

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

February 21, 2001

CITY COUNCIL INFORMATION SESSION

CALL TO ORDER

6:00 P.M. City Manager's Conference Room, 2200 Civic Center Drive, North Las Vegas, Nevada

- a. Verification
- b. Discussion of City Council Agenda
- c. Presentation of Security Plan to be Implemented at City Hall
- d. Presentation by Roger Patton regarding the northeast I-15 corridor study by NDOT
- e. Administrative Services Update
- f. Public Comment

CITY COUNCIL MEETING

CALL TO ORDER

7:00 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

ROLL CALL

PRESENT

Mayor Michael L. Montandon
Mayor Pro Tempore William E. Robinson
Councilman John K. Rhodes
Councilwoman Stephanie S. Smith
Councilman Shari Buck

STAFF PRESENT

City Manager Kurt Fritsch
Assistant City Manager Michele Richardson
City Clerk Eileen M. Sevigny
City Attorney Sean T. McGowan
Human Resources Director Dan Tarwater
Public Works Director Jim Bell
Development Services Director Tom Bell
Parks & Recreation Director Ken Albright

Community Development Director
Jacque Risner
Administrative Services Director Eric Dabney
Police Captain Joe Forti
Chief of Detention Ken Ellingson
Fire Chief Robert Dodge
Public Information Officer Brenda Johnson
Assistant City Clerk Karen L. Storms

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Eileen M. Sevigny, CMC, City Clerk

INVOCATION

Pastor Aaron Williams
International Church of Las Vegas

PLEDGE OF ALLEGIANCE

Mayor Michael L. Montandon

COUNCIL RECOGNITION

- i* ***Recognizing Ron Long and L. Dean Leavitt for their years of dedicated service on the Parks and Recreation Advisory Board.***

ACTION: RON LONG AND DEAN LEAVITT WERE COMMENDED FOR THEIR YEARS OF DEDICATED SERVICE ON THE PARKS AND RECREATION ADVISORY BOARD.

AGENDA

- 1. REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF FEBRUARY 21, 2001.**

Councilman Rhodes, noting the request to strike Item No. 42, asked if negotiations would continue with Community Development Programs Center of Nevada. City Manager Kurt Fritsch responded negotiations would continue and explained in order for the Center to receive tax credits, negotiations must be concluded by March 21, 2001. If negotiations were not concluded by that date, Staff would return to Council for further directions regarding other interested firms.

Community Development Director Jacque Risner added, on March 21, 2001, Staff would submit an agreement for Council to consider. The Center needed a sale agreement acknowledged by Council in order to make application for the tax credits.

ACTION: APPROVED AS AMENDED; ITEM NOS. 2 & 3 CONTINUED TO APRIL 4, 2001; ITEM NOS. 7 - 10 CONTINUED TO APRIL 18, 2001; ITEM NO. 42 STRICKEN.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

PUBLIC HEARINGS - 7:05 p.m.

2. **APPEAL OF THE PLANNING COMMISSION'S DECISION TO DENY AMP-21-00 (SIMMONS PROFESSIONAL OFFICE); AN APPLICATION SUBMITTED BY VERONICA VALENTINE, MANAGER ON BEHALF OF KENYON L.P., PROPERTY OWNER, TO CHANGE THE COMPREHENSIVE PLAN FROM LOW DENSITY RESIDENTIAL TO OFFICE FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF LA MANEDA AVENUE AND SIMMONS STREET. (ASSOCIATED ITEM NO. 3, ZN-31-00)**

Mayor Montandon opened the Public Hearing.

ACTION: CONTINUED TO APRIL 4, 2001.

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

3. **APPEAL OF THE PLANNING COMMISSION'S DECISION TO DENY ZN-31-00 (SIMMONS PROFESSIONAL OFFICE); AN APPLICATION SUBMITTED BY VERONICA VALENTINE, MANAGER ON BEHALF OF KENYON L.P., PROPERTY OWNER, TO CHANGE THE ZONING FROM R-E RANCH ESTATES TO C-P PROFESSIONAL OFFICE COMMERCIAL FOR PROPERTY LOCATED**

**AT THE NORTHEAST CORNER OF LA MANEDA AND SIMMONS STREET.
(ASSOCIATED ITEM NO. 2, AMP-21-00)**

Mayor Montandon opened the Public Hearing.

ACTION: CONTINUED TO APRIL 4, 2001.

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

4. **VAC-22-00 (GLENEAGLES SUBDIVISION), AN APPLICATION SUBMITTED BY SOUTHWEST ENGINEERING ON BEHALF OF WEXFORD HOMES, PROPERTY OWNER, TO VACATE CERTAIN LOCAL STREETS THAT WERE PREVIOUSLY DEDICATED COMMENCING AT THE INTERSECTION OF ALEXANDER ROAD AND BLUE GULL STREET AND PROCEEDING SOUTH TO ROBIN GALE AVENUE, EAST TO CANARY CEDAR STREET, NORTH TO FINCH RIDGE AVENUE, WEST TO BLUE GULL STREET, AND PARROT HILL AVENUE, APPROXIMATELY 283 FEET EAST OF CANARY CEDAR STREET.**

Mayor Montandon opened the Public Hearing.

Development Services Director Tom Bell explained the Planning Commission, on December 13, 2000, unanimously recommended approval of the vacation subject to three conditions. Staff recommended approval as well.

Ron Jackson, Southwest Engineering, 3610 North Rancho Drive concurred with the Planning Commission and Staff's recommendations.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING THREE CONDITIONS:

1. That the vacation shall not be recorded until the queuing analysis is approved by the City Traffic Engineer.
2. That the developer provide a secondary means of ingress/egress for emergency vehicles prior to the installation of the primary access gate. Said emergency vehicle

access shall be through an electronically controlled gate using Automatic Vehicle Identification. Design of secondary means of ingress/egress shall conform with the 1997 Uniform Fire Code with amendments, as adopted by Ordinance No. 1283.

