; and
19. That approval of a traffic study is required prior to submittal of the civil improvement plans; and
20. That the civil improvement plans for the project must include Schedule 40 PVC fiber optic conduit along Decatur Boulevard, Tropical Parkway and Centennial Parkway; and
21. That the driveway number and location is subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in North Las Vegas Municipal Code 17.24.130. Conformance may require modifications to the site; and
22. That the applicant must file for and obtain approval from the Planning Commission for a Site Plan Review for the entire site prior to submitting civil improvement plans; and
23. That UN-76-03 shall expire on April 8, 2006; and
24. That the property owner shall dedicate within thirty (30) days, right-of-way for Tropical Parkway and Centennial Parkway, per the Master Plan of Streets & Highways or this Use Permit shall become null and void.

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

Item No. 2 was reconsidered after Item No. 9.

3. **UN-86-01 (CENTENNIAL MARKETPLACE); AN APPLICATION SUBMITTED BY MARK LEFKOWITZ ON BEHALF OF CENTENNIAL LOSEE CENTER, LLC, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A RESTAURANT/TAVERN ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF LOSEE ROAD AND CENTENNIAL PARKWAY.**

Mayor Pro Tempore Robinson opened the Public Hearing.

Planning and Development Director Jory Stewart advised this was the seventh request by the applicant for an extension of time and the first time the item came before Council.

George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, and **Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas,** represented the applicant and requested Council approval for an extension of time of one year.

Councilwoman Smith asked why seven extensions of time had been requested and Mr. Garcia responded when the applicant first applied for the use permit for the property at Losee and Centennial, the area had not yet been developed but had been built up over time.

Mayor Pro Tempore Robinson closed the Public Hearing.

ACTION: ONE YEAR EXTENSION APPROVED

MOTION: Councilman Buck

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

4. **APPEAL, BY DAVE CLAPSADDLE, G.C. GARCIA, INC., REPRESENTING THE APPLICANT, OF THE PLANNING COMMISSION'S DECISION TO APPROVE UN-57-05 (MINI-STORAGE @ ROME & SAN MATEO); AN APPLICATION SUBMITTED BY STORAGE ONE ON BEHALF OF DECATUR 215 STORAGE, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW MINI-WAREHOUSING ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF ROME BOULEVARD AND SAN MATEO STREET.**

ACTION: WITHDRAWN

MOTION: Councilwoman Smith

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

5. **APPEAL, BY ROBERT J. GRONAUER, KUMMER KAEMPFER BONNER & RENSHAW, REPRESENTING THE APPLICANT, OF THE PLANNING COMMISSION'S DECISION TO DENY ZN-44-05 (TWILIGHT @ NORTH RANCH); AN APPLICATION SUBMITTED BY D. R. HORTON, PROPERTY OWNER, FOR**

RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES AND AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 95 SINGLE-FAMILY HOMES ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF DORRELL LANE AND GOLDFIELD STREET. (ASSOCIATED ITEM NO. 6, APPEAL, T-1184)

Mayor Pro Tempore Robinson opened the Public Hearing.

ACTION: CONTINUED TO SEPTEMBER 7, 2005

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

6. **APPEAL, BY ROBERT J. GRONAUER, KUMMER KAEMPFER BONNER & RENSHAW, REPRESENTING THE APPLICANT, OF THE PLANNING COMMISSION'S DECISION TO DENY T-1184 (TWILIGHT @ NORTH RANCH); AN APPLICATION SUBMITTED BY D. R. HORTON, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-E RANCH ESTATES DISTRICT AND AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT (PROPOSED PUD PLANNED UNIT DEVELOPMENT DISTRICT) CONSISTING OF 95 SINGLE-FAMILY DWELLINGS ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF DORRELL LANE AND GOLDFIELD STREET. (ASSOCIATED ITEM NO. 5, APPEAL, ZN-44-05)**

Mayor Pro Tempore Robinson opened the Public Hearing.

ACTION: CONTINUED TO SEPTEMBER 7, 2005

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

7. **APPEAL, BY ARNOLD ROSS STALK, METRO DEVELOPMENT GROUP, LLC, REPRESENTING THE APPLICANT, OF THE PLANNING COMMISSION'S DECISION TO APPROVE SPR-20-05 (PECOS-GOWAN COMMERCIAL CENTER); AN APPLICATION SUBMITTED BY JOSEPH GOLSHAN ON BEHALF**

OF SHELBOURNE TOWER, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT REQUESTING WAIVERS TO THE COMMERCIAL DEVELOPMENT STANDARDS AND DESIGN GUIDELINES' REQUIREMENTS TO ORIENT THE BUILDING TO THE STREET FRONT AND TO PROVIDE MEANDERING SIDEWALKS ON PROPERTY LOCATED WEST OF PECOS ROAD APPROXIMATELY 125 FEET SOUTH OF GOWAN ROAD.

ACTION: WITHDRAWN

MOTION: Councilwoman Smith

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

8. **AMP-31-05 (SAM'S CLUB NLV); AN APPLICATION SUBMITTED BY KIMLEY-HORN & ASSOCIATES ON BEHALF OF WESLEY D. ADAMS, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF INDUSTRIAL TO REGIONAL COMMERCIAL ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF CRAIG ROAD AND LOSEE ROAD. (ASSOCIATED ITEM NO. 45, ORDINANCE NO. 2167)**

Mayor Pro Tempore Robinson opened the Public Hearing.

