

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

August 16, 2006

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

CITY COUNCIL MEETING

CALL TO ORDER

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

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	General Services Director Eric Dabney
Assistant City Manager Sam Chambers	Acting Human Resources Director Mike Scalzi
Assistant City Manager Maryann Ustick	Information Technology Director Steve Chapin
Chief Deputy City Attorney Carie Torrence	Parks & Recreation Director Mike Henley
Chief Deputy City Clerk Anita Sheldon	Planning and Zoning Director Jory Stewart
Communications Director Brenda Johnson	Planning and Zoning Manager Marc Jordan
Economic Development Director Mike Majewski	Police Chief Mark Paresi
Finance Director Phil Stoeckinger	Public Works Director Jim Bell
Fire Chief Al Gillespie	Utilities Director David Bereskin
	Legislative Affairs Officer Kimberly McDonald

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Anita Sheldon
Chief Deputy City Clerk

INVOCATION

Pastor Rose Haag
Flaming Sword Ministries

PLEDGE OF ALLEGIANCE

Mayor Pro Tempore William E. Robinson

PUBLIC FORUM

There was no public participation.

AGENDA

1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF AUGUST 16, 2006.

ACTION: APPROVED AS AMENDED: ITEM NOS. 5, 42, 47 AND 50 CONTINUED TO SEPTEMBER 6, 2006; ITEM NO. 8 CONTINUED TO SEPTEMBER 20, 2006

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

CONSENT AGENDA

14. APPROVAL OF SPECIAL CITY COUNCIL MEETING MINUTES OF JUNE 21, 2006.

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

15. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF JUNE 21, 2006.

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

16. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF JULY 5, 2006.

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

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

<u>BUSINESS NAME</u>	<u>LICENSE TYPE</u>	<u>ACTIVITY</u>
<u>OWNERSHIP CHANGE LIQUOR</u> 1. Zenon Lankowsky, Pres DBA: CVS Pharmacy #8804 1408 W Craig Rd North Las Vegas, Nevada 89030	LIQUOR <u>Police Investigation Completed</u> <u>Formerly: Sav-On</u>	General Off Sale/Pkg Liquor
2. Zenon Lankowsky, Pres DBA: CVS Pharmacy #8808 2011 E Lake Mead Blvd North Las Vegas, Nevada 89030	LIQUOR <u>Police Investigation Completed</u> <u>Formerly: Sav-On</u>	General Off Sale/Pkg Liquor

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

18. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT FROM LOSEE ROAD CONDOS, FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT ANN ROAD & LOSEE ROAD, IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR \$4,919; LONE MOUNTAIN ROAD & LOSEE ROAD, IN THE AMOUNT OF 5.1% OF THE TOTAL COST OR \$29,263; AND WASHBURN ROAD & LOSEE ROAD, IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR \$4,919 FOR THE WASHBURN LOSEE CONDOMINIUMS LOCATED ON THE SOUTHWEST CORNER OF WASHBURN ROAD & LOSEE ROAD.**

ACTION: PAYMENT ACCEPTED

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

19. **AN APPEAL SUBMITTED BY JENNIFER LAZOVICH, KUMMER KAEMPFER BONNER RENSHAW & FERRARIO, ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE SPR-29-06 (CANNERY CORNER); AN APPLICATION SUBMITTED BY TERRITORY, INC., ON BEHALF OF SAM'S WEST, INC., PROPERTY OWNER, FOR A MAJOR SITE PLAN REVIEW IN A C-2 GENERAL COMMERCIAL DISTRICT ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF CRAIG ROAD AND LOSEE ROAD. (SET PUBLIC HEARING FOR SEPTEMBER 6, 2006)**

ACTION: PUBLIC HEARING SET FOR SEPTEMBER 6, 2006

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

20. AMP-33-06 (NLV COMMUNITY); AN APPLICATION SUBMITTED BY NOVEMBER 2005 LAND INVESTORS, LLC, AND DRHI, INC., PROPERTY OWNERS, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS, TO MAKE THE FOLLOWING REVISIONS TO THE 2074-ACRE EASTERN PORTION OF THE NORTH LAS VEGAS MASTER PLANNED COMMUNITY FOR EAST/WEST STREETS: WHISPERING SANDS DRIVE - DELETE FROM SCOTT ROBINSON BOULEVARD TO LOSEE ROAD. ADD FROM CLAYTON STREET TO REVERE STREET ON REVISED ALIGNMENT (60' ROW); SEVERANCE LANE - DELETE FROM CLAYTON STREET TO COMMERCE STREET. ADD FROM COLETTE STREET TO LOSEE ROAD ON NEW ALIGNMENT (80' ROW); DORRELL LANE - REALIGN FROM CLAYTON STREET TO REVERE STREET. DELETE FROM DONNA STREET TO LOSEE ROAD. ADD FROM DONNA STREET TO CONNECT TO DEER SPRINGS WAY ON REVISED ALIGNMENT (80' ROW); FARM ROAD - DELETE FROM CLAYTON STREET TO SCOTT ROBINSON BOULEVARD; ELKHORN ROAD / FARM ROAD - DELETE FROM REVERE STREET TO COMMERCE STREET. ADD FROM REVERE STREET TO LOSEE ROAD ON REVISED ALIGNMENT (100' ROW). REALIGN FROM CLAYTON STREET TO REVERE STREET; RIVANNA DRIVE NORTH - ADD FROM NORTH 5TH STREET TO ELKHORN ROAD (60' ROW); RIVANNA DRIVE SOUTH - ADD SOUTH LOOP ROAD FROM ELKHORN ROAD TO ELKHORN ROAD (60' ROW). THE FOLLOWING REVISIONS WILL BE MADE FOR NORTH/SOUTH STREETS: CLAYTON STREET / HIGHLAND DRIVE - REMOVE FROM CLARK COUNTY 215 BELTWAY TO GRAND TETON DRIVE; CLAYTON STREET - ADD ON NEW ALIGNMENT FROM CLARK COUNTY 215 BELTWAY TO GRAND TETON DRIVE (80' ROW); SCOTT ROBINSON BOULEVARD - REMOVE FROM WHISPERING SANDS DRIVE TO GRAND TETON DRIVE; CONCORD STREET - REMOVE FROM DEER SPRINGS WAY TO DORRELL LANE. REMOVE FROM SEVERANCE LANE TO GRAND TETON DRIVE; GLIDING EAGLE - ADD FROM DEER SPRINGS WAY TO DORRELL LANE (60' ROW). ADD ON NEW ALIGNMENT FROM ELKHORN / FARM ROAD TO WHISPERING SANDS DRIVE (60' ROW); REVERE STREET - REMOVE FROM DORRELL LANE TO GRAND TETON DRIVE. ADD FROM DORRELL LANE TO SOUTH OF CLARK COUNTY 215 BELTWAY (100' ROW). ADD FROM SOUTH OF CLARK COUNTY 215 BELTWAY TO ELKHORN / FARM ROAD (120' ROW). ADD ON REVISED ALIGNMENT FROM ELKHORN / FARM ROAD TO GRAND TETON DRIVE (100' ROW); ENGLESTAD STREET - REMOVE FROM SEVERANCE LANE TO GRAND TETON DRIVE; COMMERCE STREET - REMOVE FROM SOUTH OF CLARK COUNTY 215 BELTWAY TO GRAND TETON DRIVE; GOLDFIELD STREET - REMOVE FROM WHISPERING SANDS DRIVE TO GRAND TETON DRIVE; NORTH 5TH STREET - REMOVE FROM WHISPERING SANDS DRIVE TO GRAND TETON DRIVE. ADD FROM

