

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

September 20, 2006

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

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	Information Technology Director Steve Chapin
Assistant City Manager Sam Chambers	Library Administrator Anita Laruy
Assistant City Manager Maryann Ustick	Parks & Recreation Director Mike Henley
Chief Deputy City Attorney Carie Torrence	Planning and Zoning Director Jory Stewart
City Clerk Karen L. Storms	Planning and Zoning Manager Marc Jordan
Communications Director Brenda Johnson	Assistant Police Chief Joe Forti
Finance Director Phil Stoeckinger	Acting Public Works Director Qiong Liu
Fire Chief Al Gillespie	Utilities Director David Bereskin
General Services Director Eric Dabney	Redevelopment Manager Larry Bender
Acting Human Resources Director Mike Scalzi	Chief Deputy City Clerk Anita Sheldon

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Karen L. Storms, CMC
City Clerk

INVOCATION

Bishop James B. Olive
Church of Jesus Christ of Latter Day Saints

PLEDGE OF ALLEGIANCE

Alex Proksch, Boy Scout Troop #875

PUBLIC FORUM

Charles Hall, 4527 Whelk Place, North Las Vegas spoke about renewable energy and asked if the City had any thoughts on this issue. Mayor Montandon said that City Manager Gregory Rose would contact him.

Harvey Ferber, 1504 Lazy Hill Ranch Way, North Las Vegas, spoke about taverns in mixed use districts, ballot question placement and Monday night football game showings at the movie theater at the Cannery Casino.

PROCLAMATION

★ **PROCLAMATION RECOGNIZING THE 219TH ANNIVERSARY OF THE SIGNING OF THE U.S. CONSTITUTION AND THE IMPORTANCE OF THIS DOCUMENT TO PRESERVE THE FREEDOM OF THE PEOPLE.**

ACTION: PROCLAMATION PRESENTED TO ALEX GREEN, DAUGHTERS OF THE AMERICAN REVOLUTION, VALLEY OF FIRE CHAPTER

AGENDA

1. **APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF SEPTEMBER 20, 2006.**

ACTION: APPROVED AS AMENDED; ITEM NO. 2 CONTINUED TO OCTOBER 4, 2006; ITEM NO. 27 TABLED TO OCTOBER 4, 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

PUBLIC HEARINGS - 6:15 P.M.

2. **VAC-21-05 (STORAGE WEST - DORRELL); AN APPLICATION SUBMITTED BY LAACO, LTD., TO VACATE ELAINE STREET COMMENCING AT THE INTERSECTION OF DORRELL LANE AND PROCEEDING NORTH APPROXIMATELY 610 FEET TO THE INTERSECTION OF DONALD ROAD. (CONTINUED OCTOBER 19, NOVEMBER 2 AND 16, 2005, MAY 17, JUNE 21 AND AUGUST 2, 2006)**

ACTION: CONTINUED TO OCTOBER 4, 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

3. **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. (CONTINUED AUGUST 16, 2006)**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Jory Stewart advised Staff had originally recommended denial of the use permit due to the fact there was no commercial development in the area. Additionally, there were no public services, utilities or improvements near the site and because of its remote location, the Police Department was concerned about a possible increase in calls for service.

George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, stated this was the first extension of time requested by the applicant. The project had been approved and, while he was aware there was no development, it was his understanding that Thomas & Mack was going to break ground on their project sometime in October. Mr. Garcia advised the applicant began moving forward with a drainage study and a traffic study and had supplied letters of approval to Staff.

Carole Uchimura, 330 Vista Del Escuela, El Cajon, California, stated she owned property adjacent to the subject property and she advised there was a “for sale” sign on the site. She didn’t understand how a use permit could be granted on property that had not been sold and did not have a designated use. Ms. Uchimura also stated the land surrounding the subject site was zoned M-2 and her property was zoned O-L. She agreed with Staff’s recommendation for denial.

Mr. Garcia explained the subject site was only a small part of the area owned by the applicant which was zoned for commercial use. He also stated it was common practice for property owners to sell off small portions of large parcels to other developers. Mr. Garcia advised he would be happy to show the plans for the project to Ms. Uchimura.

Councilwoman Smith commented Council had extended the six-month limitation for obtaining a use permit to one year which she felt was enough time to secure all the required studies and approvals. She also expressed concern about the east side of I-15 remaining zoned for industrial use.