3. That this application be for the previously dedicated portions of Blue Gull Street, Robin Gale Avenue, Canary Cedar Street, Parrot Hill Avenue and Finch Ridge Avenue, with the exception of the driveway and apron from Blue Gull Street onto Alexander Road, which must not be vacated.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

5. **AMP-15-00 (CITY OF NORTH LAS VEGAS), AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS, TO CHANGE THE COMPREHENSIVE PLAN FROM HDR - HIGH DENSITY RESIDENTIAL TO MDR - MEDIUM DENSITY RESIDENTIAL FOR A STUDY AREA OF APPROXIMATELY 160 ACRES ENCOMPASSED BY VALLEY DRIVE, ANN ROAD, DECATUR BOULEVARD AND RANCH HOUSE ROAD. (ASSOCIATED ITEMS NO. 43, RESOLUTION 2066, NO. 44, RESOLUTION 2092)**

Mayor Montandon opened the Public Hearing.

Development Services Director Tom Bell explained the Planning Commission, on December 13, 2000, unanimously recommended approval of the subject Amendment to the Master Plan. Mr. Bell pointed out the application was somewhat different than the original direction given by Council. The Planning Commission had held several workshops and discussions with property owners and interested citizens and came to the conclusion to reduce the high density to medium density. The original proposal involved reducing approximately 100 acres of high density to medium density. The Planning Commission's alternative would reduce the high density acreage to medium density on 120 acres; presenting a higher reduction in density than originally proposed. Staff recommended approval.

Mayor Montandon extended his thanks to the Planning Commission and Staff for their diligent work to obtain public input for this amendment.

Bill Nicewander, 4443 Sparkle Crest, North Las Vegas, stated he was in favor of the

proposed amendment as he believed it would help cut down on future traffic in the area and the number of children in area schools. He further stated he wished to live in a community that was exclusively single family residential neighborhoods.

Vicki Adams, 4443 Sparkle Crest, North Las Vegas, was in favor of the proposed amendment as she had purchased her home because it was in a residential neighborhood. She stated the changes that had occurred along Ann Road had concerned her as well as the 1991 Comprehensive Plan indicating several high density residential areas across the street from her residence. Ms. Adams urged Council to approve the subject Amendment to the Master Plan.

Councilwoman Smith appreciated all the work that had been done by City Staff, the developers and the Planning Commission but was still concerned with the large areas that still remained as multi-family residential on the Comprehensive Plan.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

6. **AMP-29-00 (NORTH 5TH STREET AND AZURE COMMUNITY CENTER), AN APPLICATION SUBMITTED BY UNLIMITED HOLDINGS, ON BEHALF OF EBNER LIVING TRUST, ET AL, PROPERTY OWNER, TO CHANGE THE COMPREHENSIVE PLAN FROM MEDIUM - HIGH DENSITY RESIDENTIAL TO COMMUNITYCOMMERCIAL FOR APPROXIMATELY 8.53 ACRES LOCATED AT THE SOUTHEAST CORNER OF NORTH 5TH STREET AND AZURE AVENUE. (ASSOCIATED ITEM NO. 49, ORDINANCE 1481)**

Mayor Montandon opened the Public Hearing.

Development Services Director Tom Bell explained the Planning Commission, on December 13, 2000, unanimously recommended approval of the proposed Amendment to change the Comprehensive Plan from Medium-High Density Residential to Office. Mr. Bell commented the designation of Office would be a better buffer to the residential neighborhoods to the south

of the area.

George Garcia, 2501 Green Valley Parkway, Suite 108, stated the applicant concurred with the recommendations of the Planning Commission and Staff.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED.

MOTION: Councilman Rhodes

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

49. ORDINANCE NO. 1481; 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 A CERTAIN PROPERTY THEREIN FROM R-E TO PUD FOR PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF NORTH 5TH STREET AND AZURE AVENUE (ZN-39-00, NORTH 5TH STREET & AZURE COMMUNITY CENTER) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 6, AMP-29-00)

Ordinance No. 1481 as introduced by the City Clerk:

ORDINANCE NO. 1481; 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 A CERTAIN PROPERTY THEREIN FROM R-E TO PUD FOR PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF NORTH 5TH STREET AND AZURE AVENUE (ZN-39-00, NORTH 5TH STREET & AZURE COMMUNITY CENTER) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Development Services Director Tom Bell stated this was the zoning item related to the previous item. The PUD zoning encompassed the portion discussed in Item No. 6, as well as the northern portion designated as Community Commercial on the Comprehensive Plan. Now that the entire PUD was consistent with the Comprehensive Plan, Staff recommended

approval.

ACTION: PASSED AND ADOPTED.

MOTION: Councilman Rhodes

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

7. **APPEAL BY KUMMER KAEMPFER BONNER & RENSHAW REGARDING THE DECISION OF THE PLANNING COMMISSION TO DENY AMP-27-00 (LONE MOUNTAIN/DECATUR), AN APPLICATION SUBMITTED BY DAYSIDE, INC., ON BEHALF OF THE JAMESH. BILBRAY FAMILY TRUST, PROPERTY OWNER, TO CHANGE THE COMPREHENSIVE PLAN FROM OFFICE TO NEIGHBORHOOD COMMERCIAL FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF LONE MOUNTAIN ROAD AND DECATUR BOULEVARD. (ASSOCIATED ITEMS NO. 8, AMP-28-00; NO. 9, ZN-37-00; NO. 10, ZN-38-00)**

Mayor Montandon opened the Public Hearing.

ACTION: CONTINUED TO APRIL 18, 2001.

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

8. **APPEAL BY KUMMER KAEMPFER BONNER & RENSHAW REGARDING THE DECISION OF THE PLANNING COMMISSION TO DENY AMP-28-00 (LONE MOUNTAIN/DECATUR), AN APPLICATION SUBMITTED BY DAYSIDE, INC., ON BEHALF OF THE JAMESH. BILBRAY FAMILY TRUST, PROPERTY OWNER, TO CHANGE THE COMPREHENSIVE PLAN FROM OFFICE TO HIGH DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF**

LONE MOUNTAIN ROAD AND DECATUR BOULEVARD. (ASSOCIATED ITEMS NO. 7, AMP-27-00; NO. 9, ZN-37-00; NO. 10, ZN-38-00)

Mayor Montandon opened the Public Hearing.

ACTION: CONTINUED TO APRIL 18, 2001.

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

9. **APPEAL BY KUMMER KAEMPFER BONNER & RENSHAW REGARDING THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-37-00 (LONE MOUNTAIN/DECATUR), AN APPLICATION SUBMITTED BY DAYSIDE, INC., ON BEHALF OF THE JAMES H. BILBRAY FAMILY TRUST, PROPERTY OWNER, TO CHANGE THE ZONING FROM R-1 TO C-1 FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF LONE MOUNTAIN ROAD AND DECATUR BOULEVARD. (ASSOCIATED ITEMS NO. 10, ZN-38-00; NO. 7, AMP-27-00; NO. 8, AMP-28-00)**

Mayor Montandon opened the Public Hearing.