DORRELL LANE TO GRAND TETON DRIVE (150' ROW); DONNA STREET - REMOVE FROM DEER SPRINGS WAY TO DORRELL LANE. REMOVE FROM WHISPERING SANDS DRIVE TO GRAND TETON DRIVE; BRUCE STREET - REMOVE FROM DEER SPRINGS WAY TO DORRELL LANE. REMOVE FROM WHISPERING SANDS DRIVE TO GRAND TETON DRIVE. ADD FROM RIVANNA DRIVE NORTH TO GRAND TETON DRIVE ON REVISED ALIGNMENT (60' ROW); LAWRENCE STREET - REMOVE FROM DEER SPRINGS WAY TO DORRELL LANE. REMOVE FROM WHISPERING SANDS DRIVE TO GRAND TETON DRIVE; COLETTE STREET - ADD FROM ELKHORN / FARM ROAD TO NORTH OF CLARK COUNTY 215 BELTWAY ON NEW ALIGNMENT (80' ROW). (SET PUBLIC HEARING FOR SEPTEMBER 6, 2006)

ACTION: PUBLIC HEARING SET FOR SEPTEMBER 6, 2006

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. **AMP-36-06 (DEL NORTE HOMES); AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF RIO PLAZA, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL, MDR MEDIUM DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL TO MDR MEDIUM DENSITY RESIDENTIAL ON PROPERTY GENERALLY LOCATED APPROXIMATELY 90 FEET EAST OF CAMINO AL NORTE AND SOUTH OF RANCHO DEL NORTE DRIVE. (SET PUBLIC HEARING FOR SEPTEMBER 6, 2006) (ASSOCIATED ITEM NO. 39, ORDINANCE NO. 2302)**

ACTION: PUBLIC HEARING SET FOR SEPTEMBER 6, 2006

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

22. **UN-154-04 (P.T.'S GOLD); AN APPLICATION SUBMITTED BY GOLDEN GAMING, INC., ON BEHALF OF CENTENNIAL-LOSEE NEVADA, 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 LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND LOSEE ROAD. (SET PUBLIC HEARING FOR SEPTEMBER 20, 2006)**

ACTION: PUBLIC HEARING SET FOR SEPTEMBER 20, 2006

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

23. **VAC-13-06 (FALCON RIDGE); AN APPLICATION SUBMITTED BY ENGLE HOMES, ON BEHALF OF GMAC MODEL HOME FINANCE, LLC, PROPERTY OWNER, TO VACATE PORTIONS OF GALENA GORGE AVENUE, GRANITE BASIN STREET AND SLATE RIDGE COURT. (SET PUBLIC HEARING FOR SEPTEMBER 20, 2006)**

ACTION: PUBLIC HEARING SET FOR SEPTEMBER 20, 2006

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

BUSINESS

24. **APPROVAL OF A PROFESSIONAL ARCHITECTURAL SERVICES AGREEMENT WITH LUCCHESI GALATI, IN THE TOTAL AMOUNT OF \$946,010; \$567,600 FROM GENERAL OBLIGATION BOND AND \$378,410 FROM PARK DISTRICT**

IV RESIDENTIAL CONSTRUCTION TAX FOR THE MULTIGENERATIONAL CENTER AND PARK MASTER PLANNING PROJECT TO CONVERT AN UNIMPROVED 40-ACRE PARCEL AT THE NORTHEAST CORNER OF CENTENNIAL PARKWAY AND STATZ STREET INTO A COMMUNITY PARK. (TABLED JUNE 7, 2006) (CNLV CONTRACT NO. C-6384)

ACTION: APPROVED

MOTION: Mayor Montandon

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

- 25. APPROVAL OF CONSTRUCTION CHANGE ORDER NO. 1 TO THE FIRE STATION 57 PROJECT, BID NO. 1204, WITH RAFAEL CONSTRUCTION, INC., IN THE AMOUNT OF \$140,000 TO BE PLACED IN THE CONSTRUCTION CONFLICTS ACCOUNT FOR THE INSTALLATION OF THE OFF-SITE NEVADA POWER COMPANY AND EMBARQ SYSTEMS, TO PROVIDE THE NECESSARY POWER AND TELEPHONE SERVICES TO THE FIRE STATION SITE LOCATED AT 3120 EAST AZURE STREET. (CNLV CONTRACT NO. C-6217)**

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

- 26. APPROVAL OF THE CONDEMNATION OF REAL PROPERTY, AND THE ASSOCIATED TEMPORARY CONSTRUCTION EASEMENT NEEDED FOR THE CRAIG ROAD PHASE 3 PROJECT AND AUTHORIZATION TO THE CITY ATTORNEY TO INITIATE A FORMAL COMPLAINT IN CLARK COUNTY DISTRICT COURT FOR REAL PROPERTY OWNED BY THE MORGAN FAMILY TRUST, APN 139-02-203-001 AND 139-01-302-001.**

Public Works Director Jim Bell explained this condemnation would allow the acquisition of land for the Craig Road Phase 3 Overpass Project. It was not specific as to the dimensions

of the acquisition for construction easements and associated right-of-way. When asked by Mayor Pro Tempore if Staff had met with the Morgan family, Director Bell stated a meeting was held at which time the family requested approximately \$22 per square foot for the property; however, the current value of the property in the area was \$14 per square foot.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

27. APPROVAL TO AMEND THE POLICE DEPARTMENT'S FY06-07 OPERATING BUDGET BY INCREASING THE APPROPRIATION FROM THE E-911 FUND, IN THE AMOUNT OF \$91,000, AND AUTHORIZE A PURCHASE ORDER TO VERIZON, IN AN AMOUNT NOT TO EXCEED \$68,000 FOR THE PURCHASE OF COMMUNICATIONS EQUIPMENT AND LICENSES TO ADD THREE 911 DISPATCH WORKSTATIONS.

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

28. RATIFICATION OF AN APPLICATION TO THE NEVADA EMERGENCY RESPONSE COMMISSION UNDER THE UNITED WE STAND GRANT PROGRAM AND ACCEPTANCE OF GRANT AWARD, IN THE AMOUNT OF \$10,700 FOR THE NORTH LAS VEGAS POLICE DEPARTMENT.

