

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

March 17, 2004

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

**CITY COUNCIL MEETING**

**CALL TO ORDER**

6:02 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

**WELCOME**

Mayor Michael L. Montandon

**ROLL CALL**

**COUNCIL PRESENT**

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

**STAFF PRESENT**

City Manager Gregory Rose	Public Works Director Jim Bell
Assistant City Manager Dan Tarwater	Acting Utilities Director David Bereskin
City Attorney Sean McGowan	Acting Planning Manager Marc Jordan
Acting City Clerk Karen L. Storms	Fire Chief Jim Stubler
Human Resources Director Vince Zamora	Detention Chief Ken Ellingson
Finance Director Phil Stoeckinger	Police Chief Mark Paresi
Strategic Planning Director Eric Dabney	Assistant to the City Manager Brenda Johnson
Parks & Recreation Director Michael Henley	Sr. Deputy City Clerk Jo Ann Lawrence
Acting Community Development Director Kenny Young	Deputy City Clerk Julie A. Shields

**VERIFICATION**

Karen L. Storms, CMC  
Acting City Clerk

**INVOCATION**

Councilman Robert L. Eliason

**PLEDGE OF ALLEGIANCE**

Councilwoman Stephanie S. Smith

**AGENDA**

**1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF MARCH 17, 2004.**

ACTION: APPROVED AS AMENDED; ITEM NO. 4 CONTINUED TO MAY 19, 2004; ITEM NOS. 5-7 WITHDRAWN WITHOUT PREJUDICE; ITEM NO. 36 CONTINUED TO MAY 19, 2004

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**CONSENT AGENDA**

**8. APPROVAL OF SPECIAL CITY COUNCIL MEETING MINUTES OF JANUARY 21, 2004.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

**9. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF JANUARY 21, 2004.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

**10. APPROVAL OF CASH PAYMENT IN LIEU OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH KB HOME NEVADA, INC. TO PROVIDE FOR A PORTION OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT ANN ROAD AND VALLEY DRIVE IN THE AMOUNT OF 1.4% OF THE TOTAL COST OR \$6,887, ANN ROAD AND ALLEN LANE IN THE AMOUNT OF 3.2% OF THE TOTAL COST OR \$13,496, ANN ROAD AND SIMMONS STREET IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR \$4,919 AND WASHBURN ROAD AND ALLEN LANE IN THE AMOUNT OF 1.2% OF THE TOTAL COST OR \$5,061 FOR THE ANN/WILLIS RESIDENTIAL SUBDIVISION, LOCATED ON THE NORTHWEST CORNER OF ANN ROAD AND WILLIS STREET.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

**11. AMP-13-04 (CENTENNIAL MARKETPLACE); AN APPLICATION SUBMITTED BY P. T. CORPORATION, INC., PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR, LOW DENSITY RESIDENTIAL TO**

**NEIGHBORHOOD COMMERCIAL ON PROPERTY LOCATED AT THE  
SOUTHEAST CORNER OF LAWRENCE STREET AND CENTENNIAL  
PARKWAY. (SET PUBLIC HEARING FOR APRIL 7, 2004)**

ACTION: PUBLIC HEARING SET FOR APRIL 7, 2004

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

12. **AMP-14-04 (ALIANTE PARCEL 16); AN APPLICATION SUBMITTED BY KB HOME NEVADA, INC., ON BEHALF OF NORTH VALLEY ENTERPRISES, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS TO EXTEND VALLEY DRIVE COMMENCING AT ROME BOULEVARD AND PROCEEDING SOUTH TO THE 215 BELTWAY. (SET PUBLIC HEARING FOR APRIL 21, 2004) (ASSOCIATED ITEM NO. 14, VAC-07-04)**

ACTION: PUBLIC HEARING SET FOR APRIL 21, 2004

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

13. **VAC-05-04 (CENTENNIAL MARKETPLACE); AN APPLICATION SUBMITTED BY FOCUS COMMERCIAL GROUP, PROPERTY OWNER, TO VACATE A PORTION OF SAN MATEO STREET COMMENCING AT CENTENNIAL PARKWAY AND PROCEEDING NORTH APPROXIMATELY 930 FEET, AND A VACATION OF CENTENNIAL PARKWAY BETWEEN SAN MATEO STREET AND DECATUR BOULEVARD. (SET PUBLIC HEARING FOR APRIL 21, 2004)**