ACTION: CONTINUED TO SEPTEMBER 7, 2005

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

9. **AMP-32-05 (CHEYENNE POINTE); AN APPLICATION SUBMITTED BY THE MONTECITO COMPANIES ON BEHALF OF THE LAS VEGAS CORNERS I, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MHDR MEDIUM HIGH DENSITY RESIDENTIAL TO COMMUNITY COMMERCIAL ON PROPERTY GENERALLY LOCATED EAST OF CIVIC CENTER DRIVE AND APPROXIMATELY 153 FEET SOUTH OF CHEYENNE AVENUE. (ASSOCIATED NO. 44, ORDINANCE NO. 2166)**

Mayor Pro Tempore Robinson opened the Public Hearing.

Planning and Development Director Jory Stewart stated Staff recommended approval of the item, as well as the accompanying zone change. The Planning Commission also recommended approval.

George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, represented the applicant and offered to respond to questions.

Mayor Pro Tempore Robinson closed the Public Hearing.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

Councilman Buck requested reconsideration of Item No. 2.

ACTION: ITEM NO. 2 RECONSIDERED

MOTION: Councilman Buck

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

2. **UN-76-03 (DECATUR AND TROPICAL); AN APPLICATION SUBMITTED BY DECATUR TROPICS, LLC, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF TROPICAL PARKWAY (CENTENNIAL PARKWAY) AND DECATUR BOULEVARD. (CONTINUED JUNE 1, JUNE 15, JULY 20, AND AUGUST 3, 2005)**

Councilman Buck requested Condition No. 24 requiring the right-of-way be dedicated within 30 days be brought back to Council to ensure the dedication had taken place. City Attorney Sean McGowan advised approval of the April 2006 use permit could be determined subject to the satisfaction of Condition No. 24. If the dedication had not been completed by September 21, 2005, the use permit would be deemed null and void at that time.

ACTION: STAFF DIRECTED TO RETURN ITEM TO CITY COUNCIL ON SEPTEMBER 21, 2005

MOTION: Councilman Buck

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

44. ORDINANCE NO. 2166; 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 7.18± ACRES THEREIN FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT AND A C-P PROFESSIONAL OFFICE COMMERCIAL DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT (ZN-51-05, CHEYENNE POINTE), FOR PROPERTY GENERALLY LOCATED EAST OF CIVIC CENTER DRIVE AND APPROXIMATELY 153 FEET SOUTH OF CHEYENNE AVENUE. (ASSOCIATED ITEM NO. 9, AMP-32-05)

Ordinance No. 2166 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 7.18± ACRES THEREIN FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT AND A C-P PROFESSIONAL OFFICE COMMERCIAL DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT (ZN-51-05, CHEYENNE POINTE), FOR PROPERTY GENERALLY LOCATED EAST OF CIVIC CENTER DRIVE AND APPROXIMATELY 153 FEET SOUTH OF CHEYENNE AVENUE.

Councilwoman Smith asked Mr. Garcia why the request was for C-2, rather than C-1, and Mr. Garcia responded it was to be consistent with the existing zoning, which was C-2. In response to Councilwoman Smith's question, approximately half of the property was zoned for commercial development.

ACTION: PASSED AND ADOPTED

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

10. WAV-03-05 (ROME & GOLDFIELD); AN APPLICATION SUBMITTED BY BLUE

HERON PROPERTIES, PROPERTY OWNER, FOR APPROVAL OF A WAIVER FROM TITLE 16 IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW A 1-FOOT SEPARATION BETWEEN THE DRIVEWAY AND THE SIDE PROPERTY LINE (WHERE 7 FEET IS REQUIRED), AND LESS THAN THE STANDARD 6-FOOT SEPARATION BETWEEN THE DRIVEWAY AND THE END OF CURB RETURN ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF GOLDFIELD STREET AND ROME BOULEVARD.

Mayor Pro Tempore Robinson opened the Public Hearing.

Public Works Director Jim Bell advised that Planning and Public Works Staff were in support of the application. He stated the applicant considered putting pavers in the location which would improve the aesthetics of the property. Director Bell felt this issue should be addressed regarding similar requests for future developments.

Councilwoman Smith expressed her concern that one foot was not enough separation between driveways and property lines.

David Potter, 3610 North Rancho Drive, Las Vegas, spoke on behalf of Blue Heron Properties and advised the closest a driveway would be to a property line was one foot and eight inches. He stated the driveways varied from four feet to over seven feet apart from each other which was the reason for the stone pavers and plants between the driveways.

In response to a question by Councilman Eliason, Mr. Potter stated all the driveways would have pavers. When Councilman Eliason asked about landscaping, Planning and Development Director Jory Stewart responded a four-foot landscape buffer was a condition of approval for the driveways closest to each other.

Mayor Pro Tempore Robinson closed the Public Hearing.

Director Stewart suggested the requirement for pavers constructed on all driveways be made a condition of approval.

In response to a question posed by Mayor Pro Tempore Robinson, City Attorney McGowan advised the addition of the condition for pavers would apply only to this situation and would not set a precedent. Each future application would be based on its own merit.