ACTION: APPLICATION RATIFIED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

29. **RATIFICATION OF AN APPLICATION TO THE NEVADA OFFICE OF ATTORNEY GENERAL UNDER THE VIOLENCE AGAINST WOMEN ACT GRANT PROGRAM, IN THE AMOUNT OF \$78,300, REQUIRING A LOCAL MATCH IN THE AMOUNT OF \$30,000, TO SUPPORT THE CONTINUATION OF THE EXISTING BILINGUAL VICTIM ADVOCACY PROGRAM IN THE POLICE DEPARTMENT.**

ACTION: APPLICATION RATIFIED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

30. **APPROVAL OF A MEMORANDUM OF AGREEMENT BETWEEN THE CLARK COUNTY FIRE DEPARTMENT AND THE NORTH LAS VEGAS FIRE DEPARTMENT FOR PARTICIPATION IN A NATIONAL URBAN SEARCH & RESCUE TASK FORCE. (CNLV CONTRACT NO. C- 6385)**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

31. **AUTHORIZATION TO ESTABLISH A COOPERATIVE FIRE PROTECTION AGREEMENT BETWEEN THE NORTH LAS VEGAS FIRE DEPARTMENT AND THE BUREAU OF LAND MANAGEMENT, USDA FOREST SERVICE, US FISH & WILDLIFE SERVICE, NATIONAL PARK SERVICE, AND THE NEVADA DIVISION OF FORESTRY, TO PROVIDE FIRE MANAGEMENT AND FACILITATE THE COOPERATIVE USE OF FIRE RESOURCES. (CNLV CONTRACT NO. C-6389)**

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

32. AUTHORIZATION TO RENEW AN INTERLOCAL AGREEMENT FOR MUTUAL AID IN FIRE PROTECTION AND HAZARDOUS MATERIALS INCIDENT RESPONSE BETWEEN THE CITY OF NORTH LAS VEGAS AND NELLIS AIR FORCE BASE FIRE DEPARTMENT. (CNLV CONTRACT NO. C-4446)

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

33. AUTHORIZATION TO RENEW AN AUTOMATIC AID AGREEMENT FOR FIRE PROTECTION AND RESCUE SERVICES BETWEEN THE CITY OF NORTH LAS VEGAS, CITY OF LAS VEGAS AND CLARK COUNTY. (CNLV CONTRACT NO. C-6387)

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

34. APPROVAL TO RECEIVE AND FILE THE CERTIFICATES OF SALE REPORT DUE TO THE NON-PAYMENT OF A SPECIAL ASSESSMENT FOR PROPERTIES LOCATED WITHIN A SPECIAL IMPROVEMENT DISTRICT, IN ACCORDANCE WITH NEVADA REVISED STATUTE 271.565.

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

35. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH ARTECH GROUP, INC., IN AN AMOUNT NOT TO EXCEED \$198,000 TO PROVIDE CONSULTING TO DEVELOP, REVIEW, AND PLAN PROJECTS FOR THE INFORMATION TECHNOLOGY DEPARTMENT. (CNLV CONTRACT NO. C-6386)

ACTION: APPROVED

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

36. AWARD OF BID NO. B-1243 TO TRANSFORM DATA CORP. FOR LOT 1, IN THE TOTAL AMOUNT OF \$32,350; AND ONLINEMAPGUIDE FOR LOT 2, IN THE AMOUNT OF \$71,100 TO CONVERT PAPER FILES TO DIGITAL IMAGES, INCREASING THE EFFICIENCY OF RECORDS MANAGEMENT AND REDUCING STORAGE SPACE REQUIREMENTS FOR THE UTILITIES DEPARTMENT. (CNLV CONTRACT NO. C-6388)

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

37. **APPROVAL OF THE RENEWAL OF THE MEMORANDUM OF UNDERSTANDING BETWEEN WESTCARE NEVADA, INC., AND SOUTHERN NEVADA HOSPITALS, IN THE AMOUNT OF \$102,384.96 FOR THE CITY'S SHARE OF THE WESTCARE COMMUNITY TRIAGE CENTER, A CENTRALLY LOCATED DROP-OFF, IN-PATIENT CENTER FOR MENTAL HEALTH, SUBSTANCE ABUSE, AND DETOXIFICATION SERVICES FOR HOMELESS ADULTS AND YOUTH, FOR OPERATIONAL COSTS FROM JULY 1, 2006 THROUGH JUNE 30, 2007. (CNLV CONTRACT NO. C-6080)**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

PUBLIC HEARINGS - 6:15 P.M.

2. **AN APPEAL SUBMITTED BY JENNIFER LAZOVICH, KUMMER KAEMPFER BONNER RENSHAW & FERRARIO, ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY AMP-17-06 (VALLEY/LA MADRE); AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES ON BEHALF OF ALLAY INVESTMENTS, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF V-LDR VERY LOW DENSITY RESIDENTIAL TO LDR LOW DENSITY RESIDENTIAL, ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF VALLEY DRIVE AND LA MADRE WAY. (CONTINUED JUNE 21 AND JULY 19, 2006) (ASSOCIATED ITEM NO. 3, ZN-25-06 AND NO. 4, T-1251)**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Jory Stewart advised these properties were located within the area that was designated as a ranch preservation area by the City Council under Resolution No. 2016. Staff and the Planning Commission recommend denial.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and re-introduced the site plan for the project. She advised the subject site was bordered on two sides by vacant property owned by the Clark County School District, as

well as two existing elementary schools to the east of the site. Ms. Lazovich pointed out that R-1 zoning was immediately adjacent to R-E lots in the rural preservation neighborhood. She stated the School District advised there were plans for the two vacant lots but did not indicate what the plans entailed. Based on the existing R-1 zoning in the area, Ms. Lazovich felt the applicant's project would be appropriate.

Ms. Lazovich stated there had been a meeting with residents in the area and the consensus was the residents wished to maintain the rural preservation neighborhood. As a result, several changes were made to the tentative map. One of the changes was that there would be no lots fronting on to La Madre Way. All the lots faced in and were accessed through one access point off of Valley Drive. A secondary access was included off of Valley Drive which would be used for emergencies only.

A major change was in the north area near Rosada Way where all the lots were increased to a minimum of 8250 square feet which resulted in a loss of two lots. A second meeting had been held with residents north of Rosada Way at which time the applicant agreed to the following four conditions:

1. The lot size would be a minimum of 8250 square feet.
2. A ten-foot-wide landscape buffer would be installed by the applicant.
3. There would be no access on to Rosada Way.
4. Single-story houses would be constructed on lots 3, 4, 5 and 6.

Ms. Lazovich presented a Memorandum of Understanding signed by three residents who lived north of Rosada Way consenting to the project with the above conditions.

Mayor Pro Tempore Robinson asked how many people were present at the neighborhood meeting and Ms. Lazovich responded there were 25-30 residents in attendance.

Toni Werk, 3390 West Lone Mountain Road, North Las Vegas, displayed photographs of her neighborhood and the homes in the Ranch Estates area to show the differences between R-E and R-1 properties. She was opposed to the zoning change to R-1.

Steve Sidhu, 425 South 6th Street, Las Vegas, stated one of the concerns of the homeowners in the area was the potential increase in traffic on La Madre Way. As a result, the developer agreed to change the plans to reflect the emergency access to be on Willis Street, rather than on La Madre Way.

Councilwoman Smith expressed concern about the undeveloped property in the area which created an in-fill area surrounded by schools that showed no promise of being developed. Councilwoman Smith also felt the residents in the area currently supported the project and they would rather have developed property as opposed to vacant lots.

Councilman Buck asked about the size of the lots to the north of the project; Director Stewart responded they were .46 acres in size.

John Callan, 4204 West Rosada Way, North Las Vegas, advised there were originally eight one-acre parcels on the subject site, two of which were subsequently subdivided into four half-acre lots, or approximately 21,000 square feet. He was concerned about a drainage ditch located to the south of the property possibly causing flooding in the north. Mr. Callan stated he signed the memorandum; however, he was neither opposed nor in favor of the zoning change.