ACTION: PUBLIC HEARING SET FOR APRIL 21, 2004

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

**14. VAC-07-04 (ALIANTE PARCEL 16), AN APPLICATION SUBMITTED BY KB HOME NEVADA, INC., ON BEHALF OF NORTH VALLEY ENTERPRISES, LLC, PROPERTY OWNER, TO VACATE A PORTION OF AVIARY WAY COMMENCING APPROXIMATELY 530 FEET SOUTH OF DEER SPRINGS WAY AND PROCEEDING SOUTH APPROXIMATELY 100 FEET. (ASSOCIATED ITEM NO. 12, AMP-14-04) (SET PUBLIC HEARING FOR APRIL 21, 2004)**

ACTION: PUBLIC HEARING SET FOR APRIL 21, 2004

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

**15. VAC-08-04 (GEYSER PEAK 3); AN APPLICATION SUBMITTED BY PERMA-BILT ON BEHALF OF LANCELOT TROPICAL, LLC, PROPERTY OWNER, TO VACATE THE EASTERLY 30 FEET OF RIGHT-OF-WAY FOR CAMBRIDGE STREET COMMENCING AT HAMMER LANE AND PROCEEDING NORTH APPROXIMATELY 950 FEET. (SET PUBLIC HEARING FOR APRIL 21, 2004)**

ACTION: PUBLIC HEARING SET FOR APRIL 21, 2004

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

**BUSINESS**

16. **APPROVAL TO AMEND THE FY 2003-04 GENERAL FUND BUDGET FOR THE FINANCE DEPARTMENT IN THE AMOUNT OF \$20,000 TO BE TRANSFERRED FROM THE CONTINGENCY ACCOUNT OF THE GENERAL FUND FOR THE PURPOSE OF HIRING A FINANCIAL CONSULTANT TO PREPARE AN INDIRECT COST ALLOCATION STUDY FOR THE CITY, WITH AN EMPHASIS ON DETENTION.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

17. **APPROVAL TO AMEND THE FY 2003 - 2004 STAFFING PATTERN AS FOLLOWS:(ALL STAFFING PATTERN CHANGES WILL BE PROCESSED WHEN ADMINISTRATIVELY FEASIBLE)**

**Municipal Court**

Reclassify one (1) Office Assistant/Senior Office Assistant TNS 13/14 to Court Clerk 1 TNS 12.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

18. **APPROVAL TO ISSUE A PURCHASE ORDER TO UNISYS CORPORATION IN THE AMOUNT OF \$24,149.16 FOR LX7100 TECHNICAL SUPPORT AND MAINTENANCE FEES FOR SYSTEM SOFTWARE LICENSES AND HARDWARE FOR THE PERIOD NOVEMBER 17, 2003 THROUGH NOVEMBER 16, 2004. (CNLV Contract No. C-4205)**

ACTION: APPROVED

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

**19. APPROVAL TO ISSUE A PURCHASE ORDER TO LASALLE BANK IN THE AMOUNT OF \$150,401.88 FOR THE PURPOSE OF PAYMENT TO ORACLE FOR LICENSE CONVERSION FEES (\$80,466.07) AND TECHNICAL SUPPORT AND MAINTENANCE FEES (\$69,935.81), FOR THE PERIOD MARCH 1, 2004 THROUGH FEBRUARY 28, 2005. (CNLV Contract No. C-4148)**

ACTION: APPROVED

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

**20. APPROVAL TO ISSUE A PURCHASE ORDER TO ORACLE CORPORATION IN THE AMOUNT OF \$104,683.09 FOR THE PURPOSE OF PAYMENT FOR SOFTWARE UPDATES (\$71,374.83) AND MAINTENANCE AND SUPPORT FEES (\$33,308.26) FOR HUMAN RESOURCES, PAYROLL, GRANTS MANAGEMENT, PROJECT MANAGEMENT, PURCHASING, AND ASSET MANAGEMENT LICENSES FOR THE PERIOD MAY 28, 2004 THROUGH MAY 27, 2005. (CNLV Contract No. C-4148)**

ACTION: APPROVED

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

21. **APPROVAL TO AMEND THE FY 2003 - 2004 POLICE DEPARTMENT BUDGET IN THE AMOUNT OF \$9,100 FOR THE GENERAL FUND, \$20,500 FOR THE PUBLIC SAFETY TAX FUND, AND \$56,500 FOR THE UTILITY FUND, REPRESENTING THE UNSPENT BALANCE OF FUNDS APPROPRIATED LAST FISCAL YEAR.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