ACTION: APPROVED, AS AMENDED; SUBJECT TO THE FOLLOWING THREE CONDITIONS

1. THE PARTY WALL ON THE PROPERTY LINE BETWEEN THE TWO BUILDINGS SHALL BE CONSTRUCTED IN ACCORDANCE WITH 2000

IBC, SECTION 705.

2. THE FOUR (4) FOOT LANDSCAPE BUFFER BETWEEN EACH TWO RESIDENTIAL UNITS SHALL CONTAIN A MINIMUM OF EIGHT (8) SHRUBS, WITH A MINIMUM FIVE (5) GALLON PLANTING SIZE.
3. ALL DRIVEWAYS MUST BE CONSTRUCTED WITH PAVERS

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

11. **WAV-04-05 (CENTENNIAL CROSSING); AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF APC CENTENNIAL SIMMONS, LLC, PROPERTY OWNER, FOR APPROVAL OF A WAIVER FROM TITLE 16 IN AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT TO ALLOW A 4-FOOT SEPARATION (LANDSCAPE BUFFER) BETWEEN THE DRIVEWAYS OF EACH DUPLEX ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF RANCH HOUSE ROAD AND SIMMONS STREET.**

Mayor Pro Tempore Robinson opened the Public Hearing.

Public Works Director Jim Bell advised this was a duplex-type project and was very similar to Item No. 10. He stated the driveways were in close proximity with a proposed separation of approximately four feet . The applicant considered putting pavers in the location which would improve the aesthetics of the property. Director Bell felt this issue should be addressed regarding similar requests for future developments.

George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, agreed to the condition of pavers being constructed on the driveways.

Mayor Pro Tempore Robinson closed the Public Hearing.

ACTION: APPROVED, AS AMENDED; SUBJECT TO THE FOLLOWING THREE CONDITIONS

1. THE PARTY WALL ON THE PROPERTY LINE BETWEEN THE TWO BUILDINGS SHALL BE CONSTRUCTED IN ACCORDANCE WITH 2000

IBC, SECTION 705.

2. THE FOUR (4) FOOT LANDSCAPE BUFFER BETWEEN EACH TWO RESIDENTIAL UNITS SHALL CONTAIN A MINIMUM OF EIGHT (8) SHRUBS, WITH A MINIMUM FIVE (5) GALLON PLANTING SIZE.
3. ALL DRIVEWAYS MUST BE CONSTRUCTED WITH PAVERS

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

12. PUBLIC HEARING - SPECIAL IMPROVEMENT DISTRICT NO. 61, ANN ROAD AND ANCILLARY STREETS.

Public Works Director Jim Bell advised Special Improvement District 61 was being proposed on Ann Road which included eight ancillary roadways. A portion of the project was being funded by the Regional Transportation Commission and the Regional Flood Control District. The remaining portion of the project was being funded by the Special Improvement District. In response to a question by Councilwoman Smith, Director Bell stated completion was anticipated in approximately 18 months.

Diana Cheung, 5424 Supai Drive, Las Vegas, stated she opposed the creation of the Special Improvement District. She said the City was taking .38 of an acre of her property for the project and she felt she was not being fairly compensated.

Real Property Services Manager Randy Cagle explained the property in question was valued at less than residential and the assessment on the Ann Road property was less than the market value of Ms. Cheung's property. Manager Cagle advised the property appraisal met all Nevada Revised Statute requirements.

Ms. Cheung stated she did not understand what basis was used in appraising her property and why the value of her property was less than others in the area. Manager Cagle explained the basic assessment unit was per front foot and varied from parcel to parcel, as did utilities; however, the basic unit footage was the same for all properties.

Cliff Larson, a friend of Ms. Cheung, explained Ms. Cheung did not feel the assessment and compensation she received from the City for her property was a fair amount.

Kendra Follett, Swendseid & Stern, 50 West Liberty Street, Suite 1000, Reno, advised the right-of-way acquisition was a separate issue from the assessment district proceedings.

The amount of the assessment cannot exceed the fair market value of the property and must have a related benefit to the property.

Councilwoman Smith pointed out to Ms. Cheung that if she were paying for improvements to the road herself, she would be responsible for the entire cost, rather than a small percentage. In addition, as a result of the improvements, Ms. Cheung's property would increase in value.

Ms. Follett explained a Supreme Court ruled it unconstitutional to assess property based on zoning. She stated with respect to the right-of-way acquisition, the property owners would be compensated through the process of eminent domain for the value of the parcel taken through the right-of-way.

Manager Cagle advised one more protest was received from Carol Pappas, owner of the property at the southwest corner of Simmons and Ann Road.

Mayor Pro Tempore Robinson closed the Public Hearing.