ACTION: CONTINUED TO APRIL 18, 2001.

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

10. **APPEAL BY KUMMER KAEMPFER BONNER & RENSHAW REGARDING THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-38-00 (LONE MOUNTAIN/DECATUR), AN APPLICATION SUBMITTED BY DAYSIDE, INC., ON BEHALF OF THE JAMES H. BILBRAY FAMILY TRUST, PROPERTY OWNER, TO CHANGE THE ZONING FROM R-1 TO R-3 FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF LONE MOUNTAIN ROAD AND DECATUR**

BOULEVARD. (ASSOCIATED ITEMS NO. 9, ZN-37-00; NO. 7, AMP-27-00; NO. 8, AMP-28-00)

Mayor Montandon opened the Public Hearing.

ACTION: CONTINUED TO APRIL 18, 2001.

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

11. PUBLIC HEARING REGARDING NONCONFORMING, NONRESTRICTED GAMING LICENSEES' STANDARDS REGARDING RIGHTS TO CONTINUE OPERATIONS AND POTENTIALLY EXPAND ON A CASE BY CASE BASIS.
(Exhibit A)

Mayor Montandon opened the Public Hearing.

City Attorney Sean McGowan explained the item was a Public Hearing regarding Ordinance No. 1473; an ordinance introduced by City Council on January 17, 2001. Due to unique requirements in the City's Municipal Code, the ordinance was not before Council for adoption at this meeting but would be decided upon at the March 21, 2001 City Council meeting. Briefly explaining, Mr. McGowan stated Ordinance No. 1473 would allow Planning Commission and City Council consideration of expansions on a case-by-case basis for grandfathered gaming establishments in the City of North Las Vegas. Consideration of any such expansions would be via the use permit process or as an amendment to the use permit, ensuring all City protections and State law considerations would be preserved at that time. City Attorney McGowan submitted a list of all establishments the ordinance amendment applied to (Exhibit B & C):

Fiesta Casino Hotel
Station Casinos, Inc.
Mahoney's Silver Nugget
Poker Palace Casino
The Gambler Casino
Opera House Casino
Bighorn Casino

Mr. McGowan stated for the record, notwithstanding any potential contrary interpretation of the proposed ordinance amendment, it was the intent of the City Attorney's Office or, upon his advice, the City Council, that the ordinance amendment would not affect the Fort Las Vegas Casino in any respect whatsoever. The current status of the Fort Las Vegas Casino would be maintained.

The ordinance amendment would categorize two groups of grandfathered establishments; those licensed prior to 1984, before the City had a room requirement; and two other facilities licensed after 1984 with the 100 hotel room requirement but prior to the increase in the requirement to 200 rooms.

Mayor Montandon asked the date of the increase in the room requirement from 100 to 200 rooms. City Attorney McGowan stated the State law was enacted in 1997 but allowed those establishments under application to State and local authority to complete their projects with 100 rooms. The two affected casinos in North Las Vegas were the Fiesta Casino and the Ramada Inn and Speedway Casino. The City changed its room requirement in July of 1998. In that amendment to the City's Municipal Code, there was a very restrictive provision prohibiting the grandfathered establishments from any expansion whatsoever. That was the provision the above noted licensees sought relief from by the proposed change defined in Ordinance No. 1473.

Mayor Montandon asked, regarding the Fort Las Vegas Casino, when the State changed the law from 100 rooms to 200 rooms, they grandfathered those establishments under application at that time. City Attorney McGowan stated that was correct and added those establishments that were grandfathered were Fort Las Vegas Casino, the Fiesta Casino Hotel, and the Ramada Inn Speedway. Mayor Montandon pointed out the difference between those establishments was the Fiesta and the Ramada Inn had built their 100 rooms; Fort Las Vegas Casino had not.

Brad Feitush, 2757 Las Vegas Boulevard, North, North Las Vegas, General Manager of the Poker Palace voiced his support of the ordinance change.

Randy Miller, 3016 East Lake Mead Boulevard, North Las Vegas, President and co-owner of the Bighorn Casino spoke in favor of the ordinance amendment and commended City Staff and the Council for addressing the matter. Mr. Miller felt the amendment allowed continuing control by the City over the existing properties on a case-by-case basis but also allowed the individual properties to maintain their operational rights.

Mayor Montandon closed the Public Hearing.

ACTION: PUBLIC HEARING HELD.

CONSENT AGENDA

12. APPROVAL OF SPECIAL CITY COUNCIL MEETING MINUTES OF JANUARY 31, 2001.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

13. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF FEBRUARY 7, 2001.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

14. APPROVAL OF AN APPLICATION FOR AN ADDITIONAL \$5,000 HOUSING REHABILITATION FUNDS FOR MR. RONALD DOBSON, FOR PROPERTY LOCATED AT 2100 EAST NELSON AVENUE, NORTH LAS VEGAS.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith

and Buck
NAYS: None
ABSTAIN: None

15. APPROVAL OF AN APPLICATION FOR \$25,000 HOUSING REHABILITATION FUNDS FOR MR. MAXIE SANDERS, FOR PROPERTY LOCATED AT 1104 CARTIER AVENUE, NORTH LAS VEGAS.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilwoman Smith
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck
NAYS: None
ABSTAIN: None

16. APPROVAL OF AN APPLICATION FOR \$25,000 HOUSING REHABILITATION FUNDS FOR MS. RENEE TROTTER, FOR PROPERTY LOCATED AT 2728 SOLEDAD WAY, NORTH LAS VEGAS.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilwoman Smith
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck
NAYS: None
ABSTAIN: None

17. APPROVAL OF AN APPLICATION FOR \$25,000 HOUSING REHABILITATION FUNDS FOR MR. BOBBIE SMITH, FOR PROPERTY LOCATED AT 2824 WEBSTER STREET, NORTH LAS VEGAS.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilwoman Smith
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith

and Buck
NAYS: None
ABSTAIN: None

18. APPROVAL OF AN APPLICATION FOR \$25,000 HOUSING REHABILITATION FUNDS FOR MS. BERTHINIA TOSTON, FOR PROPERTY LOCATED AT 3040 SPEAR STREET, NORTH LAS VEGAS.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilwoman Smith
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck
NAYS: None
ABSTAIN: None