Mayor Montandon advised a drainage study would be required regardless of what type of development occurred.

Councilman Eliason asked Ms. Lazovich what the density would be with the proposed changes. Ms. Lazovich responded the density would be 4.14 dwelling units per acre.

Mayor Montandon closed the Public Hearing.

ACTION: PLANNING COMMISSION DECISION OVERTURNED; AMP-17-06 APPROVED.

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

AYES: Mayor Montandon, Council Members Smith and Eliason

NAYS: Mayor Pro Tempore Robinson, Councilman Buck

ABSTAIN: None

3. **AN APPEAL SUBMITTED BY JENNIFER LAZOVICH, KUMMER KAEMPFER BONNER RENSHAW & FERRARIO, ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-25-06 (VALLEY/LA MADRE); AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES ON BEHALF OF ALLAY INVESTMENTS, LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT, ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF VALLEY DRIVE AND LA MADRE WAY. (CONTINUED JUNE 21 AND JULY 19, 2006) (ASSOCIATED ITEM NO. 2, AMP-17-06 AND NO. 4, T-1251)**

Mayor Montandon opened the Public Hearing.

Mayor Montandon closed the Public Hearing.

ACTION: PLANNING COMMISSION DECISION OVERTURNED; ZN-25-06 APPROVED.

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith and Eliason

NAYS: Mayor Pro Tempore Robinson, Councilman Buck

ABSTAIN: None

4. **AN APPEAL SUBMITTED BY JENNIFER LAZOVICH, KUMMER KAEMPFER BONNER RENSHAW & FERRARIO, ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY T-1251 (VALLEY/LA MADRE); AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES ON BEHALF OF ALLAY INVESTMENTS, LLC, PROPERTY OWNER, FOR A 45-LOT RESIDENTIAL TENTATIVE MAP IN AN R-E RANCH ESTATES DISTRICT (PROPOSED R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT), ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF VALLEY DRIVE AND LA MADRE WAY. (CONTINUED JUNE 21 AND JULY 19, 2006) (ASSOCIATED ITEM NO. 2, AMP-17-06 AND NO. 3, ZN-25-06)**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Jory Stewart advised the tentative map was received on August 16, 2006 and requested the item be continued for two weeks for further review.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, advised there had been a meeting with residents in the area the previous evening which was the reason the tentative map was received so late. She again read the four conditions of the tentative map into the record that were read in Item No. 2.

Director Stewart stated the conditions would be reviewed by Staff and other departments to ensure the intent of the conditions were written into the tentative map.

ACTION: CONTINUED TO SEPTEMBER 6, 2006

MOTION: Mayor Montandon

SECOND: Councilman Eliason

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: Mayor Pro Tempore Robinson

ABSTAIN: None

5. **AMP-32-06 (MARBELLA); AN APPLICATION SUBMITTED BY MM GROUP, LLC, ON BEHALF OF RICHARD & FELICIA POWELL AND EAGLE 7 PROPERTIES, LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF COMMUNITY COMMERCIAL TO HDR HIGH DENSITY RESIDENTIAL, ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF DONNA STREET AND AZURE AVENUE. (CONTINUED AUGUST 2, 2006) (ASSOCIATED ITEM NO. 47, ORDINANCE NO. 2300)**

ACTION: CONTINUED TO SEPTEMBER 6, 2006

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

6. **AN APPEAL SUBMITTED BY MR. AND MRS. GLEN DUKE, NEIGHBORING PROPERTY OWNER, OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE UN-54-06 (GRAND TETON SUBSTATION); AN APPLICATION SUBMITTED BY NEVADA POWER COMPANY, ON BEHALF OF THE UNITED STATES OF AMERICA / BUREAU OF LAND MANAGEMENT, PROPERTY OWNER, FOR A USE PERMIT IN AN O-L OPEN LAND DISTRICT TO ALLOW A 230/12 KV ELECTRICAL SUBSTATION ON PROPERTY GENERALLY LOCATED APPROXIMATELY 333 FEET NORTH OF GRAND TETON DRIVE AND EAST OF ALIANTE PARKWAY.**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Jory Stewart advised Staff recommended approval of the application. The site has had a use permit for a 138 kV substation which was indicated on the Master Plan for utilities since 1999. The applicant now requested an upgrade to a 230 kV substation and the Planning Commission recommended approval.

Edgar Patino, 6226 West Sahara Avenue, Las Vegas, represented the applicant and advised that Nevada Power Company began planning for the facility in the 1990's at which time representatives of the company worked with Staff, held neighborhood meetings with

residents and developed a master plan for electrical utilities which was included in their 1999 comprehensive master plan. A special use permit was applied for in 2005 at which time the Planning Commission recommended approval. Mr. Patino stated, due to the conservation transfer area, it became necessary to change the design of the substation from a 138/12 kV substation to a 230/12 kV substation which required an application for a new special use permit which was once again approved by the Planning Commission. He stated a meeting was held with the appellant, as well as residents of the area, at which time their concerns were addressed.

Mayor Pro Tempore asked if proper notification was provided to the residents and Mr. Patino conceded, although some of the residents had received prior notification, several others had not received any notice of the proposed substation.

Mayor Pro Tempore Robinson asked Mr. Patino to address the danger of electromagnetic field (EMF) radiation emitted by the substation. Mr. Patino admitted the emission of EMFs was a real concern across the country; however, after several studies were conducted, the result was the evidence was inconclusive and inconsistent. He stated the state and federal government currently had no guidelines for EMF radiation emission. Mr. Patino provided several examples of items used every day in the home and the EMF produced by those items. By comparison, it was his opinion that the substation would produce even less EMF radiation than common every-day household items, such as a hair dryer.

Glen Duke, 8032 Slate Falls Avenue, North Las Vegas, stated that three concerns were brought up by his neighbors which included health problems, depreciation of property and the failure to notify the homeowners of the proposed substation.

Mayor Montandon explained the importance of constructing substations to supply electricity to 20,000 homes in a city whose growth was rapidly increasing.

Chet Chuang, 8225 Seven Falls Street, North Las Vegas, was a power engineer who designed substation transmission lines and who resided in North Las Vegas near the proposed substation. He stated he appeared on behalf of 140 residents who signed a petition opposing the construction of the substation. Mr. Chuang felt the substation would cause a health hazard to the residents in the area and cited several published articles regarding the risks of cancer in children residing near high-voltage transmission lines. He suggested Nevada Power Company seek an alternative location or utilize underground cable for the substation to reduce the EMF emission.

Councilwoman Smith expressed her frustration that residents were not given prior notice that the substation was being considered in the area; however, the project had already been approved. She asked Mr. Patino to explain the how the transmission lines would be used.

Mr. Patino stated many of the residents who attended the neighborhood meeting expressed concern about the transmission lines, as opposed to the actual substation. He conceded the transmission lines did emit more EMF than the substation. Mr. Patino advised there would be a 330-foot transmission line heading north 330 feet into the substation. He stated for the record the remainder of the line indicated on the original plan that would be located behind the Centex homes was not needed and, therefore, would not be used. Mr. Patino stated the changes would not visually affect the landscaping or the meandering sidewalk but would only be technical in nature.