ACTION: PUBLIC HEARING HELD

CONSENT AGENDA

13. APPROVAL OF PRIVILEGED LICENSES: (EXHIBIT "A")

	<u>BUSINESS NAME</u>	<u>LICENSE TYPE</u>	<u>ACTIVITY</u>
	<u>NEW GAMING</u>		
1.	Con-Duv Corp Connie Duval DBA: Connie Duval, Franchisee 7-Eleven #29643C 2935 E Lake Mead Blvd North Las Vegas, Nevada	GAMING Owner Operator	(5) Slot Machines <u>Location: 7-Eleven - #29643C</u>

Nevada State Gaming Commission Approval Scheduled for 8/25/05

NEW LIQUOR & GAMING

2.	BW Investments, LLC Bill & Pamela Welter, Joint Mem/Mgrs Dennis & Darlene Kozlowski, Joint Members John S. Beuchat, Member DBA: Buffalo Wild Wings Grill and Bar 150 E Centennial Pkwy North Las Vegas, Nevada	LIQUOR GAMING Owner Operator	General On Sale Liquor (15) Slot Machines
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Police Investigations Completed

Pending Final Building & Fire Inspection Approvals
Nevada State Gaming Commission Approval Scheduled for 8/25/05

3. Craig Partners Pad A, Inc LIQUOR Beer & Wine Off Sale
Christian D. Haase, Pres GAMING (7) Slot Machines
DBA: 24 Seven Express Owner Operator Within Convenience Store
785 W Craig Rd
North Las Vegas, Nevada Police Investigations Completed

Pending Final Building & Fire Inspection Approvals
Nevada State Gaming Commission Approved on 7/28/05

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

14. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH JAMES ALLEN & COMPANY, TO PROVIDE FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT CRAIG ROAD AND BRUCE STREET - NORTH LEG, DUAL LEFT IN THE AMOUNT OF \$6,360 OR 5.3% OF THE TOTAL COST FOR THE STARBUCKS/DEL TACO COMMERCIAL DEVELOPMENT LOCATED ON THE SOUTHEAST CORNER OF CRAIG ROAD AND LOSEE ROAD.**

ACTION: PAYMENT ACCEPTED

MOTION: Councilman Eliason

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

15. **APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH COLEMAN AIRPARK, LTD., LLC, TO PROVIDE FOR A PORTION OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT EVANS STREET AND SIMMONS STREET IN THE APPROXIMATE AMOUNT OF \$106,976 OR 14.8% OF THE TOTAL COST; LAKE MEAD BOULEVARD AND SIMMONS STREET - NORTH LEG, DUAL LEFT IN THE APPROXIMATE AMOUNT OF \$8,760 OR 7.3%**

OF THE TOTAL COST; LAKE MEAD BOULEVARD AND SIMMONS STREET - WEST LEG, DUAL LEFT IN THE APPROXIMATE AMOUNT OF \$9,960 OR 8.3% OF THE TOTAL COST; AND CHEYENNE AVENUE AND SIMMONS STREET - SOUTH LEG, DUAL LEFT IN THE APPROXIMATE AMOUNT OF \$13,320 OR 11.1% OF THE TOTAL COST, FOR THE COLEMAN AIRPARK COMMERCIAL DEVELOPMENT LOCATED ON THE SOUTHWEST CORNER OF BROOKS AVENUE AND COLEMAN STREET. (CNLV CONTRACT NO. C-6100)

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

16. **APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH OVATION-AGT JV LLC, TO PROVIDE FOR THEIR PORTION OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT BELTWAY WB AND LOSEE ROAD IN THE APPROXIMATE AMOUNT OF \$26,072 OR 5.3% OF THE TOTAL COST; BELTWAY EB AND LOSEE ROAD IN THE APPROXIMATE AMOUNT OF \$22,629 OR 4.6% OF THE TOTAL COST; CENTENNIAL PARKWAY AND LOSEE ROAD IN THE APPROXIMATE AMOUNT OF \$32,959 OR 6.7% OF THE TOTAL COST; CENTENNIAL PARKWAY AND PECOS ROAD IN THE APPROXIMATE AMOUNT OF \$9,573 OR 1.8% OF THE TOTAL COST; AND ANN ROAD AND LOSEE ROAD IN THE APPROXIMATE AMOUNT OF \$21,153 OR 4.3% OF THE TOTAL COST, FOR THE CENTENNIAL APARTMENTS DEVELOPMENT LOCATED ON THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND MCCARRAN STREET. (CNLV CONTRACT NO. 6101)**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

17. **APPROVAL OF SPECIAL IMPROVEMENT DISTRICT NO. 60 (ALIANTE) APPORTIONMENT REPORT NO. 47 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: Councilman Buck

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

NAYS: None

ABSTAIN: None

18. **AN APPEAL, SUBMITTED BY ROBERT GRONAUER OF KUMMER KAEMPFER BONNER & RENSHAW, REPRESENTING THE APPLICANT, OF THE PLANNING COMMISSION'S DECISION TO DENY ZN-43-05 (NORTH RANCH); AN APPLICATION SUBMITTED BY D. R. HORTON, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 122 DUPLEX UNITS AND 312 TRIPLEX UNITS ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF ELKHORN ROAD AND GOLDFIELD STREET. (SET PUBLIC HEARING FOR SEPTEMBER 7, 2005) (ASSOCIATED ITEM NO. 19, APPEAL, T-1183)**