Director Stewart advised this request was the first of the one-year approvals and she understood the intent of the ordinance was to allow an applicant one year to begin construction.

Mayor Montandon closed the Public Hearing.

ACTION: ONE-YEAR EXTENSION APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: Councilwoman Smith

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 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. (CONTINUED SEPTEMBER 6, 2006)**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director advised the applicant appealed the Planning Commission's decision to approve this item due to Condition No. 30 which stated "The northerly access along Losee Road shall not be allowed left exit movements." It was Staff's position that the conditions of approval should apply and recommended approval with those conditions with no changes.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, appeared on behalf of the applicant and confirmed that the appeal was based on the imposition of Condition No. 30. She stated at the Planning Commission there was a condition placed on the application that would not permit left turn exit movement on to Losee Road. Ms. Lazovich stated it was believed there would be a full median access point to accommodate service trucks down Losee Road to Craig Road directly to I-15. She advised Nevada Power Company was located north of the subject property and there was a full median opening used by trucks going to and from the Nevada Power substation. Ms. Lazovich attempted to negotiate a median opening swap with the Nevada Power Company; however, the median opening was necessary to accommodate large trucks for transformer repairs.

Ms. Lazovich requested approval for a median opening which would allow left turn movements from the subject site to separate service trucks and customers. She advised an acceptable revised condition was proposed which she requested to read into the record:

"The northerly driveway along the project's Losee Road frontage will be permitted to have left turn access for approximately two years until the intersection of Craig Road and Berg Street has been signalized or, in the event of traffic safety concerns, the City Traffic Engineer may require access to be closed. The developer is responsible for the required street improvements upon closing the access. Additionally, the developer shall make full disclosure to their tenants the fact that left turn access on Losee Road is temporary by the recordation of a Memorandum of Condition for this development. Said memorandum shall be recorded prior to the issuance of any permits. A separate surety for improvements associated with the closing of the subject left turn access and reconstruction of the area shall be required prior to approval of the civil improvement plans."

Ms. Lazovich advised this condition would provide temporary access until the traffic light at Berg Street was installed. She stated the applicant would be responsible for the cost of the temporary access point and for providing notice to the tenants. Ms. Lazovich also stated this condition would be included in the recorded Memorandum of Condition.

Mayor Montandon asked about the origination of this condition and Director Stewart responded a memo dated September 20, 2006 was received from Acting Public Works Director Qiong Liu.

City Manager Rose commented that Staff's position had not changed; however, if Council was receptive to approving the access, it was recommended it be done based on the conditions read into the record by Ms. Lazovich.

Councilman Buck inquired about the possibility of speeding up the Berg Street traffic signal. Acting Public Works Director Qiong Liu responded the signal was part of the Craig Road overpass project which was spearheaded by the Nevada Department of Transportation which had been delayed. Councilman Buck asked if the traffic signal could be accelerated apart from the Craig Road overpass project. City Manager Rose responded the acceleration of the traffic signal could be included as part of the Capital Improvement Program which was scheduled to begin within the next few weeks.

Mayor Montandon closed the Public Hearing.

ACTION: PLANNING COMMISSION DECISION UPHeld. SPR-29-06 APPROVED AS AMENDED; CONDITION #30 AMENDED TO READ AS FOLLOWS:

THE NORTHERLY DRIVEWAY ALONG THE PROJECT'S LOSEE ROAD FRONTAGE WILL BE PERMITTED TO HAVE LEFT TURN ACCESS FOR APPROXIMATELY TWO YEARS UNTIL THE INTERSECTION OF CRAIG ROAD AND BERG STREET HAS BEEN SIGNALIZED OR, IN THE EVENT OF TRAFFIC SAFETY CONCERNS, THE CITY TRAFFIC ENGINEER MAY REQUIRE ACCESS TO BE CLOSED.

THE DEVELOPER IS RESPONSIBLE FOR THE REQUIRED STREET IMPROVEMENTS UPON CLOSING THE ACCESS. ADDITIONALLY, THE DEVELOPER SHALL MAKE FULL DISCLOSURE TO THEIR TENANTS THE FACT THAT LEFT TURN ACCESS ON LOSEE ROAD IS TEMPORARY BY THE RECORDATION OF A MEMORANDUM OF CONDITION FOR THIS DEVELOPMENT. SAID MEMORANDUM SHALL BE RECORDED PRIOR TO THE ISSUANCE OF ANY PERMITS.