22. **APPROVAL TO AWARD BID NO. B-1159 IN THE AMOUNT OF \$27,476 TO GIBSON CONSTRUCTION TO FURNISH AND INSTALL TWO AUTOMATIC SLIDING GATES AT THE POLICE DEPARTMENT LOCATED AT 1301 E. LAKE MEAD BOULEVARD. (CNLV Contract No. C-5635)**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

23. **APPROVAL TO ISSUE A PURCHASE ORDER TO GE DRIVER DEVELOPMENT IN THE AMOUNT OF \$113,412 TO PURCHASE A DRIVING SIMULATOR FOR THE POLICE DEPARTMENT, TO BE USED AS A TRAINING TOOL TO DEVELOP OFFICER DRIVING SKILLS AND TECHNIQUES, USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332.115(G) AND 332.115(H).**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

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

**24. RATIFICATION OF SUBMISSION BY THE NORTH LAS VEGAS DETENTION/CORRECTIONS DEPARTMENT OF THE 2002-2003 WORK FORCE INVESTMENT ACT (WIA) PILOT PROJECT PROGRAM GRANT APPLICATION IN THE AMOUNT OF \$200,000 TO THE NEVADA STATE WORKFORCE INVESTMENT BOARD AND DEPARTMENT OF EMPLOYMENT, TRAINING AND REHABILITATION TO ASSIST MISDEMEANOR OFFENDERS IN SECURING EMPLOYMENT AND AUTHORIZATION TO ACCEPT THE GRANT AWARD.**

ACTION: GRANT APPLICATION RATIFIED; ACCEPTANCE OF AWARD AUTHORIZED

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

**25. APPROVAL TO ACQUIRE THE CITY'S BASE PERCENTAGE (11%) OFFERING OF BANKED WATER OF 2,730 ACRE-FEET AT \$304.08 PER ACRE FOOT FOR AN AMOUNT NOT TO EXCEED \$832,104, PURSUANT TO SECTION 7.2 OF THE COOPERATIVE AGREEMENT FOR BANKING OF WATER AMONG SOUTHERN NEVADA MUNICIPAL WATER PURVEYORS.**

ACTION: APPROVED

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

**26. APPROVAL OF SPECIAL IMPROVEMENT DISTRICT NO. 60 (ALIANTE) APPORTIONMENT REPORT NO. 22 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: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

**27. APPROVAL OF FINAL ACCEPTANCE OF FIRE STATION NO. 53, BID NO. 1152, STRUCTURAL REMEDIATION PROJECT IMPROVEMENTS FOR MAINTENANCE AND AUTHORIZATION TO FILE THE NOTICE OF COMPLETION. (CNLV Contract No. C-5547)**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**28. APPROVAL OF FINAL ACCEPTANCE OF MARTIN LUTHER KING BOULEVARD WIDENING PROJECT, PHASE I (CAREY AVENUE TO CHEYENNE AVENUE), BID NO. 1112 AND AUTHORIZATION TO FILE THE NOTICE OF COMPLETION. (CNLV Contract No. C-5255)**

ACTION: APPROVED

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

**29. APPROVAL TO AWARD BID NO. 1154, CONSTRUCTION CONTRACT, INCLUDING ADDITIVE ALTERNATES A, B, C, D, E, F AND G, TO ASPHALT PRODUCTS CORPORATION, IN THE AMOUNT OF \$1,858,058.30 FOR THE LAS VEGAS WASH TRAILS, PHASE I PROJECT, WHICH INCLUDES A 90-DAY LANDSCAPE MAINTENANCE PERIOD FOLLOWING CONSTRUCTION COMPLETION. (CNLV Contract No. C-5636)**

ACTION: APPROVED

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

**30. REVIEW AND APPROVAL OF THE RECOMMENDATIONS MADE BY STAFF FOR THE ALLOCATION OF 2004/2005 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS RECEIVED FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE AMOUNT OF \$1,841,000. (TABLED MARCH 3, 2004)**

Acting Community Development Director Kenny Young advised adjustments to Exhibit A of the FY 2004/05 Community Development Block Grant Application CAC Summary Sheet were needed to the following items:

Item No. 17

Women's Development Center: Adjusted from \$4,000 to \$2,000

Item No. 16

Neighborhood Housing Services: Adjusted from zero dollars to \$2,000

Item No. 18

Smart Start Child Care Adjusted from zero dollars to \$3,000

Item No. 29

NV Partners dba Steel Boxing Club Adjusted from \$3,000 to zero dollars

ACTION: APPROVED AS AMENDED

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**31. RESOLUTION NO. 2287; A RESOLUTION OF SUPPORT TO PLAN FOR THE CITY OF NORTH LAS VEGAS POLICE DEPARTMENT STAFFING AND FACILITIES' NEEDS.**

Resolution No. 2287 as introduced by the City Manager:

A RESOLUTION OF SUPPORT TO PLAN FOR THE  
CITY OF NORTH LAS VEGAS POLICE DEPARTMENT  
STAFFING AND FACILITIES' NEEDS.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

**32. RESOLUTION NO. 2288; A RESOLUTION CREATING A 15 MEMBER VISIONING COMMITTEE TO REPRESENT THE COMMUNITY'S INTEREST AND GENERATE THE COMMUNITY'S PARTICIPATION IN CREATING A 20-YEAR VISIONING PLAN FOR NORTH LAS VEGAS.**

Resolution No. 2288 as introduced by the City Manager:

A RESOLUTION CREATING A 15 MEMBER VISIONING COMMITTEE TO REPRESENT THE COMMUNITY'S INTEREST AND GENERATE THE COMMUNITY'S PARTICIPATION IN CREATING A 20-YEAR VISIONING PLAN FOR NORTH LAS VEGAS.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

**ORDINANCES**  
**INTRODUCTION ONLY**

**33. ORDINANCE NO. 1954; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-03-04); AMENDING SECTION 17.12.210(H.1)(2), TO ADD AUTO PARTS SALES AS A PERMITTED USE AND REMOVE THE EXCLUSION OF AUTO PARTS STORES UNDER RETAIL STORES, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION APRIL 7, 2004)**

Ordinance No. 1954 as introduced by the Acting City Clerk:

AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-03-04); AMENDING SECTION 17.12.210(H.1)(2), TO ADD AUTO PARTS SALES AS A PERMITTED USE AND REMOVE THE EXCLUSION OF AUTO PARTS

STORES UNDER RETAIL STORES, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: FINAL ACTION SET FOR APRIL 7, 2004

34. **ORDINANCE NO. 1955; 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 14.98 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT (ZN-12-04, ANN AND COMMERCE TRAILS), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND COMMERCE STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION APRIL 7, 2004)**

Ordinance No. 1955 as introduced by the Acting 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 14.98 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT (ZN-12-04, ANN AND COMMERCE TRAILS), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND COMMERCE STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR APRIL 7, 2004

**ORDINANCES**  
**FINAL ACTION**

35. **ORDINANCE NO. 1921; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING ORDINANCE NO. 818, SECTION 10.44.020, ENTITLED "OFFICIAL TRUCK ROUTE SYSTEM," OF TITLE 10 OF THE NORTH LAS VEGAS MUNICIPAL CODE, AND TO ADD ADDITIONAL TRUCK ROUTES; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

Ordinance No. 1921 as introduced by the City Manager:

AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING ORDINANCE NO. 818, SECTION 10.44.020, ENTITLED "OFFICIAL TRUCK ROUTE SYSTEM," OF TITLE 10 OF THE NORTH LAS VEGAS MUNICIPAL CODE, AND TO ADD ADDITIONAL TRUCK ROUTES; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Public Works Director Jim Bell recommended Ann Road be deleted in its entirety from Decatur Boulevard through Losee Road. Truck routes were established to limit where trucks could travel when delivering materials. Director Bell advised removing a route would not eliminate trucks from traveling on arterial roads, however when a truck route was not designated, trucks were required to travel to the closest destination of their delivery.

ACTION: PASSED AND ADOPTED AS AMENDED; ANN ROAD DELETED FROM TRUCK ROUTE

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

**37. ORDINANCE NO. 1944; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS TO AMEND ORDINANCE NO. 1823, PRESENTLY CODIFIED IN TITLE 2, CHAPTER 68 OF THE NORTH LAS VEGAS MUNICIPAL CODE TO ESTABLISH TERMS AND CONDITIONS IN THE CIVIL SERVICE RULES AND REGULATIONS FOR EMPLOYMENT AND RECRUITMENT WITHIN THE CITY AND PROVIDING OTHER RELATED MATTERS.**

Ordinance No. 1944 as introduced by the City Manager:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS TO AMEND ORDINANCE NO. 1823, PRESENTLY CODIFIED IN TITLE 2, CHAPTER 68 OF THE NORTH LAS VEGAS MUNICIPAL CODE TO ESTABLISH TERMS AND CONDITIONS IN THE CIVIL SERVICE RULES AND

REGULATIONS FOR EMPLOYMENT AND  
RECRUITMENT WITHIN THE CITY AND PROVIDING  
OTHER RELATED MATTERS.