ACTION: PUBLIC HEARING SET FOR SEPTEMBER 7, 2005

MOTION: Councilman Eliason

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

19. **AN APPEAL, SUBMITTED BY ROBERT GRONAUER OF KUMMER KAEMPFER BONNER & RENSHAW, REPRESENTING THE APPLICANT, OF THE PLANNING COMMISSION'S DECISION TO DENY T-1183 (NORTH RANCH); AN APPLICATION SUBMITTED BY D. R. HORTON, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-E RANCH ESTATES DISTRICT (PROPOSED PUD PLANNED UNIT DEVELOPMENT DISTRICT) CONSISTING OF 434 UNITS (122 DUPLEXES AND 312 TRIPLEXES) ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF ELKHORN ROAD AND GOLDFIELD STREET. (SET PUBLIC HEARING FOR SEPTEMBER 7, 2005) (ASSOCIATED**

ITEM NO. 18, APPEAL, ZN-43-05)

ACTION: PUBLIC HEARING SET FOR SEPTEMBER 7, 2005

MOTION: Councilman Eliason

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

20. **VAC-22-05 (GEYSER PEAK 2); AN APPLICATION SUBMITTED BY MERITAGE HOMES ON BEHALF OF MTH HOMES NEVADA, INC., PROPERTY OWNER, TO VACATE A PORTION OF TROPICAL PARKWAY COMMENCING AT THE INTERSECTION OF BRUCE STREET AND PROCEEDING WEST APPROXIMATELY 570 FEET; REMOVING THE RIGHT TURN LANE. (SET PUBLIC HEARING FOR SEPTEMBER 21, 2005)**

ACTION: PUBLIC HEARING SET FOR SEPTEMBER 21, 2005

MOTION: Councilman Eliason

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

BUSINESS

21. **APPROVAL OF THE REPORT OF SALE ON DELINQUENT PARCELS IN SPECIAL IMPROVEMENT DISTRICT NO. 60.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

22. **APPROVAL OF A SETTLEMENT OF CLAIM FILED BY RON TUKHALA AGAINST THE CITY, IN THE AMOUNT OF \$50,000, FOR PERSONAL INJURIES SUFFERED DURING A CAR ACCIDENT ON MARCH 12, 2004, INVOLVING A**

CITY PARKS DEPARTMENT VEHICLE.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

23. **AWARD OF BID NO. B-1205 TO FRIENDLY FORD, IN THE AMOUNT OF \$304,908, FOR THE PURCHASE OF TWELVE HYBRID SPORT UTILITY VEHICLES TO BE UTILIZED BY VARIOUS CITY DEPARTMENTS AND TO REPLACE THOSE THAT ARE NOT ECONOMICAL TO REPAIR.**

ACTION: APPROVED

MOTION: Councilman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

24. **AWARD OF BID NO. B-1206 TO PURCHASE THIRTY-SEVEN SEDANS FOR THE POLICE DEPARTMENT IN THE TOTAL AMOUNT OF \$809,370.50; AWARD OF LOT NO. 1 TO KEN GARFF FORD IN THE AMOUNT OF \$678,264.50 FOR THIRTY-ONE POLICE CARS WITH SPOTLIGHTS AND AWARD OF LOT NO. 2 TO FRIENDLY FORD IN THE AMOUNT OF \$131,106, FOR SIX POLICE CARS WITHOUT SPOTLIGHTS; AND REJECTION OF BID FROM WONDERIES FLEET GROUP FOR BEING NON-RESPONSIVE.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

25. **AWARD OF BID NO. B-1207 TO FORD COUNTRY, IN THE AMOUNT OF \$35,727, TO PURCHASE A 9-PASSENGER SPORT UTILITY VEHICLE FOR THE**

POLICE DEPARTMENT, TO TRANSPORT EMPLOYEES, EQUIPMENT AND MATERIALS TO VARIOUS CITY FUNCTIONS.

Mayor Pro Tempore Robinson noted the correct fund number for the purchase of the vehicle was 299 which was confirmed by Finance Director Phil Stoeckinger.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

26. APPROVAL TO PURCHASE MODULAR OFFICE FURNITURE AND ACCESSORIES, IN THE AMOUNT OF \$162,742, FROM MACABEE OFFICE ENVIRONMENTS, FOR INSTALLATION IN THE FORMER MUNICIPAL COURT COMPLEX, UTILIZING NEVADA STATE BID NO. 6673, PURSUANT TO NRS 332.195 COMPETITIVE BIDDING EXCEPTION.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

27. ACCEPTANCE OF A GRANT AWARD FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF VIOLENCE AGAINST WOMEN, IN THE AMOUNT OF \$286,439, TO FUND THE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS PROGRAM; TO AMEND THE STAFFING PATTERN TO REFLECT THE ADDITION OF A FULL-TIME, GRANT FUNDED DETECTIVE POSITION; AND TO AMEND THE FY-05-06 POLICE DEPARTMENT OPERATING BUDGET BY ALLOCATING \$31,700 FROM THE PUBLIC SAFETY TAX FUND (FUND 287) FOR THE PURCHASE OF A SUPPORT VEHICLE FOR THE POLICE DEPARTMENT.

ACTION: GRANT AWARD ACCEPTED; STAFFING PATTERN AMENDMENT APPROVED; BUDGET AMENDMENT APPROVED

MOTION: Councilman Eliason

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

28. ACCEPTANCE OF A GRANT AWARD FROM THE STATE OF NEVADA, OFFICE OF ATTORNEY GENERAL, STOP VIOLENCE AGAINST WOMEN PROGRAM, IN THE AMOUNT OF \$34,700 (\$11,600 MATCH), TO CONTINUE THE BILINGUAL VICTIM ADVOCATE PROGRAM.