Dave Rigdon, Land Use Consultant, Nevada Power Company, advised when he heard about the concerns the residents had with possible EMF emissions, he and the environmental consultant at Nevada Power Company visited a 230/12 kV substation and measured the emissions while standing between the wire drop-down pole and the substation wall. After taking several measurements, Mr. Rigdon advised the emissions were extremely negligible. He also provided EMF measurements that resulted from a study conducted by the Environmental Protection Agency. According to Mr. Rigdon, the study resulted in no more electromagnetic fields than a standard hair dryer.

When asked by Mayor Pro Tempore about the possible cancer-causing effects from EMF, Mr. Patino explained most of the studies conducted were inconsistent and inconclusive. He emphasized that Nevada Power Company adhered to all the federal and state regulations that were in place regarding EMF to minimize any possible danger to residents. Mr. Patino felt reducing the transmission line to 330 feet would assist in that effort.

Linda Foreman, 8212 Chimney Bluffs Street, North Las Vegas, complained she was never informed by Centex or Nevada Power Company that a substation was being constructed in her neighborhood and expressed her opposition.

Councilman Buck advised Centex had been notified many times in 2005 that Nevada Power Company was seeking approval for a substation, as were 384 residents in the area; however, no one showed up to protest the item. She also stated that in 2006, when Nevada Power Company sought approval to amend the plan, more than 384 households were notified but only two residents showed up to protest the project. Since that time, discussions were held with City Manager Rose, Nevada Power Company and Councilman Buck regarding other alternatives and after much research by all involved, the current location proved to be the best option. Councilman Buck expressed regret that not all homeowners were notified of the project. She suggested that in the future Nevada Power Company put their utility map on the website for future potential homeowners to access.

Councilman Buck asked Mr. Patino if the transmission lines could be buried underground, as suggested by Mr. Chuang. Mr. Patino responded, although the technology existed for underground power lines, the cost would be 7 to 12 times the cost of constructing the lines

above the ground. This cost would then have to be passed on to the Nevada Power Company customers. He also stated the reliability factor was not as prevalent with underground lines which could cause outages to last longer than with above-ground lines.

Aside from the obvious increase in cost, Councilman Buck inquired as to whether it would be safer to put the transmission lines underground and to allay the concerns of the residents about the depreciation of their homes.

Mayor Montandon explained the only benefit from underground installation of power lines was aesthetic and, in his opinion, underground power lines were far more dangerous than above-ground lines. Mr. Patino agreed with the comments made by Mayor Montandon and added that EMF dissipates with distance and the underground lines would provide more distance than underground lines.

Steve Anderson, Project Manager, Nevada Power Company, addressed the increased cost of \$9 million for underground transmission lines, as opposed to \$ 1.7 million for above-ground lines. He advised Nevada Power Company was required by the Public Utilities Commission to provide the least cost electrical pricing for customers. As a result, the increased cost would be passed on to all Nevada Power Company customers, not only to the homeowners affected by the project. Regarding the existing underground transmission lines addressed by Mr. Chuang, Mr. Anderson stated in most cases the cost was absorbed by the requesting customer, such as a casino or other large company.

When asked by Mayor Montandon to address "twisting the line," Mr. Anderson explained that when installing the long overhead transmission lines, the conductors were transposed which could cancel out the EMF from overhead lines. When underground lines were installed, that process was not able to be utilized. Mr. Anderson explained the practice was not to put the lines closer together because there must be a safe distance between the conductors because of the excessive heat being generated by the electricity passing through the conductors. If the distance between conductors were not great enough, the fault could be catastrophic and could destroy all the conductors. Therefore, the safety issues with underground transmission lines were much greater than with overhead lines.

Mayor Montandon closed the Public Hearing.

ACTION: PLANNING COMMISSION DECISION UPHELD; UN-54-06 APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

7. **AMP-35-06 (CHEYENNE POINTE); AN APPLICATION SUBMITTED BY THE MONTECITO COMPANIES ON BEHALF OF OTG CIVIC, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF PUBLIC / SEMI-PUBLIC TO COMMUNITY COMMERCIAL ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF CHEYENNE AVENUE AND CIVIC CENTER DRIVE. (ASSOCIATED ITEM NO. 51, ORDINANCE NO. 2303)**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Jory Stewart advised this was an addition to a commercial shopping center and was supported by Staff and the Planning Commission.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and requested Council approval.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

51. **ORDINANCE NO. 2303; 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 0.68+ ACRES THEREIN FROM AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT (ZN-44-06, CHEYENNE POINTE), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF CHEYENNE AVENUE AND CIVIC CENTER DRIVE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 7, AMP-35-06)**

Ordinance No. 2303 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 0.68+ ACRES THEREIN FROM AN R-1 SINGLE FAMILY

RESIDENTIAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT (ZN-44-06, CHEYENNE POINTE), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF CHEYENNE AVENUE AND CIVIC CENTER DRIVE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

8. **UN-17-05 (LINN & TROPICAL); AN APPLICATION SUBMITTED BY GEORGE C. GARCIA, ON BEHALF OF THE LARIK FAMILY TRUST, PROPERTY OWNER, FOR AN EXTENSION OF TIME ON A SPECIAL USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT, TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN/RESTAURANT ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF LINN LANE AND TROPICAL PARKWAY.**

ACTION: CONTINUED TO SEPTEMBER 20, 2006

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

9. **UN-67-06 (HOLIDAY INN EXPANSION); AN APPLICATION SUBMITTED BY NORMAN WILSON, ARCHITECT, ON BEHALF OF DONOVAN HOSPITALITY, LLC, AND GOLDEN POINT PARTNERS I, LLC, PROPERTY OWNERS, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW THE EXPANSION OF AN EXISTING HOTEL / MOTEL ON PROPERTY LOCATED AT 4540 DONOVAN WAY.**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Jory Stewart advised the expansion would consist of a new 6700 square-foot three-story building which was intended to include an additional 48 guest rooms. Staff and the Planning Commission recommended approval.

Councilman Buck asked if the applicant was aware of what was occurring on the Craig Road overpass. **Norman Wilson, 609 15th Street, Modesto, California**, architect, stated the owner was aware of the Craig Road overpass construction.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

10. UN-68-06; AN APPLICATION SUBMITTED BY BIODIESEL OF LAS VEGAS, ON BEHALF OF INDUSTRIAL DEVELOPMENT CORPORATION, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW HAZARDOUS MATERIALS (BIODIESEL FUEL PROCESSING) ON PROPERTY LOCATED AT 5225 EAST EL CAMPO GRANDE AVENUE.

Mayor Montandon disclosed he was previously involved in a real estate transaction that involved the subject property and, therefore, would abstain from voting.

Mayor Pro Tempore Robinson opened the Public Hearing.

Planning and Zoning Director Jory Stewart advised the applicant proposed a storage facility that would house 605,000 gallons of hazardous material (biodiesel fuel) in the M-2 industrial district. The submitted plan indicated that the fuel would be stored within tanks located outdoors. Staff and the Planning Commission recommended approval.

George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, requested Council approval.

At the request of Councilman Buck, Fire Chief Al Gillespie explained an examination of the project plans was conducted by the Fire Department and all the concerns were addressed to his satisfaction.

Mr. Garcia added the chemical makeup of the fuel was not as flammable as gasoline or propane and was utilized by the Clark County School District and other governmental agencies as an alternative fuel for diesel equipment.