A SEPARATE SURETY FOR IMPROVEMENTS ASSOCIATED WITH THE CLOSING OF THE SUBJECT LEFT TURN ACCESS AND RECONSTRUCTION OF THE AREA SHALL BE REQUIRED PRIOR TO APPROVAL OF THE CIVIL IMPROVEMENT PLANS.

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

5. **AMP-38-06 (NORTHGATE PHASE I); AN APPLICATION SUBMITTED BY DIAMOND LAMB, LLC, ET AL, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF INDUSTRIAL TO REGIONAL COMMERCIAL ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF TROPICAL PARKWAY AND MARION DRIVE.**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Jory Stewart advised this was the Northgate I project which was presented to change the Master Plan map from industrial to regional commercial only. Staff was concerned about the introduction of any residentially-zoned property in this area as the developer indicated he would like to come back for a zone change to mixed use in the future for possible higher density development. Planning Staff recommended denial of the application; however, the Planning Commission recommended approval.

George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, concurred with the recommendation of the Planning Commission and offered to respond to questions.

Chris Horton, 4405 Pacific Crest Avenue, North Las Vegas, spoke in favor of the zone change and supported mixed use in the future.

Mayor Montandon stated for the record that a zone change from one category to another, i.e. industrial to commercial, did not guarantee mixed use in the future.

Bill Curran, 300 South 4th Street, Las Vegas, appeared on behalf of his client, The Alhambra, the approved casino site across the street from the subject property. He felt it was not appropriate for another casino to be constructed at the location.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

6. **UN-85-06 (U.S. FOODSERVICE, INC.); AN APPLICATION SUBMITTED BY U.S. FOODSERVICE, INC., PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW HAZARDOUS MATERIALS (ANHYDROUS AMMONIA) IN ASSOCIATION WITH AN EXPANSION OF COLD STORAGE ON PROPERTY LOCATED AT 1685 WEST CHEYENNE AVENUE.**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Jory Stewart advised the request was to allow the expansion of use for anhydrous ammonia. She explained that 30,000 pounds was currently stored on site and the request was for an extra 3000 pounds for a total of 33,000 pounds. This location was in an M-2 General Industrial District and Planning Staff recommended approval, as did the Planning Commission.

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

7. **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.**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Jory Stewart advised the project was currently under construction and an approved building permit was pulled. This was the second request for a one-year extension of time and Staff recommended approval.

Stacie Truesdell, 3773 Howard Hughes Parkway, Las Vegas, represented the applicant and requested Council approval.

Scott Sauer, 5629 Midnight Breeze Street, North Las Vegas, stated it was his understanding that construction on the project was supposed to have begun after the first extension of time had been granted.

Mayor Montandon explained the applicant requested the extension of time as a precautionary measure.

Mayor Montandon closed the Public Hearing.

ACTION: ONE YEAR EXTENSION 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

8. 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.

Mayor Montandon opened the Public Hearing.

Acting Public Works Director Qiong Liu stated Staff recommended approval.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. 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.
2. INCLUDE 5' PUBLIC UTILITY EASEMENT ADJACENT TO AREA BEING VACATED.
3. NO BUILDING, STRUCTURES, FENCE OR TREES SHALL BE PLACED UPON OR UNDER SAID PARCEL OF LAND TO BE VACATED NOW OR HEREAFTER.

4. SOUTHWEST GAS CORPORATION SHALL NOT BE LIABLE FOR ANY DAMAGES TO ANY OF THE IMPROVEMENTS PLACED WITHIN SAID EASEMENT DUE TO NORMAL OR NECESSARY OPERATION USING REASONABLE CARE.

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

CONSENT AGENDA

9. APPROVAL OF SPECIAL CITY COUNCIL MEETING MINUTES OF JULY 19, 2006.

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

10. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF JULY 19, 2006.