Human Resources Director Vince Zamora stated this recommendation was intended to streamline recruitment processes for the Human Resources Department. Staff recommended “and/or” be stricken from Title 2, Chapter 68 and be replaced with “and” to provide a more comprehensive notification process to successful applicants.

ACTION: PASSED AND ADOPTED AS AMENDED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

**38. ORDINANCE NO. 1950; AN ORDINANCE TO AMEND ORDINANCE NO. 1855, BEING SECTIONS 5.21.030 BEING “ENFORCEMENT AND REGULATIONS” AND 5.21.050 BEING “PENALTIES” OF TITLE 5, CHAPTER 5.21 OF THE NORTH LAS VEGAS MUNICIPAL CODE ENTITLED “GARAGE/YARD SALES,” BY REMOVING THE FRONT YARD SETBACK REQUIREMENT, ALLOWING PLACEMENT OF SIGNS ON PRIVATE PROPERTY AND REMOVING MANDATORY COSTS AND ASSESSMENTS.**

AN ORDINANCE TO AMEND ORDINANCE NO. 1855, BEING SECTIONS 5.21.030 BEING “ENFORCEMENT AND REGULATIONS” AND 5.21.050 BEING “PENALTIES” OF TITLE 5, CHAPTER 5.21 OF THE NORTH LAS VEGAS MUNICIPAL CODE ENTITLED “GARAGE/YARD SALES,” BY REMOVING THE FRONT YARD SETBACK REQUIREMENT, ALLOWING PLACEMENT OF SIGNS ON PRIVATE PROPERTY AND REMOVING MANDATORY COSTS AND ASSESSMENTS.

**Bob Borgersen, 4751 Possum Berry Lane, North Las Vegas,** thanked Council for working with the citizens on this and other ordinances.

ACTION: PASSED AND ADOPTED

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

**39. ORDINANCE NO. 1951; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NO. 1767 WHICH RECLASSIFIED MERIDIAN HILLS (ZN-10-03) FROM AN R-1, SINGLE FAMILY RESIDENTIAL DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT TO AMEND CONDITION NO. 26 TO ALLOW THE USE OF PLASTIC, VINYL, WOODGUARD AND SIMILAR MATERIALS ON COMMON PROPERTY LINES AND RETURN WALLS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1951 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NO. 1767 WHICH RECLASSIFIED MERIDIAN HILLS (ZN-10-03) FROM AN R-1, SINGLE FAMILY RESIDENTIAL DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT TO AMEND CONDITION NO. 26 TO ALLOW THE USE OF PLASTIC, VINYL, WOODGUARD AND SIMILAR MATERIALS ON COMMON PROPERTY LINES AND RETURN WALLS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

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

**40. ORDINANCE NO. 1952; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 5 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-17-04, GOLD COAST DEVELOPMENT) FOR**

**PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF COMMERCE STREET AND KRAFT AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1952 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 5 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-17-04, GOLD COAST DEVELOPMENT) FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF COMMERCE STREET AND KRAFT AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

41. **ORDINANCE NO. 1953; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-01-04); AMENDING SECTION 17.12.020, TO ADD DEFINITIONS OF COURTYARD AND COVERED DECK AND AMENDING SECTION 17.20.040(G), ENCROACHMENTS INTO SETBACKS, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

Ordinance No. 1953 as introduced by the City Manager:

AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-01-04); AMENDING SECTION 17.12.020, TO ADD DEFINITIONS OF COURTYARD AND COVERED DECK AND AMENDING SECTION 17.20.040(G),

ENCROACHMENTS INTO SETBACKS, AND  
PROVIDING FOR OTHER MATTERS PROPERLY  
RELATED THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

**PUBLIC FORUM**

**Carlos Negrete, 5232 Manor Stone Street, North Las Vegas**, spoke concerning development building permits and the conditions imposed by the City Council for developers regarding disclosure to potential buyers of odors emanating from R. C. Farms. Mr. Negrete stated he was not informed verbally or formally of the problem as required by the permit. Mr. Negrete offered to assist in resolving this problem by creating disclosure documents to be given to potential homeowners and organizing a volunteer program to monitor compliance.