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: Mayor Montandon

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

Mayor Montandon opened the Public Hearing.

Public Works Director Jory Stewart stated this was the applicant's eighth request for an extension of time and intended to begin construction immediately.

George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, represented the applicant and stated the project had progressed to the point of imminent construction. He stated the applicant made a substantial investment in the project and he requested Council approval.

Harvey Ferber, 1504 Lazy Hill Ranch Way, North Las Vegas, stated the area in question was mainly residential with single-family homes and opposed the construction of another tavern in the neighborhood.

Councilman Eliason asked about the length of time a developer had after an extension of time before commencing with construction. In response, Director Stewart read the following language governing the extension of time on special use permits:

"Any and all conditions, stipulations and limitations shall be fulfilled and construction commenced within one year from the public meeting date upon which the special use

permit has been approved. If the applicant fails to commence construction or fails to fulfill any and all conditions, stipulations and limitations within such time period, such use permit shall expire unless an extension of time is granted by the City Council.”

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: Councilman Eliason

ABSTAIN: None

12. VAC-09-06 (SHARON JAMERSON); AN APPLICATION SUBMITTED BY SHARON JAMERSON, PROPERTY OWNER, TO VACATE 4.5 FEET OF THE WESTERLY SIDE OF LEXINGTON AVENUE COMMENCING AT WINDSOR AVENUE AND PROCEEDING NORTH APPROXIMATELY 93 FEET.

Mayor Montandon opened the Public Hearing.

Public Works Director Jim Bell advised the vacation would effectuate a 51-foot street from a previous 60-foot street. Staff supported the application.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. A PUBLIC UTILITY EASEMENT SHALL BE RESERVED OVER THE ENTIRE AREA TO BE VACATED.
2. THE VACATION MUST RECORD CONCURRENTLY WITH THE FINAL MAP. SHOULD THE ORDER OF VACATION NOT RECORD WITHIN TWO YEARS FROM THE APPROVAL DATE, THE VACATION SHALL BE DEEMED NULL AND VOID.
3. DEDICATION AND CONSTRUCTION OF THE FOLLOWING STREETS AND/OR HALF STREETS IS REQUIRED PER THE MASTER PLAN OF STREETS AND HIGHWAYS AND/OR CITY OF NORTH LAS VEGAS MUNICIPAL CODE SECTION 16.24.100:
 - A. 3' ON WINDSOR AVENUE
 - B. ASSOCIATED SPANDREL

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

13. VAC-10-06 (VILLA SERENO); AN APPLICATION SUBMITTED BY VILLA SERENO, LLC, PROPERTY OWNER, TO VACATE A 30-FOOT-WIDE PORTION OF EAGLE WAY COMMENCING AT AZURE AVENUE AND PROCEEDING NORTH APPROXIMATELY 310 FEET.

Mayor Montandon opened the Public Hearing.

Public Works Director Jim Bell explained this was an unimproved roadway which was not included in the Master Plan. He supported the vacation.

ACTION: APPROVED WITH THE FOLLOWING CONDITIONS:

1. DEDICATION OF 75' ROW FOR NORTH 5TH STREET IS REQUIRED.
2. THE VACATION MUST RECORD PRIOR TO APPROVAL OF THE CIVIL IMPROVEMENT PLANS. SHOULD THE ORDER OF VACATION NOT RECORD WITHIN TWO YEARS OF THE PLANNING COMMISSION APPROVAL DATE, THE VACATION SHALL BE DEEMED NULL AND VOID.
3. DEDICATION AND CONSTRUCTION OF THE FOLLOWING STREETS AND/OR HALF STREETS IS REQUIRED PER THE MASTER PLAN OF STREETS AND HIGHWAYS AND/OR CITY OF NORTH LAS VEGAS MUNICIPAL CODE SECTION 16.24.100:
 - A. 30' ON REGENA AVENUE
 - B. 75' ON NORTH 5TH STREET
 - C. ASSOCIATED SPANDRELS

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

BUSINESS (CONT'D)

38. RESOLUTION NO. 2355; A RESOLUTION ESTABLISHING THE CITY'S STATE LEGISLATIVE PLATFORM FOR THE 2007 NEVADA LEGISLATURE.

Resolution No. 2355 as introduced by the City Manager:

A RESOLUTION ESTABLISHING THE CITY'S STATE LEGISLATIVE
PLATFORM FOR THE 2007 NEVADA LEGISLATURE.

State Legislative Affairs Officer Kimberly McDonald advised the 2007 platform consisted of two components which consisted of three proposed Bill Draft Requests (BDRs) and the guidelines regarding such issues as community development, telecommunications, land issues, employee issues, etc.

The first BDR was a request for Library Consolidated Tax Distribution. The second bill concerned the Redevelopment Agency and a request to extend plans from the current sunset of 30 years to 45 years. The third bill sought to secure financial assistance for the restoration and maintenance of Kiel Ranch.

City Manager Rose advised an attempt would be made to have the State of Nevada accept Kiel Ranch as a state park at which time the State could opt to take over the operation and maintenance or provide the City with the funds to do so.

City Manager Rose stated all the items proposed for the 2007 Legislative Platform were reviewed and recommended by the Legislative Affairs Committee. In addition, Staff requested that Elections and the Open Meeting Law be included in the 2007 Legislative Platform.

Ms. McDonald requested Council pass and adopt the resolution and authorize the City Manager to sign the Bill Draft Requests for submittal to the Legislative Counsel Bureau.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Montandon

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

Mayor Montandon called for a five-minute recess.

Mayor Montandon reconvened the meeting.

ORDINANCES
INTRODUCTION ONLY

39. **ORDINANCE NO. 2302; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 1.17+ ACRES THEREIN FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, APPROVED FOR PROFESSIONAL OFFICES, TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-46-06, DEL NORTE HOMES) CONSISTING OF 11 SINGLE FAMILY HOMES, FOR PROPERTY LOCATED APPROXIMATELY 90 FEET EAST OF CAMINO AL NORTE AND SOUTH OF RANCHO DEL NORTE DRIVE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR SEPTEMBER 6, 2006) (ASSOCIATED ITEM NO. 21, AMP-36-06)**

Ordinance No. 2302 as introduced by the Chief Deputy City Clerk:

AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 1.17+ ACRES THEREIN FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, APPROVED FOR PROFESSIONAL OFFICES, TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-46-06, DEL NORTE HOMES) CONSISTING OF 11 SINGLE FAMILY HOMES, FOR PROPERTY LOCATED APPROXIMATELY 90 FEET EAST OF CAMINO AL NORTE AND SOUTH OF RANCHO DEL NORTE DRIVE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR SEPTEMBER 6, 2006

40. **ORDINANCE NO. 2304; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 1843 WHICH RECLASSIFIED LOSEE PLAZA (ZN-35-03) TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL USES AS SET FORTH BELOW, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR SEPTEMBER 6, 2006)**

Ordinance No. 2304 as introduced by the Chief Deputy City Clerk:

AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 1843 WHICH RECLASSIFIED LOSEE PLAZA (ZN-35-03) TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL USES AS SET FORTH BELOW, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR SEPTEMBER 6, 2006