ACTION: GRANT AWARD ACCEPTED

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

29. AUTHORIZATION TO SUBMIT A RECREATION AND PUBLIC PURPOSE APPLICATION TO THE BUREAU OF LAND MANAGEMENT FOR A TEN-YEAR LEASE, WITH THE OPTION TO PURCHASE, FOR 40 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF CENTENNIAL PARKWAY AND STATZ STREET.

ACTION: APPROVED

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

30. APPROVAL OF AN INTERLOCAL AGREEMENT WITH CLARK COUNTY WATER RECLAMATION DISTRICT FOR THE CITY OF NORTH LAS VEGAS TO PROVIDE SEWER SERVICE IN THE VICINITY OF LONE MOUNTAIN ROAD AND BRUCE STREET; REVENUE IN THE APPROXIMATE AMOUNT OF \$85,000 IN SEWER CONNECTION FEES AND APPROXIMATELY \$15,000 ANNUALLY IN SEWER SERVICE CHARGES. (CNLV CONTRACT NO. C-6082) (TABLED AUGUST 3, 2005)

ACTION: TABLED TO SEPTEMBER 21, 2005

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

- 31. APPROVAL OF AN INTERLOCAL CONTRACT WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA (#507) FOR THE DESIGN AND RIGHT-OF-WAY ACQUISITION FOR THE NORTH 5TH STREET SUPER ARTERIAL, OWENS AVENUE TO CHEYENNE AVENUE; THE COST FOR PRELIMINARY ENGINEERING, DESIGN, CONTRACT ADMINISTRATION, SURVEYING, INSPECTION, TESTING, RIGHT-OF-WAY ENGINEERING, RIGHT-OF-WAY NEGOTIATIONS AND ACQUISITION, UTILITY RELOCATIONS AND CONSTRUCTION SHALL NOT EXCEED \$8,500,000, TO BE COMPLETED PRIOR TO DECEMBER 31, 2007. (CNLV CONTRACT NO. C-6098)**

Mayor Pro Tempore Robinson directed Public Works Director Jim Bell to ensure the affected residents were provided ample notice of public hearings regarding the project.

ACTION: APPROVED

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

- 32. APPROVAL OF AN INTERLOCAL CONTRACT WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA (#508) FOR THE PRELIMINARY DESIGN OF THE NORTH 5TH STREET SUPER ARTERIAL, CHEYENNE AVENUE TO THE NORTHERN BELTWAY; THE COST FOR PRELIMINARY ENGINEERING, DESIGN, CONTRACT ADMINISTRATION, AND SURVEYING SHALL NOT EXCEED \$1,500,000, TO BE COMPLETED PRIOR TO DECEMBER 31, 2007. (CNLV CONTRACT NO. 6099)**

ACTION: APPROVED

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

33. **APPROVAL OF THE CONDEMNATION OF REAL PROPERTY NEEDED FOR THE ANN ROAD IMPROVEMENT PROJECT AND AUTHORIZATION TO THE CITY ATTORNEY TO INITIATE A FORMAL COMPLAINT IN CLARK COUNTY DISTRICT COURT TO CONDEMN A PORTION OF DECATUR BOULEVARD TO CAMINO AL NORTE - BING FEE CHAO AND ALLAN H. G. CHEUNG AND DIANA S. K. CHEUNG 1993 LIVING TRUST, APN 124-29-401-007.**

ACTION: TABLED TO SEPTEMBER 7, 2005

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

34. **APPROVAL OF A LAND LEASE AGREEMENT FOR A WIRELESS COMMUNICATIONS SYSTEM STRUCTURE WITH NEW CINGULAR WIRELESS PCS IN THE AMOUNT OF \$14,400 PER YEAR, FOR FIVE YEARS, WITH FOUR OPTIONAL TERMS OF FIVE YEARS EACH, TO REMOVE THE EXISTING FLAGPOLE CELL TOWER AND REPLACE IT WITH A NEW 80' MONOPINE TOWER AND INSTALLATION OF AN ADDITIONAL UNDERGROUND VAULT TO ACCOMMODATE ADDITIONAL CARRIERS AT RICHARD TAM PARK; RENT WILL INCREASE TWO PERCENT ANNUALLY AND ADDITIONAL CARRIERS WILL CAUSE RENT TO INCREASE AN ADDITIONAL \$150 PER MONTH. (CNLV CONTRACT NO. C-6102)**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

35. **APPROVAL OF THE ENVIRONMENTAL CONSULTING SERVICES AGREEMENT WITH ENTRIX, INC., IN THE AMOUNT OF \$70,123, TO ASSIST THE CITY IN RESOLVING ENVIRONMENTAL ISSUES WITH THE BUREAU OF LAND MANAGEMENT ON LANDS IDENTIFIED AS THE CONSERVATION TRANSFER AREA (PHASE III), TO ADDRESS THE PROTECTED AND SENSITIVE SPECIES IN THIS AREA. (CNLV CONTRACT NO. 6103)**

ACTION: APPROVED

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

36. APPROVAL OF AN ALLOCATION OF HOME INVESTMENT PARTNERSHIPS PROGRAM FUNDS, IN THE AMOUNT OF \$301,759, TO THE HOUSING AUTHORITY OF THE CITY OF NORTH LAS VEGAS FOR THE REHABILITATION OF HOUSING AUTHORITY OWNED THUNDERBIRD TOWNHOMES, LOCATED AT 2800 KIM LANE.