Mayor Montandon requested City Attorney McGowan research the City's options regarding non-compliance by developers and/or builders and possible imposed sanctions.

**PUBLIC HEARINGS - 6:30 P.M.**

2. **AMP-56-03, LAMB & TROPICAL; AN APPLICATION, SUBMITTED BY UNLIMITED HOLDINGS ON BEHALF OF LORENE M. JIMMERSON REVOCABLE TRUST, JAMES JIMMERSON, TRUSTEE, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF INDUSTRIAL AND BUSINESS, RESEARCH, OR DEVELOPMENT PARK TO REGIONAL COMMERCIAL ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF LAMB BOULEVARD AND AZURE AVENUE. (CONTINUED DECEMBER 17, 2003 AND JANUARY 21, 2004) (ASSOCIATED ITEM NO. 3, ZN-101-03)**

Mayor Montandon opened the Public Hearing.

Acting Planning Director Marc Jordan stated the Planning Commission neither approved or denied this item and it moved forward without a recommendation. Recent zoning changes approved residential development to the north, west and south of the subject site and Staff was concerned about an island of industrial development being surrounded by residential development. Staff recommended denial of the original application for regional-commercial zoning, but had no objections to neighborhood-commercial zoning at this site as it was more appropriate than industrial zoning. Staff held discussions with Mr. Garcia, who represented the applicant and had no objections to this type of zoning.

**George Garcia, 1711 Whitney Mesa Drive, Henderson**, clarified this amendment pertained to the southern portion of the entire 52-acre parcel bounded by Tropical Parkway, Lamb Boulevard, and the Union Pacific Railroad. Mr. Garcia concurred with Staff's recommendation.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED AS AMENDED FOR NEIGHBORHOOD-COMMERCIAL

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

3. **APPEAL, SUBMITTED BY GEORGE GARCIA ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-101-03, LAMB & TROPICAL; AN APPLICATION SUBMITTED BY GEORGE GARCIA, REPRESENTING UNLIMITED HOLDINGS ON BEHALF OF LORENE M. JIMMERSON REVOCABLE TRUST, JAMES JIMMERSON, TRUSTEE, PROPERTY OWNER, TO CHANGE THE CURRENT ZONING FROM M-2, GENERAL INDUSTRIAL TO C-2, GENERAL COMMERCIAL ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF LAMB BOULEVARD AND AZURE AVENUE. (CONTINUED DECEMBER 17, 2003 AND JANUARY 21, 2004) (ASSOCIATED ITEM NO. 2, AMP-56-03)**

Mayor Montandon opened the Public Hearing.

Acting Planning Manager Marc Jordan stated this item was denied by the Planning Commission and appealed by the applicant with no ordinance attached to this item. Staff recommended an ordinance for C-1 neighborhood-commercial zoning be prepared for Council's approval. Staff held discussions with Mr. Garcia, who represented the applicant, and had no objections to this type of zoning. Additionally, Staff required a

revised legal description from Mr. Garcia designating the southerly 11.25 acres for C-1 neighborhood-commercial zoning.

**George Garcia, 1711 Whitney Mesa Drive, Henderson,** concurred with Staff's recommendations.

Mayor Montandon closed the Public Hearing.

ACTION: PLANNING COMMISSION DECISION OVERTURNED; APPLICATION APPROVED FOR C-1 ZONING; STAFF DIRECTED TO PREPARE ORDINANCE FOR HARD ZONING

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

4. **AMP-66-03, LONE MOUNTAIN & LOSEE II; AN APPLICATION SUBMITTED BY R & S LOSEE, LLC, ON BEHALF OF UNLIMITED HOLDINGS, INC., PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF OFFICE TO M-LDR MEDIUM-LOW DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF WASHBURN ROAD AND LOSEE ROAD. (ASSOCIATED ITEM NO. 36, ORDINANCE NO. 1922, ZN-115-03)**

Mayor Montandon opened the Public Hearing.

City Manager Rose stated the applicant requested the item be continued to May 19, 2004.