ORDINANCES
FINAL ACTION

41. **ORDINANCE NO. 2278; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-08-06), TO AMEND TITLE 17 (ZONING ORDINANCE) SECTION 17.24.140(H) TO ALLOW UP TO A TWENTY PERCENT (20%) REDUCTION IN PARKING FOR MULTI-FAMILY RESIDENTIAL DEVELOPMENTS LOCATED WITHIN A HALF MILE OF ANY EXISTING OR PLANNED BUS RAPID TRANSIT (BRT) OR LIGHT RAIL TRANSIT (LRT) STOP, WITH AN INCREASE IN OPEN SPACE OF 100 SQUARE FEET FOR EACH REDUCED PARKING SPACE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED JUNE 7 AND AUGUST 2, 2006)**

Ordinance No. 2278 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-08-06), TO AMEND TITLE 17 (ZONING ORDINANCE) SECTION 17.24.140(H) TO ALLOW UP TO A TWENTY PERCENT (20%) REDUCTION IN PARKING FOR MULTI-FAMILY RESIDENTIAL DEVELOPMENTS LOCATED WITHIN A HALF MILE OF ANY EXISTING OR PLANNED BUS RAPID TRANSIT (BRT) OR LIGHT RAIL TRANSIT (LRT) STOP, WITH AN INCREASE IN OPEN SPACE OF 100 SQUARE FEET FOR EACH REDUCED PARKING SPACE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Planning and Zoning Director Jory Stewart advised with the proposed amendment the multi-family residential developments would be permitted up to a 20% reduction in the

required number of parking spaces; however, this would be subject to an approved parking study. Other requirements would include adding 100 square feet of open space to the development for every parking space removed and that the multi-family development be located within one-half mile of an existing or planned rapid transit stop.

Robert Gronauer, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and submitted a text amendment and a request to reduce parking, along with proposed language. He advised that approximately two years ago his office initiated a text amendment to attempt to change the parking requirements for multi-family development which was two parking spaces per unit. After discussion and negotiation with Staff, the requirement for multi-family development parking was changed. However, since that time many of Mr. Gronauer's clients stated the current parking code for multi-family development did not meet their project needs. According to Mr. Gronauer, Ordinance No. 2278 would permit a developer to request a waiver for a 20% reduction of parking spaces for development along the North 5th Street Corridor within one-half mile of a planned or existing bus rapid transit or light rail transit stop. Mr. Gronauer requested the ordinance be amended to include the text he prepared.

Director Stewart read into the record the recommendation of the Planning Commission as follows:

“A maximum of 20% reduction in parking spaces may be allowed for multi-family residential developments within one-half mile of a planned or existing bus rapid transit or light rail transit stop with an increase in open space of 100 square feet for each reduced parking space subject to submittal and approval of a parking study.”

Director Stewart stated the waiver language submitted had only been reviewed by Planning Staff and required input from Public Works. It was recommended that the language change contain the wording “subject to submittal and approval of a parking study.” Director Stewart suggested the item be continued for two weeks to give Public Works an opportunity to review and comment on the proposed language.

Councilman Buck was concerned about what standards would be utilized to determine if a parking waiver would be warranted for a multi-family development. Mr. Gronauer explained a developer would require project justification on a case-by-case basis before a waiver would be granted.

Director Stewart advised one of the concerns of Planning Staff was the language that referred to existing or planned bus rapid transit. At that time the Planning Commission was reminded that when the transit-supportive land use plan on North 5th Street was devised, the intent was to support bus rapid transit until such time there was ridership and a reduction in automobile use. Director Stewart stated the plan was not designed to be transit-dependent but only transit-supportive.

Councilwoman Smith advised she would not be opposed to a parking waiver; however, she felt further discussion with Staff was necessary before a decision could be made. Councilwoman Smith asked Mr. Gronauer if he would be agreeable to a two-week continuance. Mr. Gronauer responded, although he had hoped the issue would have been resolved at that time, he was not opposed to a two-week continuance.

ACTION: CONTINUED TO SEPTEMBER 6, 2006

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

42. ORDINANCE NO. 2281; 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 42.48 ACRES THEREIN FROM A C-2 GENERAL COMMERCIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT (ZN-30-06, THE VILLAGE) CONSISTING OF 787 MULTI-FAMILY DWELLING UNITS, 16 LIVE/WORK UNITS AND 53,200 SQUARE FEET OF COMMERCIAL RETAIL, FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF CRAIG ROAD AND COMMERCE STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED JUNE 21, JULY 5 AND JULY 19, 2006)

ACTION: CONTINUED TO SEPTEMBER 6, 2006

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

43. ORDINANCE NO. 2296; 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 NINE (9) ACRES THEREIN FROM AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-47-06, CENTENNIAL

POINTE) CONSISTING OF 201 MULTI-FAMILY DWELLING UNITS FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF DEER SPRINGS WAY AND GOLDFIELD STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED AUGUST 2, 2006)

Ordinance No. 2296 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 NINE (9) ACRES THEREIN FROM AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-47-06, CENTENNIAL POINTE) CONSISTING OF 201 MULTI-FAMILY DWELLING UNITS FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF DEER SPRINGS WAY AND GOLDFIELD STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Planning and Zoning Director Jory Stewart advised the application proposed a 201 attached multi-family dwelling unit project consisting of 75,479 square feet of open space with 374 parking spaces. The applicant proposed that 66 of the parking spaces would be tandem (lined up with each other) and a 10-foot setback along Goldfield Street and a 15-foot setback on Deer Springs Way and Engle Avenue. The overall density would be 22.3 dwelling units per acre. The amount open space required for this development was 144,184 square feet and the minimum number of parking stalls required would be 465 spaces. Director Stewart stated the zoning ordinance prohibited tandem parking in multi-family developments and the minimum setback required for multi-family development was typically 20 feet from adjacent right-of-way. Planning Staff recommended denial and the Planning Commission recommended approval of the application.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, requested the item be continued for two weeks.

ACTION: CONTINUED TO SEPTEMBER 6, 2006

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

44. ORDINANCE NO. 2297; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-10-06), TO AMEND TITLE 17 (ZONING ORDINANCE) TO ADD A SECTION TO CHAPTER 17.20 - ZONE DISTRICT REGULATIONS: SECTION 17.20.230 MIXED USE DEVELOPMENT DISTRICT (MUD); AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED AUGUST 2, 2006)

Ordinance No. 2297 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-10-06), TO AMEND TITLE 17 (ZONING ORDINANCE) TO ADD A SECTION TO CHAPTER 17.20 - ZONE DISTRICT REGULATIONS: SECTION 17.20.230 MIXED USE DEVELOPMENT DISTRICT (MUD); AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Planning and Zoning Director Jory Stewart advised Item Nos. 44, 45 and 46 were related and were presented at the August 2, 2006 Council meeting. She stated suggestions were made by Council and requested Councilman Buck to read the proposed changes. Exhibit 1, "Proposed Changes to Subsection F.3 (Phasing of Development)" read as follows:

3. Phasing of Development. Delete the following: "Any mixed use development proposed to be constructed in phases shall include the full details relating thereto, including a time schedule for the completion of each phase. For horizontal mixed use, no portion of the commercial component shall be occupied prior to completion of at least 50% of the residential component. For all mixed use projects, required open space shall be completed according to a phasing plan approved with the mixed use development."