19. APPROVAL OF AN APPLICATION FOR \$25,000 HOUSING REHABILITATION FUNDS FOR MR. ROBERT ENSWORTH, FOR PROPERTY LOCATED AT 1621 JAMES STREET, NORTH LAS VEGAS.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilwoman Smith
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck
NAYS: None
ABSTAIN: None

20. RATIFICATION OF APPOINTMENT OF ASSISTANT CITY MANAGER GREGORY ROSE.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilwoman Smith
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith

and Buck
NAYS: None
ABSTAIN: None

21. AMEND 2000-2001 STAFFING PATTERN AS FOLLOWS:

ADMINISTRATIVE SERVICES
ADD ONE (1) SYSTEMS DEVELOPER (PC) GRADE 22TA

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilwoman Smith
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith
and Buck
NAYS: None
ABSTAIN: None

22. APPROVAL OF THE INTERLOCAL CONTRACT BETWEEN THE CITY OF NORTH LAS VEGAS AND THE CLARK COUNTY SANITATION DISTRICT TO PROVIDE SEWER SERVICE TO THE NEVADA ARMY NATIONAL GUARD, APN 123-21-000-002. (Contract No. C-4868)

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilwoman Smith
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith
and Buck
NAYS: None
ABSTAIN: None

23. APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH AMERICAN ASPHALT & GRADING COMPANY TO PROVIDE FOR A PORTION OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT ANN ROAD AND CLAYTON STREET (1.0% OF THE TOTAL COST, OR AN ESTIMATED \$4,919); AND WASHBURN ROAD AND CLAYTON STREET (1.0% OF THE TOTAL COST, OR \$4,218) FOR ARROYO VISTA. (Contract No. C-4869)

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

24. **APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH DRESCHER CORPORATION TO PROVIDE FOR A PORTION OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT LAS VEGAS BOULEVARD AND HOLLYWOOD BOULEVARD (11.0% OF THE TOTAL COST, OR AN ESTIMATED \$79,509); SPEEDWAY BOULEVARD AND HOLLYWOOD BOULEVARD (7.1% OF THE TOTAL COST, OR AN ESTIMATED \$51,319); AND TROPICAL PARKWAY AND HOLLYWOOD BOULEVARD (13.3% OF THE TOTAL COST, OR \$96,133) FOR THE NORTH LAS VEGAS DISTRIBUTION FACILITY. (Contract No. C-4870)**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

25. **APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH GREYSTONE NEVADA, LLC TO PROVIDE FOR A PORTION OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT GOWAN AND PECOS ROADS (1.8% OF THE TOTAL COST, OR AN ESTIMATED \$7,592) AND GOWAN ROAD AND CIVIC CENTER DRIVE (2.1% OF THE TOTAL COST, OR AN ESTIMATED \$11,157) FOR VICTORY OVATIONS. (Contract No. C-4871)**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

26. APPROVAL OF A CASH PAYMENT IN LIEU OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH JMB CONSTRUCTION COMPANY, INC. FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT LONE MOUNTAIN ROAD AND LAMB BOULEVARD (1.0% OF THE TOTAL COST, OR AN ESTIMATED \$5,738) FOR THE AIT TRUCK FACILITY.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

27. APPROVAL OF UTILITY EASEMENT GRANTED BY BUDDY L. AND TONYA BYRD, PROPERTY OWNERS, OF A PARCEL OF LAND LOCATED ON ALTO DRIVE AND LAMONT STREETS IN SUNRISE MANOR TOWNSHIP, TO ALLOW FOR MAINTENANCE AROUND A REDUCED PRESSURE PRINCIPLE ASSEMBLY BEING INSTALLED AS PART OF THEIR CONSTRUCTION OF A NEW BUILDING.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

28. **APPROVAL OF CONDEMNATION OF REAL PROPERTY NEEDED FOR THE CRAIG ROAD WIDENING PROJECT, DECATUR BOULEVARD TO COMMERCE STREET, AND AUTHORIZATION TO THE CITY ATTORNEY TO INITIATE A FORMAL COMPLAINT IN CLARK COUNTY DISTRICT COURT TO CONDEMN A PORTION (3,529 SQUARE FEET AND 6,148 SQUARE FEET) OF THE PROPERTY OWNED BY DONNA AIMEE TUCKER, A.P.N. 139-05-601-001.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

29. **APPROVAL OF CONDEMNATION OF REAL PROPERTY NEEDED FOR THE CRAIG ROAD WIDENING PROJECT, DECATUR BOULEVARD TO COMMERCE STREET, AND AUTHORIZATION TO THE CITY ATTORNEY TO INITIATE A FORMAL COMPLAINT IN CLARK COUNTY DISTRICT COURT TO CONDEMN A PORTION (4,041 SQUARE FEET AND 2,013 SQUARE FEET) OF THE PROPERTY OWNED BY SAUL HYE GREENE AND MOSES SAUL AARON, A.P.N. 139-06-310-056.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

30. **APPROVAL OF CONDEMNATION OF REAL PROPERTY NEEDED FOR THE CRAIG ROAD WIDENING PROJECT, DECATUR BOULEVARD TO COMMERCE STREET, AND AUTHORIZATION TO THE CITY ATTORNEY TO INITIATE A**

**FORMAL COMPLAINT IN CLARK COUNTY DISTRICT COURT TO CONDEMN
A PORTION (4,041 SQUARE FEET AND 2,014 SQUARE FEET) OF THE
PROPERTY OWNED BY THOMAS AND KUMIKO WINTER, A.P.N.139-06-310-
042.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith
and Buck

NAYS: None

ABSTAIN: None

**31. APPROVAL OF CONDEMNATION OF REAL PROPERTY NEEDED FOR THE
CRAIG ROAD WIDENING PROJECT, DECATUR BOULEVARD TO COMMERCE
STREET, AND AUTHORIZATION TO THE CITY ATTORNEY TO INITIATE A
FORMAL COMPLAINT IN CLARK COUNTY DISTRICT COURT TO CONDEMN
A PORTION (4,041 SQUARE FEET AND 2,014 SQUARE FEET) OF THE
PROPERTY OWNED BY THOMAS AND KUMIKO WINTER, A.P.N. 139-06-310-
029.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith
and Buck