ACTION: APPROVED

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

37. RESOLUTION NO. 2319 (AMP-36-05); RESOLUTION TO AMEND THE 1999 COMPREHENSIVE PLAN TO ADD A VERY HIGH DENSITY RESIDENTIAL LAND USE CATEGORY.

Resolution No. 2319 as introduced by the City Manager:

RESOLUTION TO AMEND THE 1999 COMPREHENSIVE PLAN TO
ADD A VERY HIGH DENSITY RESIDENTIAL LAND USE
CATEGORY.

Planning and Development Director Jory Stewart advised the purpose of the amendment to the code was to bring into sync the densities that were allowed by the zoning code to make it consistent with the Master Plan.

ACTION: PASSED AND ADOPTED

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

38. **RESOLUTION NO. 2320; A RESOLUTION DISPOSING OF THE PROTESTS MADE AT THE HEARING ON THE PROVISIONAL ORDER FOR THE CITY OF NORTH LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 61 (ANN ROAD AND ANCILLARY STREETS); DETERMINATION OF HARDSHIP APPLICATIONS FILED; DIRECTING THAT THE ENGINEERING DIVISION OF THE DEPARTMENT OF PUBLIC WORKS PREPARE AND FILE A REVISED AND DETAILED ESTIMATE OF COST, FULL AND DETAILED FINAL PLANS AND SPECIFICATIONS, AND A REVISED MAP AND ASSESSMENT PLAT; AND PROVIDING THE EFFECTIVE DATE HEREOF.**

Resolution No. 2320 as introduced by the City Manager:

A RESOLUTION DISPOSING OF THE PROTESTS MADE AT THE HEARING ON THE PROVISIONAL ORDER FOR THE CITY OF NORTH LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 61 (ANN ROAD AND ANCILLARY STREETS); DETERMINATION OF HARDSHIP APPLICATIONS FILED; DIRECTING THAT THE ENGINEERING DIVISION OF THE DEPARTMENT OF PUBLIC WORKS PREPARE AND FILE A REVISED AND DETAILED ESTIMATE OF COST, FULL AND DETAILED FINAL PLANS AND SPECIFICATIONS, AND A REVISED MAP AND ASSESSMENT PLAT; AND PROVIDING THE EFFECTIVE DATE HEREOF.

ACTION: PASSED AND ADOPTED

MOTION: Councilman Eliason

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

ORDINANCES **INTRODUCTION ONLY**

39. **ORDINANCE NO. 2168; AN ORDINANCE CREATING CITY OF NORTH LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 61 (ANN ROAD AND ANCILLARY STREETS); ORDERING STREET PROJECTS WITHIN THE CITY OF NORTH LAS VEGAS, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THE**

**ACQUISITION AND IMPROVEMENT OF STREET PROJECTS IN THE DISTRICT;
AND PROVIDING OTHER MATTERS RELATING THERETO. (SET FINAL
ACTION FOR SEPTEMBER 7, 2005)**

Ordinance No. 2168 as introduced by the City Clerk:

AN ORDINANCE CREATING CITY OF NORTH LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 61 (ANN ROAD AND ANCILLARY STREETS); ORDERING STREET PROJECTS WITHIN THE CITY OF NORTH LAS VEGAS, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THE ACQUISITION AND IMPROVEMENT OF STREET PROJECTS IN THE DISTRICT; AND PROVIDING OTHER MATTERS RELATING THERETO.

ACTION: FINAL ACTION SET FOR SEPTEMBER 7, 2005

40. **ORDINANCE NO. 2169; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 10.35 ACRES THEREIN FROM AN M-2 GENERAL INDUSTRIAL DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT (ZN-35-05, CRAIG ROAD CONDOMINIUMS), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF VANDENBERG DRIVE AND CRAIG ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR SEPTEMBER 7, 2005)**

Ordinance No. 2169 as introduced by the City Clerk:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 10.35 ACRES THEREIN FROM AN M-2 GENERAL INDUSTRIAL DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT (ZN-35-05, CRAIG ROAD CONDOMINIUMS), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF VANDENBERG DRIVE AND CRAIG ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR SEPTEMBER 7, 2005

41. **ORDINANCE NO. 2171; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 2120 WHICH RECLASSIFIED APPROXIMATELY 30.02± ACRES FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT (ZN-04-05, TWILIGHT AT RIVERWALK RANCH), BY MODIFYING CONDITION 7A AND 8E, ADDING CONDITION 7B, AND DELETING CONDITION 18, FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF VALLEY DRIVE AND TROPICAL PARKWAY; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR SEPTEMBER 7, 2005)**

Ordinance No. 2171 as introduced by the City Clerk:

AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 2120 WHICH RECLASSIFIED APPROXIMATELY 30.02± ACRES FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT (ZN-04-05, TWILIGHT AT RIVERWALK RANCH), BY MODIFYING CONDITION 7A AND 8E, ADDING CONDITION 7B, AND DELETING CONDITION 18, FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF VALLEY DRIVE AND TROPICAL PARKWAY; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR SEPTEMBER 7, 2005