Add the following:

- a. Any mixed use development proposed to be constructed in phases shall include the full details relating thereto, including a time schedule for the completion of each phase.
- b. For horizontal mixed use, no portion of the commercial component shall be occupied prior to completion of at least fifty percent (50%) of the residential component.
- c. For all mixed use projects, no "on sale" establishment shall be occupied prior to completion of at least fifty percent (50%) of the commercial component.

- d. For all mixed use projects, required open space shall be completed according to a phasing plan approved with the mixed use development.

Councilman Eliason asked if there were a penalty if each phase was not completed according to the allotted time frame. Director Stewart responded there was not.

Mayor Montandon asked what would happen if a developer could not meet the time line and requested a later completion date. Planner Ned Thomas responded the developer would be required to come in to request a change in that condition.

Regarding Exhibit 2, Proposed Changes to Subsection F.10 ("On Sale" Establishments), Councilman Buck was concerned that the old language contained proximities that said there could be mixed use, which included a tavern, within 400 feet of a school, day care, church, park or residential area. This language contradicted the separation requirement of 1500 in the tavern ordinance previously approved by Council and Councilman Buck felt the mixed use ordinance should be compatible with the tavern ordinance. Councilman Eliason felt this requirement should be contingent upon the size of the development. Planner Ned Thomas responded that, as an incentive for mixed use, all the uses within the boundaries of the mixed use development were exempted from distance requirements.

Another change requested by Councilman Buck was that the proposed "on sale" establishment would be 2500 feet or greater from all existing or approved taverns unless a waiver were granted by the City Council.

Councilwoman Smith requested a two-week continuance to review the language changes proposed by Councilman Buck. Councilman Buck explained the changes did not affect the mixed use as far as the proximity of establishments. The proposed changes corresponded with the separation requirements approved in Title 17 which stated there had to be 500 feet between the tavern and a residence; 1500 feet away from a park, school, day care or church; and 2500 feet away from an existing tavern with a waiver provision.

ACTION: CONTINUED TO SEPTEMBER 6, 2006

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

45. **ORDINANCE NO. 2298; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-11-06), TO AMEND TITLE 17 (ZONING ORDINANCE) TO ADD A SECTION TO CHAPTER 17.24 - GENERAL BUILDING AND DEVELOPMENT STANDARDS: SECTION 17.24.220 MIXED USE DESIGN GUIDELINES; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED AUGUST 2, 2006)**

ACTION: CONTINUED TO SEPTEMBER 6, 2006

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

46. **ORDINANCE NO. 2299; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-12-06), TO AMEND TITLE 17 (ZONING ORDINANCE) TO ADD A SECTION TO CHAPTER 17.28 - ADMINISTRATIVE PROCEDURES: SECTION 17.28.065 PROCEDURE FOR MIXED USE DEVELOPMENT (MUD) APPROVAL; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED AUGUST 2, 2006)**

ACTION: CONTINUED TO SEPTEMBER 6, 2006

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

47. **ORDINANCE NO. 2300; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 5+ ACRES THEREIN FROM AN R-E, RANCH ESTATES DISTRICT AND A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT (ZN-42-06, MARBELLA), FOR PROPERTY LOCATED**

**AT THE NORTHWEST CORNER OF DONNA STREET AND AZURE AVENUE
AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.
(CONTINUED AUGUST 2, 2006) (ASSOCIATED ITEM NO. 5, AMP-32-06)**

ACTION: CONTINUED TO SEPTEMBER 6, 2006

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

48. ORDINANCE NO. 2292; AN ORDINANCE RELATING TO LOITERING FOR PROSTITUTION, AMENDING SECTION .030 OF CHAPTER 9.08 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS TO CORRECT VAGUENESS AND OVER BREADTH CONCERNS BY SPECIFICALLY ARTICULATING THE CONDUCT PROSCRIBED, AND PROVIDING FOR OTHER MATTERS RELATED THERETO.

Ordinance No. 2292 as introduced by the City Manager:

AN ORDINANCE RELATING TO LOITERING FOR PROSTITUTION, AMENDING SECTION .030 OF CHAPTER 9.08 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS TO CORRECT VAGUENESS AND OVER BREADTH CONCERNS BY SPECIFICALLY ARTICULATING THE CONDUCT PROSCRIBED, AND PROVIDING FOR OTHER MATTERS RELATED THERETO.

Chief Deputy City Attorney Carie Torrence advised Item Nos. 48 and 49 corrected some of the problems with the language in the old code which was deemed by the Supreme Court to be too vague.

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

49. ORDINANCE NO. 2293; AN ORDINANCE RELATING TO LOITERING FOR THE PURPOSE OF ENGAGING IN DRUG-RELATED ACTIVITY, AMENDING SECTION .020 OF CHAPTER 9.16 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS TO CORRECT VAGUENESS AND OVER BREADTH CONCERNS BY SPECIFICALLY ARTICULATING THE CONDUCT PROSCRIBED, AND PROVIDING FOR OTHER MATTERS RELATED THERETO.

Ordinance No. 2293 as introduced by the City Manager:

AN ORDINANCE RELATING TO LOITERING FOR THE PURPOSE OF ENGAGING IN DRUG-RELATED ACTIVITY, AMENDING SECTION .020 OF CHAPTER 9.16 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS TO CORRECT VAGUENESS AND OVER BREADTH CONCERNS BY SPECIFICALLY ARTICULATING THE CONDUCT PROSCRIBED, AND PROVIDING FOR OTHER MATTERS RELATED THERETO.

ACTION: PASSED AND ADOPTED

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

50. ORDINANCE NO. 2301; AN ORDINANCE PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION (LIMITED TAX) WASTEWATER RECLAMATION SYSTEM BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2006 IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$140,000,000; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND COVENANTS RELATING TO THE PAYMENT OF SAID BONDS; REPEALING THE 2005 SEWER BOND ORDINANCE NO. 2130; AND PROVIDING OTHER MATTERS RELATING THERETO.

ACTION: CONTINUED TO SEPTEMBER 6, 2006

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

APPOINTMENTS

52. APPOINTMENT BY COUNCILMAN ELIASON TO THE CITIZENS ADVISORY COMMITTEE, FOR A TERM TO EXPIRE JUNE 30, 2009. (TABLED JUNE 21, JULY 19 AND AUGUST 2, 2006)

ACTION: COUNCILMAN ELIASON APPOINTED KENNY SORENSEN

MOTION: Councilman Eliason

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

53. NOMINATION OF A CITIZEN REPRESENTATIVE AND CITIZEN ALTERNATE TO THE CLARK COUNTY COMMUNITY DEVELOPMENT ADVISORY COMMITTEE FOR A TERM OF ONE YEAR.

ACTION: MAYOR MONTANDON APPOINTED DOLPHINE BURT AS CITIZEN REPRESENTATIVE; CITIZEN ALTERNATE APPOINTMENT TABLED TO SEPTEMBER 6, 2006

MOTION: Mayor Montandon

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

COUNCIL ITEMS

Council thanked Public Works Director Jim Bell for all his years of service to the City and wished him well in his new position.

CITY MANAGER'S REPORT

City Manager Gregory Rose also thanked Public Works Director Jim Bell for his service.

PUBLIC FORUM

There was no public participation.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 9:32 P.M.

MOTION: Councilman Eliason

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

APPROVED: October 18, 2006