NAYS: None

ABSTAIN: None

**32. APPROVAL OF CONDEMNATION OF REAL PROPERTY NEEDED FOR THE
CRAIG ROAD WIDENING PROJECT, DECATUR BOULEVARD TO COMMERCE
STREET, AND AUTHORIZATION TO THE CITY ATTORNEY TO INITIATE A
FORMAL COMPLAINT IN CLARK COUNTY DISTRICT COURT TO CONDEMN
A PORTION (4,026 SQUARE FEET AND 2,013 SQUARE FEET) OF THE
PROPERTY OWNED BY JIMMIE AND TERRIE RICHARDS, A.P.N. 139-06-310-
043.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

- 33. APPROVAL OF AN ADMINISTRATIVE SETTLEMENT FOR RIGHT OF WAY ACQUISITION FROM JAMES, JR. AND DIXIE EWING, PROPERTY OWNERS, IN THE AMOUNT OF \$8,746, TO FACILITATE AND CONCLUDE NEGOTIATIONS AND RELOCATION EXPENSES FOR A PARTIAL ACQUISITION (220 SQUARE FEET) OF PROPERTY LOCATED AT 1200 EAST LAKE MEAD BOULEVARD, A.P.N. 139-23-203-015.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

- 34. AMP-02-01 (BIGELOW DEVELOPMENT AEROSPACE DIVISION, LLC), AN APPLICATION SUBMITTED BY BIGELOW DEVELOPMENT AEROSPACE DIVISION, LLC, TO CHANGE THE MASTER PLAN OF STREETS AND HIGHWAYS TO REMOVE VISTA STREET, SOUTH FROM BROOKS AVENUE FOR APPROXIMATELY 1,320 FEET. (SET PUBLIC HEARING FOR MARCH 21, 2001) (ASSOCIATED ITEM NO. 35, VAC-04-01)**

ACTION: PUBLIC HEARING SET FOR MARCH 21, 2001

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

35. **VAC-04-01 (BIGELOW DEVELOPMENT AEROSPACE DIVISION, LLC), AN APPLICATION SUBMITTED BY BIGELOW DEVELOPMENT AEROSPACE DIVISION, LLC, ON BEHALF OF ZELHOFER REVOCABLE TRUST, JON W. AND ALAN W., PROPERTY OWNERS, TO VACATE THE EASTERN 30 FEET OF VISTA STREET SOUTH FROM BROOKS AVENUE FOR APPROXIMATELY 828 FEET. (SET PUBLIC HEARING FOR MARCH 21, 2001) (ASSOCIATED ITEM NO. 34, AMP-02-01)**

ACTION: PUBLIC HEARING SET FOR MARCH 21, 2001

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

36. **VAC-21-00 (NORTHSTAR BUSINESS PARK), AN APPLICATION SUBMITTED BY VEGAS INDUSTRIAL DEVELOPMENT, LLC, PROPERTY OWNERS, TO VACATE A DRAINAGE RIGHT-OF-WAY COMMENCING SOUTH OF CRAIG ROAD AT THE CRAIG ROAD AND VANDENBERG DRIVE INTERSECTION AND PROCEEDING SOUTH APPROXIMATELY 118 FEET. (SET PUBLIC HEARING FOR MARCH 21, 2001)**

ACTION: PUBLIC HEARING SET FOR MARCH 21, 2001

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

37. **VAC-01-01 (EQUADOR AVENUE), AN APPLICATION SUBMITTED BY GREAT WEST ENGINEERING ON BEHALF OF SALVATION ARMY, PROPERTY OWNER, TO VACATE A PORTION OF EQUADOR AVENUE, COMMENCING**

APPROXIMATELY 345 FEET EAST OF CRAWFORD STREET AND CONTINUING EAST APPROXIMATELY 82 FEET. (SET PUBLIC HEARING FOR MARCH 21, 2001)

ACTION: PUBLIC HEARING SET FOR MARCH 21, 2001

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

38. VAC-02-01 (TEXACO), AN APPLICATION SUBMITTED BY ACE ENGINEERING ON BEHALF OF MARIA ENAMORADO, PROPERTY OWNER, TO VACATE A WESTERLY PORTION OF CLAYTON STREET, COMMENCING AT ANN ROAD AND EXTENDING NORTH APPROXIMATELY 285 FEET. (SET PUBLIC HEARING FOR MARCH 21, 2001)

ACTION: PUBLIC HEARING SET FOR MARCH 21, 2001

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

39. VAC-03-01 (CRAIG/VALLEY CENTER), AN APPLICATION SUBMITTED BY PJC INC. ON BEHALF OF PHILLIP J. COHEN, PROPERTY OWNER, TO VACATE A PORTION OF AN ACCESS EASEMENT, COMMENCING APPROXIMATELY 672 FEET WEST OF VALLEY DRIVE AND APPROXIMATELY 364 FEET NORTH OF CRAIG ROAD AND EXTENDING SOUTH APPROXIMATELY 176 FEET. (SET PUBLIC HEARING FOR MARCH 21, 2001)

ACTION: PUBLIC HEARING SET FOR MARCH 21, 2001

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck
NAYS: None
ABSTAIN: None

BUSINESS

40. APPROVAL OF A REQUEST FOR AN ADDITIONAL THREE MONTH EXTENSION OF NON-OPERATIONAL STATUS, TO EXPIRE MAY 24, 2001, FOR THE WINN DEE BAR LOCATED AT 2440 LAS VEGAS BOULEVARD NORTH, NORTH LAS VEGAS.

ACTION: ADDITIONAL THREE MONTH EXTENSION, TO EXPIRE MAY 24, 2001 APPROVED.

MOTION: Councilman Rhodes
SECOND: Councilwoman Smith
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck
NAYS: None
ABSTAIN: None

41. REVIEW AND APPROVAL OF RECOMMENDATIONS MADE BY THE CITIZEN'S ADVISORY COMMITTEE FOR THE ALLOCATION OF 2001/2002 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS RECEIVED FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE AMOUNT OF \$1,310,000. (Exhibit D)

Community Development Director Jacque Risner stated Staff was forwarding to Council recommendations made by the Citizens Advisory Committee regarding CDBG allocations.

Councilman Rhodes left Chambers at 8:31 p.m. and returned at 8:34 p.m.