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

11. APPROVAL OF PRIVILEGED LICENSE: (EXHIBIT "A")

<u>BUSINESS NAME</u>	<u>LICENSE TYPE</u>	<u>ACTIVITY</u>
<u>NAME/OWNERSHIP CHANGE LIQUOR</u>		
1. Brian Hyun, Ptnr 50% Efreem Joelson, Ptnr 50% DBA: Hoops Food & Spirits 4224 N Pecos Rd North Las Vegas, Nevada 89115	LIQUOR	General On/Off Sale Liquor
	<u>Police Investigation Completed</u> <u>Formerly: Hoops</u>	

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

12. APPROVAL OF SPECIAL IMPROVEMENT DISTRICT NO. 54 (CIVIC CENTER DRIVE) APPORTIONMENT REPORT BASED UPON THE SUBDIVISION OF LAND INTO NUMEROUS 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

13. UN-96-06 (DECATUR & CENTENNIAL TAVERN/RESTAURANT); AN APPLICATION SUBMITTED BY DECATUR & CENTENNIAL, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN/RESTAURANT ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND ROME BOULEVARD. (SET PUBLIC HEARING FOR OCTOBER 18, 2006)

ACTION: PUBLIC HEARING SET FOR OCTOBER 18, 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

14. **UN-97-06 (DECATUR & TROPICAL TAVERN/RESTAURANT); AN APPLICATION SUBMITTED BY DECATUR TROPICS, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN/RESTAURANT ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND RICE AVENUE. (SET PUBLIC HEARING FOR OCTOBER 18, 2006)**

ACTION: PUBLIC HEARING SET FOR OCTOBER 18, 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

15. **VAC-17-06 (NELLIS BOULEVARD); AN APPLICATION SUBMITTED BY JAMES B. ALDERMAN, ON BEHALF OF BMC REALTY, INC., ET AL, PROPERTY OWNER, TO VACATE A 30-FOOT-WIDE PORTION (EASTERLY) OF NELLIS BOULEVARD COMMENCING AT RANGE ROAD AND EXTENDING SOUTH TO THE ALIGNMENT OF AZURE AVENUE (APPROXIMATELY 780 LINEAL FEET). (SET PUBLIC HEARING FOR OCTOBER 18, 2006)**

ACTION: PUBLIC HEARING SET FOR OCTOBER 18, 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

BUSINESS

16. FINAL ACCEPTANCE OF THE LAS VEGAS WASH TRAILS, PHASE I: PLACEMENT OF DECOMPOSED GRANITE, BID NO. 1217, FOR MAINTENANCE AND AUTHORIZATION TO FILE THE NOTICE OF COMPLETION. (CNLV CONTRACT NO. C-6210)

ACTION: FINAL ACCEPTANCE 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 TO ISSUE A PURCHASE ORDER TO INTEGRITY NETWORKING SYSTEMS, INC., IN THE AMOUNT OF \$133,420, USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332 LOCAL GOVERNMENT PURCHASING ACT, FOR THE PURCHASE OF COMPUTER HARDWARE, ASSOCIATED EQUIPMENT AND RENEWAL OF SUPPORT SERVICES FOR THE INFORMATION TECHNOLOGY DEPARTMENT.

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

18. APPROVAL TO ISSUE A PURCHASE ORDER TO ORACLE USA, INC., IN THE AMOUNT OF \$119,560 FOR THE PURCHASE OF ADDITIONAL SOFTWARE LICENSES AND SERVICES TO SUPPORT HARDWARE FOR THE DEVELOPMENT AND TRAINING ENVIRONMENTS OF ORACLE'S PROPRIETARY SOFTWARE FOR THE INFORMATION TECHNOLOGY DEPARTMENT.

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

19. APPROVAL TO ISSUE A PURCHASE ORDER TO INTERSTATE SAFETY & SUPPLY COMPANY IN AN AMOUNT NOT TO EXCEED \$36,000, USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332 LOCAL GOVERNMENT PURCHASING ACT, FOR THE PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT FOR THE POLICE DEPARTMENT.

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

20. ACCEPTANCE OF A GRANT AWARD FROM THE NEVADA DEPARTMENT OF HUMAN RESOURCES, DIVISION OF CHILD AND FAMILY SERVICES, UNDER THE VICTIMS OF CRIME ACT GRANT PROGRAM IN THE AMOUNT OF \$84,000; AND AUTHORIZE MATCHING FUNDS IN THE AMOUNT OF \$84,331 FROM THE GENERAL FUND CONTINGENCY ACCOUNT, TO SUPPORT THE CONTINUATION OF THE EXISTING VICTIM ADVOCATE PROGRAM IN THE CITY'S POLICE DEPARTMENT THROUGH SEPTEMBER 30, 2007.