ACTION: CONTINUED TO MAY 19, 2004

MOTION: Mayor Montandon

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

36. **ORDINANCE NO. 1922; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING APPROXIMATELY 22.19± ACRES FROM AN R-E RANCH ESTATES DISTRICT TO A PLANNED UNIT DEVELOPMENT DISTRICT (ZN-115-03, LONE MOUNTAIN & LOSEE II), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF WASHBURN ROAD AND LOSEE ROAD; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 4, AMP-66-03)**

Ordinance No. 1922 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING APPROXIMATELY 22.19± ACRES FROM AN R-E RANCH ESTATES DISTRICT TO A PLANNED UNIT DEVELOPMENT DISTRICT (ZN-115-03, LONE MOUNTAIN & LOSEE II), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF WASHBURN ROAD AND LOSEE ROAD; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

City Manager Gregory Rose stated the applicant requested the item be continued to May 19, 2004.

ACTION: CONTINUED TO MAY 19, 2004

MOTION: Mayor Montandon

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

5. **APPEAL, SUBMITTED BY PAMELA WILCOX, ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY AMP-10-04 (DEPARTMENT OF MOTOR VEHICLES); AN APPLICATION SUBMITTED BY STATE OF NEVADA - PUBLIC WORKS BOARD, ON BEHALF OF U.S.A. BUREAU OF LAND MANAGEMENT, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR, LOW DENSITY**

**RESIDENTIAL TO PUBLIC/SEMI-PUBLIC ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND ELKHORN DRIVE. (ASSOCIATED ITEM NO. 6, ZN-13-04 AND ITEM NO. 7, SPR-09-04)**

ACTION: WITHDRAWN WITHOUT PREJUDICE

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

6. **APPEAL, SUBMITTED BY PAMELA WILCOX, ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-13-04 (DEPARTMENT OF MOTOR VEHICLES); AN APPLICATION SUBMITTED BY STATE OF NEVADA - PUBLIC WORKS BOARD, ON BEHALF OF U.S.A. BUREAU OF LAND MANAGEMENT, PROPERTY OWNER, TO RECLASSIFY PROPERTY FROM OPEN LAND TO PUBLIC/SEMI-PUBLIC ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND ELKHORN DRIVE. (ASSOCIATED ITEM NO. 5, AMP-10-04 AND ITEM NO. 7, SPR-09-04)**

ACTION: WITHDRAWN WITHOUT PREJUDICE

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

7. **APPEAL, SUBMITTED BY PAMELA WILCOX, ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY SPR-09-04 (DEPARTMENT OF MOTOR VEHICLES); AN APPLICATION SUBMITTED BY STATE OF NEVADA - PUBLIC WORKS BOARD, ON BEHALF OF U.S.A. BUREAU OF LAND MANAGEMENT, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN O-L, OPEN LAND DISTRICT (PROPOSED PSP,**

**PUBLIC/SEMI-PUBLIC) TO ALLOW 350+ PARKING SPACES ON PROPERTY  
GENERALLY LOCATED AT THE SOUTHEAST CORNER OF DECATUR  
BOULEVARD AND ELKHORN DRIVE. (ASSOCIATED ITEM NO. 5, AMP-10-04  
AND ITEM NO. 6, ZN-13-04)**

ACTION: WITHDRAWN WITHOUT PREJUDICE

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**COUNCIL ITEMS**

Councilman Eliason requested a work or study session be held pertaining to the area east of I-15 and in the Lamb Boulevard area. Councilman Eliason suggested Council discuss what should be developed in this area at this time, to avoid the decision being made by others in the future.

**CITY MANAGER'S REPORT**

City Manager Gregory Rose requested Finance Director Phil Stoeckinger review the Second Quarterly Economic survey from the Nevada Department of Taxation. The Department of Taxation advised the Second Quarterly Economic Survey had not been received for fiscal year 2003-2004 reports. The letter was dated March 15, 2004 and the City was required by N.R.S. 354665 to notify Council and record the notification in the minutes of the first meeting upon receipt of this letter. Director Stoeckinger advised the reports had been filed prior to receipt of this letter. Additionally, the appropriate steps were taken to insure this would not recur.

**PUBLIC FORUM**

Mayor Montandon re-opened the Public Forum and introduced the newly hired Director of Planning and Zoning, Jory Stewart.

**ADJOURNMENT**

ACTION: THE MEETING ADJOURNED AT 6:45 P.M.

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

**APPROVED: May 19, 2004**

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

Attest:

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