Ms. Risner pointed out one alteration to the Committee's recommendations was to continue to fund Nevada Fair Housing, Inc. in an allocation of \$15,000; withdrawing the \$15,000 recommended for the James Seastrand Helping Hands of North Las Vegas Disabled Van proposal.

Mayor Montandon asked for the reasoning behind the allocation to Nevada Fair Housing. Ms. Risner responded they worked very closely with the City in the role of enforcement of the Fair Housing Act. All plans for CDBG and the Consolidated Plan were reviewed by Nevada Fair Housing as well.

Bridget Bycina, 1559 North Main Street, representing MASH Village, voiced her appreciation of the recommendations made by the Citizens Advisory Committee.

Gail Burks, 333 North Rancho Drive, Suite 890, the Executive Director of the Nevada Fair Housing Center stated every entity entitled to receive CDBG funds must complete a certification that the entity was complying with the federal rules and regulations in order to qualify for the funds. Ms. Burks stated the Center had appreciated the City's support and welcomed continued support. From a public interest perspective, Ms. Burks stated she knew funds were limited but urged Council to consider the national objectives established by HUD when determining allocations.

Brenda Dizon, 7 West Owens Avenue, Executive Director of The Shade Tree thanked the Citizens Advisory Committee for their recommendation and the Council for their continued support.

Angela Pernatozzi, 431 South Decatur Boulevard, Executive Director of Classroom on Wheels appreciated the allocation and announced they were expanding their work in North Las Vegas and were looking for a permanent facility in the City.

ACTION: APPROVED AS AMENDED; MOVE \$15,000 (VAN PROPOSAL) FROM JAMES SEASTRAND HELPING HANDS OF NLV TO NEVADA FAIR HOUSING CENTER, INC.; MOVE \$3,000 FROM SIGMA PUBLIC EDUCATION AND RESEARCH (SPEAR) TO JAMES SEASTRAND HELPING HANDS OF NLV (SENIOR/DISABLED TRANSPORTATION).

MOTION: Councilman Buck

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

42. AUTHORIZATION FOR STAFF TO ENTER INTO NEGOTIATIONS TO EXECUTE

AN EXCLUSIVE NEGOTIATION AGREEMENT WITH COMMUNITY DEVELOPMENT PROGRAMS CENTER OF NEVADA AND THE NORTH LAS VEGAS HOUSING AUTHORITY FOR THE DEVELOPMENT OF A 6.69 ACRE CITY-OWNED PARCEL LOCATED IN THE VICINITY OF THE INTERSECTION OF TONOPAH AVENUE AND YALE STREET.

ACTION: STRICKEN.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

- 43. APPROVAL OF A REQUEST FOR A ONE YEAR EXTENSION OF TIME FOR RESOLUTION OF INTENT NO. 2066 (ZN-46-98, TROPICAL AND VALLEY) OR DIRECT STAFF TO PREPARE AN ORDINANCE TO ZONE THE PROPERTY TO R-3 FOR AN APPLICATION SUBMITTED BY MOHAWK VALLEY PARTNERS, LLC (JACQUES MASSA); G. C. GARCIA, INC. (GEORGE GARCIA), REPRESENTATIVE ON BEHALF OF MOHAWK VALLEY PARTNERS, LLC (JACQUES MASSA), PROPERTY OWNERS, TO RECLASSIFY A TRACT OF LAND GENERALLY LOCATED AT THE SOUTHWEST CORNER OF VALLEY DRIVE AND TROPICAL PARKWAY FROM AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO AN R-3 MULTIFAMILY RESIDENTIAL DISTRICT. (ASSOCIATED ITEM NO. 5, AMP-15-00).**

Development Services Director Tom Bell explained on December 13, 2000, the Planning Commission unanimously recommended approval of the extension of time until January 6, 2002. However, because AMP-15-00 was approved by action on Item No. 5, Staff recommended direction to return with an ordinance to permanently zone the property to R-3.

Mayor Montandon questioned if both actions could occur simultaneously; approval of the extension of time and direction to return with an ordinance to permanently zone the property. Mr. Bell did not know of any reason it could not be done but pointed out if both actions were approved, it would be difficult to determine which standards would apply. Mr. Bell suggested extending the resolution of intent until such time as an ordinance could be brought back before Council for approval. City Attorney McGowan added resolutions of intent had been eliminated from the City's code but in rare instances extensions of time were approved.

George Garcia, 2501 Green Valley Parkway, Suite 108, Henderson, representing the Mohawk Valley Partners, LLC requested the extension because of the unusual circumstances surrounding AMP-15-00. The applicant had not been able to close on the property and the extension of time would allow that to occur quickly.

ACTION: EXTENSION OF RESOLUTION OF INTENT APPROVED FOR 90 DAYS;
STAFF DIRECTED TO PREPARE AN ORDINANCE TO PERMANENTLY
HARD ZONE PROPERTY TO R-3.

MOTION: Councilwoman Smith

SECOND: Councilman Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith
and Buck

NAYS: None

ABSTAIN: None

44. APPROVAL OF A REQUEST FOR AN EXTENSION OF TIME, TO EXPIRE SEPTEMBER 15, 2001, FOR RESOLUTION OF INTENT NO. 2092 (ZN-68-98, EL CAMPO GRANDE COMMUNITY), AN APPLICATION SUBMITTED BY TEVEL LAND DEVELOPMENT, LLC, ON BEHALF OF EL CAMPOMATEO, LLC, PROPERTY OWNER, TO RECLASSIFY A TRACT OF LAND GENERALLY LOCATED APPROXIMATELY 300 FEET EAST OF SAN MATEO STREET AND SOUTH OF EL CAMPO GRANDE AVENUE FROM AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO AN R-3 MULTIFAMILY RESIDENTIAL DISTRICT. (ASSOCIATED ITEM NO. 5, AMP-15-00)

Development Services Director Tom Bell explained the Planning Commission, at its meeting on December 13, 2000, recommended approval of the subject request to extend the Resolution of Intent until September 15, 2001. The purpose of the request was to develop the subject property in connection with the property to the immediate east. It was the Planning Commission's intention to have the same expiration date apply to both parcels and if expired, both properties would be required to conform to medium density as was dictated by AMP-15-00. Mr. Bell pointed out by action on AMP-15-00, the property was limited to medium density. The Planning Commission recommended as part of the motion that a condition be added to limit the total development to no more than 12 units per acre where medium density allowed no more than 10 units per acre.