ACTION: GRANT AWARD ACCEPTED; MATCHING FUNDS 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

21. APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF

NORTH LAS VEGAS AND THE STATE OF NEVADA, ACTING BY AND THROUGH ITS DEPARTMENT OF PUBLIC SAFETY, OFFICE OF TRAFFIC SAFETY, FOR THE PURPOSE OF RECEIVING SOFTWARE MAINTENANCE AND TRAINING SERVICES FOR THE CROSSROADS SOFTWARE COLLISION/CITATION DATABASE SYSTEM. (CNLV CONTRACT NO. C-5506)

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

22. **APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS, CLARK COUNTY, CITY OF LAS VEGAS, CITY OF HENDERSON, AND CITY OF BOULDER CITY FOR SHARED FUNDING OF REGIONAL HOMELESS COORDINATION AND INCLEMENT WEATHER SHELTER AND ALLOCATION IN THE AMOUNT OF \$73,260; \$7,380 REGIONAL HOMELESS COORDINATION; \$40,230 INCLEMENT WEATHER SHELTER; \$18,900 HOMELESS MANAGEMENT INFORMATION SYSTEM; AND \$6,750 HOMELESS STREET & SHELTER COUNT, FROM THE GENERAL FUND FOR FISCAL YEAR JULY 1, 2006 THROUGH JUNE 30, 2007. (CNLV CONTRACT NO. C-6411)**

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

ORDINANCES
INTRODUCTION ONLY

23. **ORDINANCE NO. 2305; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 10.14 + ACRES THEREIN FROM AN R-E, RANCH ESTATES DISTRICT TO AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-25-06, VALLEY/LAMADRE), FOR**

PROPERTY LOCATED AT THE NORTHEAST CORNER OF VALLEY DRIVE AND LA MADRE WAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR OCTOBER 4, 2006)

Ordinance No. 2305 as introduced by the City Clerk:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 10.14 + ACRES THEREIN FROM AN R-E, RANCH ESTATES DISTRICT TO AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-25-06, VALLEY/LAMADRE), FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF VALLEY DRIVE AND LA MADRE WAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR OCTOBER 4, 2006

24. **ORDINANCE NO. 2306; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-13-06); AMENDING SECTION 17.20.100(B), SECTION 17.20.110(B) AND SECTION 17.20.120(B), TO ADD PET CARE & BOARDING FACILITY AS PRINCIPALLY PERMITTED USE AND AMENDING SECTION 17.12.020, TO ADD A NEW DEFINITION FOR PET CARE & BOARDING FACILITY, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR OCTOBER 4, 2006)**

Ordinance No. 2306 as introduced by the City Clerk:

AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-13-06); AMENDING SECTION 17.20.100(B), SECTION 17.20.110(B) AND SECTION 17.20.120(B), TO ADD PET CARE & BOARDING FACILITY AS PRINCIPALLY PERMITTED USE AND AMENDING SECTION 17.12.020, TO ADD A NEW DEFINITION FOR PET CARE & BOARDING FACILITY, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: FINAL ACTION SET FOR OCTOBER 4, 2006

25. **ORDINANCE NO. 2308; AN ORDINANCE TO DELETE CHAPTER 13.24 OF THE**

NORTH LAS VEGAS MUNICIPAL CODE AND TO ADOPT A NEW CHAPTER 13.24 ENTITLED WASTEWATER COLLECTION SYSTEM, DECLARING FEES FOR WASTEWATER COLLECTION SYSTEM CONNECTION AND USE; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR OCTOBER 4, 2006)

Ordinance No. 2308 as introduced by the City Clerk:

AN ORDINANCE TO DELETE CHAPTER 13.24 OF THE NORTH LAS VEGAS MUNICIPAL CODE AND TO ADOPT A NEW CHAPTER 13.24 ENTITLED WASTEWATER COLLECTION SYSTEM, DECLARING FEES FOR WASTEWATER COLLECTION SYSTEM CONNECTION AND USE; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: FINAL ACTION SET FOR OCTOBER 4, 2006

ORDINANCES
FINAL ACTION

26. **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. (CONTINUED SEPTEMBER 6, 2006)**

Ordinance No. 2304 as introduced by the City Manager:

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.