42. **ORDINANCE NO. 2172; AN ORDINANCE INITIATED BY THE CITY OF NORTH LAS VEGAS RELATING TO TITLE 17 (ZONING) AMENDING SECTIONS 17.20.060(A) AND 17.20.070(A), RELATING TO THE ALLOWED NET RESIDENTIAL DENSITY FOR CERTAIN ZONING DESIGNATIONS (R-2 AND R-3) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR SEPTEMBER 7, 2005)**

Ordinance No. 2172 as introduced by the City Clerk:

AN ORDINANCE INITIATED BY THE CITY OF NORTH LAS VEGAS RELATING TO TITLE 17 (ZONING) AMENDING SECTIONS 17.20.060(A) AND 17.20.070(A), RELATING TO THE ALLOWED NET RESIDENTIAL DENSITY FOR CERTAIN ZONING DESIGNATIONS (R-2 AND R-3) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: FINAL ACTION SET FOR SEPTEMBER 7, 2005

43. **ORDINANCE NO. 2174; 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 160± ACRES THEREIN FROM A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT AND M-2 GENERAL INDUSTRIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT (ZN-47-05, PROJECT NLV) CONSISTING OF 650 MULTI-FAMILY DWELLING UNITS AND 1,500,000 SQUARE FEET OF COMMERCIAL, FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF CRAIG ROAD AND NORTH 5TH STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR SEPTEMBER 7, 2005)**

Ordinance No. 2174 as introduced by the City Clerk:

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 160± ACRES THEREIN FROM A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT AND M-2 GENERAL INDUSTRIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT (ZN-47-05, PROJECT NLV) CONSISTING OF 650 MULTI-FAMILY DWELLING UNITS AND 1,500,000 SQUARE FEET OF COMMERCIAL, FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF CRAIG ROAD AND NORTH 5TH STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR SEPTEMBER 7, 2005

ORDINANCES
FINAL ACTION

45. **ORDINANCE NO. 2167; 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 32.79 ACRES THEREIN FROM AN M-2 GENERAL INDUSTRIAL DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT (ZN-50-05, SAM'S CLUB NLV), FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF CRAIG ROAD AND LOSEE ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (ASSOCIATED ITEM NO. 8, AMP-31-05)**

ACTION: CONTINUED TO SEPTEMBER 7, 2005

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

APPOINTMENTS

46. APPOINTMENT BY COUNCILWOMAN SMITH OF ONE MEMBER TO THE CITIZEN ADVISORY COMMITTEE FOR A TERM TO EXPIRE JUNE 30, 2006. (TABLED JULY 6, JULY 20, AND AUGUST 3, 2005)

City Manager Rose suggested the item be withdrawn until Council was ready to act upon it.

ACTION: WITHDRAWN

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

47. APPOINTMENT BY THE CITY COUNCIL, AT LARGE, OF ONE CITIZEN MEMBER TO THE NORTH LAS VEGAS UTILITY BOARD FOR A TERM TO EXPIRE JUNE 30, 2007. (TABLED JULY 6, JULY 20 AND AUGUST 3, 2005)

ACTION: JASON HYMAS APPOINTED FOR A TERM TO EXPIRE JUNE 30, 2007

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

48. APPOINTMENTS OF A CITIZEN REPRESENTATIVE AND CITIZEN ALTERNATE TO THE CLARK COUNTY COMMUNITY DEVELOPMENT ADVISORY COMMITTEE FOR ONE YEAR TERMS.

ACTION: TABLED TO SEPTEMBER 7, 2005

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

49. RE-APPOINTMENT OF FELIZIA HERNANDEZ AND APPOINTMENT OF VERNIE BORGENSEN TO THE NORTH LAS VEGAS LIBRARY DISTRICT BOARD OF TRUSTEES, FOR TERMS TO EXPIRE JUNE 30, 2007.

ACTION: FELIZIA HERNANDEZ REAPPOINTED FOR A TERM TO EXPIRE JUNE 30, 2007; VERNIE BORGENSEN APPOINTED FOR A TERM TO EXPIRE JUNE 30, 2007

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

COUNCIL ITEMS

Councilman Buck asked for information regarding the incident at the North Las Vegas airport. She was concerned about reports of a slow response to the accident. Fire Chief Al Gillespie stated the entities involved had conducted a debriefing and the response time was appropriate.

Councilman Eliason asked for a timetable for the completion of the bridge at Carey west of the elementary school. Public Works Director Jim Bell stated he would report back to Council with the information.

Councilwoman Smith asked Director Bell about installing temporary traffic signal lights at the Losee Road and I-215 intersection. Director Bell responded several signals would be required to control the intersection. Councilwoman Smith asked if the Police Department could help with enforcement at the Losee Road/I-215 intersection. Assistant Detention Chief Joe Forti stated they would patrol the area.

CITY MANAGER'S REPORT

No report was given.

PUBLIC FORUM

There was no public participation.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 7:30 P.M.

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

APPROVED: October 19, 2005

Mayor Michael L. Montandon

ATTEST:

Karen L. Storms, CMC
City Clerk