George Garcia, 2501 Green Valley Parkway, Suite 108, Henderson, pointed out AMP-15-00 created unusual circumstances in that the zoning for the two adjoining parcels referenced in the Amendment to the Master Plan were intended to be one twenty acre project. The applicant was in escrow with Centex Homes to purchase the two parcels. In the event the

escrow did not close, the applicant desired to retain the current zoning right.

Councilwoman Smith asked what the ultimate use of the land would be. Mr. Garcia responded it was the intent of the applicant that Centex Homes would purchase the property and develop it as they deemed appropriate consistent with their plans to the City. Councilwoman Smith voiced her concern that Council had just approved a Master Plan Amendment and immediately after was considered a change to that Amendment. She stated she would feel more comfortable approving the extension of time requiring 10 units per acre instead of the requested 12 units per acre.

Mr. Bell explained in preliminary conversations with Centex Homes, it was anticipated they would request a PUD zoning at approximately 10 units per acres but at that stage, it was speculation.

Mr. Garcia reiterated it was their intent under AMP-15-00 to resolve density issues but there was a small chance that portion of the project would not be developed as planned. In that event, the applicant desired to protect his property rights with the requested extension of time.

Councilwoman Smith made a motion to approve the extension of time requiring 10 units per acre. The motion died for the lack of a second.

ACTION: EXTENSION OF TIME APPROVED TO EXPIRE SEPTEMBER 15, 2001 WITH THE ADDITIONAL CONDITION THAT THE MAXIMUM DENSITY BE 12 DWELLING UNITS PER ACRE.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes and Buck

NAYS: Councilwoman Smith

ABSTAIN: None

45. RESOLUTION NO. 2198; A RESOLUTION OF THE NORTH LAS VEGAS CITY COUNCIL REQUESTING THAT THE STATE OF NEVADA IMPLEMENT AN ANNUAL DIESEL VEHICLE EMISSIONS CHECK OR GRANT AUTHORITY ALLOWING LOCAL AIR QUALITY AGENCIES TO IMPLEMENT A PROGRAM.

Development Services Director Tom Bell stated the resolution had previously been approved by the City of Las Vegas, Clark County and it was anticipated Henderson would review the resolution in March.

Mayor Montandon stated Councilman Buck had voiced her concern the resolution was so worded that if the State failed to implement the annual program, it would be the City's responsibility to do so. Councilman Buck stated the last paragraph of the resolution was vague in its intent and desired to urge the State to be responsible for the program.

Councilwoman Smith asked how it was passed by the other entities and Mr. Bell responded it was passed as proposed by the Regional Planning Coalition. Councilman Buck pointed out the resolution before Council addressed the City of North Las Vegas only and did not refer to any other entities meaning if so mandated, by the State, the City would be responsible for the program not the other entities.

Councilman Rhodes stated the City did not have an air quality board. City Manager Fritsch stated the Regional Planning Coalition was in the process of recommending an air quality board to be separated from the Clark County Health Department and Clark County Comprehensive Planning. There would be additional costs associated with that board but it was undetermined at that time who would fund it. Councilman Rhodes stated each entity paid a fee to the Clark County Health Department in any case. He then stated the purpose of the Regional Planning Coalition was to work in unison with the other local entities and did not foresee any funding required from the City because it did not have its own local air quality agency. He then asked the City Attorney if there were any factors unknown to the Council that would preclude approval of the resolution. City Attorney McGowan responded and concurred with the City Manager that there were potential unknown financial impacts that might be sought from the City. Councilman Rhodes stated that was the case since the inception of the Regional Planning Coalition and the precedent was there to expect future funding responsibilities but it was incumbent upon the City to participate with the other entities in the region to present a united effort.

City Manager Fritsch clarified the EPA did not make the issue of diesel emissions a priority in the valley and in fact found very low rates of diesel engines in violations of current law. It became a matter of an additional impact to the air quality board that was eventually formed and what the additional costs would be and how those costs would be funded. Councilman Rhodes stated the City had been supportive of the Regional Coalition's efforts in the past as well as other regional boards and felt it was a show of support to say the City wanted a method of measuring diesel emissions. Councilman Rhodes asked what Staff's position was on the resolution. City Manager Fritsch responded that as a member of the Technical Committee of the Southern Nevada Regional Planning Coalition, he, as well as the other managers recommended the language in the last paragraph be deleted. It was their opinion that if the local entities told the State they were in support of the implementation of a program and the State did not take responsibility for the creation and operation, it would fall on the local entities to operate and fund the program.

Councilwoman Smith pointed out she supported the resolution as it was written because there had been other unfunded mandates from the State that fell upon the shoulders of the City to comply with. She felt the problem was pervasive enough to warrant immediate attention. She pointed out the resolution itself did not obligate the City to any part of the program but supported the concept of local control.

Councilman Buck stated her problem was asking the authority to set up the City's own emission control stations without knowing the standards and the costs. It would be the City's responsibility to set up the standards, implement, monitor and police the programs without knowing the costs beforehand.

Councilman Rhodes asked if the City had the authority to establish its own local air quality control board. Councilwoman Smith stated the authority was given to the County and was delegated through the Clark County Board of Health, not to local municipalities.

ACTION: APPROVED AS AMENDED; LAST PARAGRAPH OF RESOLUTION DELETED.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, and Councilman Buck

NAYS: Councilman Rhodes and Councilwoman Smith

ABSTAIN: None

ORDINANCES

INTRODUCTION ONLY

46. **ORDINANCE NO. 1485; AN ORDINANCE RELATING TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING CERTAIN PROPERTIES THEREIN FROM R-A/R-3 REDEVELOPMENT AREA/HIGH DENSITY RESIDENTIAL SUBDISTRICT, R-4 HIGH DENSITY RESIDENTIAL DISTRICT TO R-A/R-2 REDEVELOPMENT AREA/MEDIUM HIGH DENSITY RESIDENTIAL SUBDISTRICT, FOR PROPERTIES (1) GENERALLY BOUNDED BY OXFORD AVENUE TO THE NORTH, NORTH 5TH STREET TO THE EAST, OWENS AVENUE TO THE SOUTH AND STOCKER STREET TO THE WEST, (2) GENERALLY BOUNDED BY LAKE MEAD BOULEVARD TO THE NORTH, BRUCE STREET TO THE EAST, TONOPAH AVENUE TO THE SOUTH, AND**

ROOSEVELT AVENUE TO THE WEST, AND (3) GENERALLY LOCATED BETWEEN JUDSON AVENUE AND MCGOVERN AVENUE, FRONTING DONNA STREET (ZN-40-00, CITY OF NORTH LAS VEGAS), AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MARCH 7, 2001).