Planning and Zoning Director Jory Stewart advised the applicant requested a third driveway entrance located off on Ann Road at the southern end of the property. A tavern was being removed and replaced with a convenience store with gas pumps and the applicant requested a condition to allow for driveway access subject to a traffic study.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, advised her staff had

contact with the Regional Transportation Commission (RTC) who normally required bus turnouts to be 200 feet from an intersection; however, in this case the RTC would allow 300 feet from the intersection. Additionally, the entire bus turnout would be on Pardee Homes property to which Pardee Homes agreed. Ms. Lazovich stated the proposed driveway exceeded code requirements in that it was 250 feet from Pardee Homes' driveway.

Ms. Lazovich requested an affirmative condition be put in place that would allow the driveway in question to be constructed.

Councilman Buck requested clarification on the dedicated lanes for traffic entering the convenience store from Losee Road. Ms. Lazovich confirmed there would be a dedicated right turn lane for traffic turning into the convenience store separate from the right through lane.

Acting Public Works Director Qiong Liu stated Staff could not support the request because the distance from the driveway to the intersection was 90 feet and the standards required 200 feet. Secondly, the driveway conflicted with the proposed bus turnout in that the distance encouraged people to jaywalk. By locating the bus turnout closer to the intersection, people would be more likely to use the crosswalk. Acting Director Liu also expressed concern about the close proximity of the driveway to the left turn lane on Losee. She felt three driveways on a parcel of this size was excessive and was opposed to the third driveway being constructed.

Councilwoman Smith suggested the request for the third access be granted on a temporary basis and bring the item back in two years to review the results.

Councilman Buck cited several other similar intersections in the City that were working well with the different access points. She expressed concern about notifying tenants that they may lose the access in two years.

Mayor Montandon concurred with the comments made by Councilman Buck and advised he was in support of the additional driveway with the added modifications.

Director Stewart asked if there was a written agreement with the adjoining property owner regarding the location of the bus turnout. She advised it would be a separate Planned Unit Development which would be amended to include the bus turnout. When asked by Ms. Lazovich if a letter could be submitted and Director Stewart suggested the item be held until a written agreement was received from the adjoining property owner that they would be accommodating the bus turnout.

ACTION: PASSED AND ADOPTED AS AMENDED;

AMEND CONDITION #4 TO READ: ANN ROAD ACCESS SHALL BE ALLOWED. SIGNAGE SHALL BE POSTED ON LOSEE ROAD FOR

SOUTHBOUND TRAFFIC NORTH OF ANN ROAD FOR "NO RIGHT TURN ON RED". BUS TURN-OUT ON THE NORTH SIDE OF ANN ROAD SHALL BE LOCATED 300' WEST OF ANN/LOSEE INTERSECTION AND SUBJECT TO CITY ADOPTED DESIGN STANDARDS AND CONDITION #25 OF THESE CONDITIONS.

ADD CONDITION #25; A WRITTEN AGREEMENT OR APPROVAL FROM THE PROPERTY OWNER TO THE WEST FOR LOCATION OF THE BUS TURNOUT ON THE ADJOINING PROPERTY TO THE WEST OF THE SUBJECT SITE SHALL BE PROVIDED TO THE CITY PRIOR TO ISSUANCE OF BUILDING PERMITS.

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

APPOINTMENTS

27. **NOMINATION OF A CITIZEN ALTERNATE TO THE CLARK COUNTY COMMUNITY DEVELOPMENT ADVISORY COMMITTEE FOR A TERM OF ONE YEAR. (TABLED AUGUST 16 AND SEPTEMBER 6, 2006)**

ACTION: TABLED TO OCTOBER 4, 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

COUNCIL ITEMS

There were no additional items.

CITY MANAGER'S REPORT

City Manager Gregory Rose asked Mike Henley, Director of Parks and Recreation, to speak about Balloonapalooza on September 22-24. Director Henley advised this would be the first time Craig Ranch would function as a park and he described some of the events scheduled for the weekend. Director Henley publicly thanked all the sponsors and City Staff for their participation in the event.

PUBLIC FORUM

There was no public participation.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 7:42 P.M.

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

APPROVED: December 6, 2006

Mayor Michael L. Montandon

ATTEST:

Karen L. Storms, CMC
City Clerk