Ordinance No. 1485 as introduced by the City Clerk:

ORDINANCE NO. 1485; AN ORDINANCE RELATING TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING CERTAIN PROPERTIES THEREIN FROM R-A/R-3 REDEVELOPMENT AREA/HIGH DENSITY RESIDENTIAL SUBDISTRICT, R-4 HIGH DENSITY RESIDENTIAL DISTRICT TO R-A/R-2 REDEVELOPMENT AREA/MEDIUM HIGH DENSITY RESIDENTIAL SUBDISTRICT, FOR PROPERTIES (1) GENERALLY BOUNDED BY OXFORD AVENUE TO THE NORTH, NORTH 5TH STREET TO THE EAST, OWENS AVENUE TO THE SOUTH AND STOCKER STREET TO THE WEST, (2) GENERALLY BOUNDED BY LAKE MEAD BOULEVARD TO THE NORTH, BRUCE STREET TO THE EAST, TONOPAH AVENUE TO THE SOUTH, AND ROOSEVELT AVENUE TO THE WEST, AND (3) GENERALLY LOCATED BETWEEN JUDSON AVENUE AND MCGOVERN AVENUE, FRONTING DONNA STREET (ZN-40-00, CITY OF NORTH LAS VEGAS), AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR MARCH 7, 2001.

47. **ORDINANCE NO. 1486, 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 A CERTAIN PROPERTY THEREIN FROM R-1 TO R-3 FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF EL CAMPO GRANDE AVENUE, APPROXIMATELY 330 FEET WEST OF VALLEY DRIVE (ZN-01-00, EL CAMPO GRANDE), AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MARCH 7, 2001).**

Ordinance No. 1486 as introduced by the City Clerk:

ORDINANCE NO. 1486, 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 A CERTAIN PROPERTY THEREIN FROM R-1 TO R-3 FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF EL CAMPO GRANDE AVENUE, APPROXIMATELY 330 FEET WEST OF VALLEY DRIVE (ZN-01-00, EL CAMPO GRANDE), AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR MARCH 7, 2001.

48. **ORDINANCE NO. 1487, AN ORDINANCE RELATING TO ZONING; AMENDING SUBSECTION F OF SECTION 080 OF CHAPTER 24 OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY ALLOWING FENCE WALL DEVIATIONS TO BE APPROVED BY THE DEVELOPMENT SERVICES DIRECTOR; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR MARCH 7, 2001).**

Ordinance No. 1487 as introduced by the City Clerk:

ORDINANCE NO. 1487, AN ORDINANCE RELATING TO ZONING; AMENDING SUBSECTION F OF SECTION 080 OF CHAPTER 24 OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY ALLOWING FENCE WALL DEVIATIONS TO BE APPROVED BY THE DEVELOPMENT SERVICES DIRECTOR; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR MARCH 7, 2001.

FINAL ACTION

50. **ORDINANCE NO. 1482; 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 A CERTAIN PROPERTY THEREIN FROM R-E TO C-2 FOR PROPERTY GENERALLY LOCATED ON THE**

NORTHEAST CORNER OF CHEYENNE AVENUE AND DECATUR BOULEVARD (ZN-07-99, PARK ANIMAL HOSPITAL) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Ordinance No. 1482 as introduced by the City Clerk:

ORDINANCE NO. 1482; 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 A CERTAIN PROPERTY THEREIN FROM R-E TO C-2 FOR PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF CHEYENNE AVENUE AND DECATUR BOULEVARD (ZN-07-99, PARK ANIMAL HOSPITAL) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

51. ORDINANCE NO. 1484; AN ORDINANCE AMENDING ORDINANCE 886 §1 IN PART, CURRENTLY CODIFIED AS TITLE 10, CHAPTER 10.48.100 OF THE NORTH LAS VEGAS MUNICIPAL CODE TO DELETE THE REQUIREMENT TO OBTAIN A VEHICLE STORAGE PERMIT AND PAY THE ASSOCIATED SEMI-ANNUAL FEE.

Ordinance No. 1484 as introduced by the City Clerk:

ORDINANCE NO. 1484; AN ORDINANCE AMENDING ORDINANCE 886 §1 IN PART, CURRENTLY CODIFIED AS TITLE 10, CHAPTER 10.48.100 OF THE NORTH LAS VEGAS MUNICIPAL CODE TO DELETE THE REQUIREMENT TO OBTAIN A VEHICLE STORAGE PERMIT AND PAY THE ASSOCIATED SEMI-ANNUAL FEE.

Councilwoman Smith stated the ordinance was long overdue and presented a mixed

message to the public in its' restrictiveness. She looked forward to clarifying the rest of the ordinance at a later date.

ACTION: PASSED AND ADOPTED.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

COUNCIL ITEMS

Councilman Rhodes asked that the subject of auto sales occurring on City streets be investigated and an ordinance for regulation be brought before Council. He also asked for a weekly update on the progression of the talks regarding the property tax distribution.

CITY MANAGER'S REPORT

City Manager Fritsch announced Assembly Bill 93 which would allow the City to hire a private attorney was heard and was ready to move forward to a full Assembly hearing.

PUBLIC FORUM

Mike Winne appreciated the CDBG contribution to the James Seastrand Helping Hands of NLV and stated Ordinance No. 1484 regarding vehicle storage permits was a step in the right direction.

Joe Austin spoke regarding Police Department and personnel issues.

Anthony Chacon stated he would bring education and food service programs to the City through the area churches.

John Armstrong commended Joe Austin for his years of police service.

Mike Thomas spoke about citizen complaint procedures.

LeRoy Pasbrig praised Council for approving Ordinance No. 1484 regarding vehicle storage permits and offered his time to further refine the details of the rest of the related Municipal Code section.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 8:30P.M.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

APPROVED: March 7, 2001

/s/
MAYOR MICHAEL L. MONTANDON

Attest:

/s/
Eileen M. Sevigny, CMC, City Clerk

