

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

February 7, 2007

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

CITY COUNCIL MEETING

CALL TO ORDER

6:01 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

ROLL CALL

COUNCIL PRESENT

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

STAFF PRESENT

City Manager Gregory Rose	General Services Director Eric Dabney
Assistant City Manager Sam Chambers	Human Resources Director Joyce Lira
Assistant City Manager Maryann Ustick	Information Technology Director Steve Chapin
Acting City Attorney Carie Torrence	Assistant Library Director Kathy Pennell
City Clerk Karen L. Storms	Parks and Recreation Director Mike Henley
Assistant to City Manager Michelle Bailey-Hedgepeth	Planning and Zoning Director Jory Stewart
Communications Director Brenda Fischer	Police Chief Mark Paresi
Economic Development Director Mike Majewski	Public Works Director Majed Al-Ghafry
Finance Director Phil Stoeckinger	Utilities Director David Bereskin
Fire Chief Al Gillespie	Planning and Zoning Manager Marc Jordan
	Chief Deputy City Clerk Anita Sheldon

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Karen L. Storms, CMC
City Clerk

INVOCATION

Pastor Frederick Johnson
Tabernacle of Faith

PLEDGE OF ALLEGIANCE

Councilwoman Stephanie S. Smith

PUBLIC FORUM

There was no public participation.

PRESENTATION

- ★ **PRESENTATION OF THE CITY OF NORTH LAS VEGAS EAGLE AWARD TO CITY EMPLOYEES CAPTAIN YAPHET MILLER, CAPTAIN JEFF HURLEY, FIREFIGHTER ELMORE WILLIAMS, FIREFIGHTER BEN ERICKSON, FIREFIGHTER DENNIS MCLANE, FIREFIGHTER STEVEN MCKLEIN, OFFICER TEODORO MENDEZ, OFFICER LEONARD MILLER, AND OFFICER JOHN TONRY FOR THEIR OUTSTANDING ACHIEVEMENT.**

Mayor Montandon explained that the Eagle Award was given to individuals for outstanding achievement and this was the first time this program had been implemented. Mayor Montandon gave a description of the achievements for each individual presented with this award.

ACTION: PRESENTATION MADE

AGENDA

1. **APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF FEBRUARY 7, 2007.**

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

CONSENT AGENDA

4. **APPROVAL OF AN APPLICATION FOR GENERAL OFF-SALE BUSINESS LICENSE FOR WAL-MART STORES, INC., D.B.A. WAL-MART SUPERCENTER #3728, 3950 WEST LAKE MEAD BOULEVARD, NORTH LAS VEGAS, NEVADA, 89032 PENDING VERIFICATION OF STATE BUSINESS LICENSE, STATE SALES TAX PERMIT, SOUTHERN NEVADA HEALTH DISTRICT APPROVAL AND REQUIRED DEPARTMENT APPROVALS. THIS IS AN ADDITIONAL LOCATION.**

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

5. **APPROVAL OF AN APPLICATION FOR ADDITIONAL MANAGERS/MEMBERS FOR THE SEXUALLY ORIENTED AND GENERAL ON-OFF-SALE BUSINESS LICENSES FOR CLUB SATIN SADDLE, LLC, D.B.A. CHEERLEADERS, 1818 LAS VEGAS BOULEVARD NORTH, NORTH LAS VEGAS, NEVADA, 89030.**

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. APPROVAL OF AN APPLICATION FOR RESTRICTED GAMING BUSINESS LICENSE FOR KEVIN L. LUCERO AND DIANA L. LUCERO, D.B.A. 7-ELEVEN #29932B, 1011 EAST CHEYENNE AVENUE, NORTH LAS VEGAS, NEVADA, 89030, PENDING VERIFICATION OF STATE OF NEVADA, GAMING COMMISSION APPROVAL.

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

7. UN-04-07; AN APPLICATION SUBMITTED BY THE SCHWAN FOOD COMPANY, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW STORAGE OF HAZARDOUS MATERIALS CONSISTING OF AN 18,000 GALLON LIQUEFIED PETROLEUM GAS (PROPANE) TANK FOR THE PURPOSE OF FUEL DISPENSING ON PROPERTY LOCATED AT 1035 W. CHEYENNE AVENUE. (SET PUBLIC HEARING FOR FEBRUARY 21, 2007)

ACTION: PUBLIC HEARING SET FOR FEBRUARY 21, 2007

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-23-06 (BEESLEY & AZURE); AN APPLICATION SUBMITTED BY MARK LEFKOWITZ, ON BEHALF OF LEFKOWITZ MI DEF BEN, PROPERTY OWNER, TO VACATE FANNIN WAY BETWEEN AZURE AVENUE AND REISS LANE, AND TO VACATE REISS LANE BETWEEN BEESLEY DRIVE AND FANNIN WAY. (SET PUBLIC HEARING FOR MARCH 7, 2007)

ACTION: PUBLIC HEARING SET FOR MARCH 7, 2007

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

10. APPROVAL OF THE FIRST SUPPLEMENTAL INTERLOCAL CONTRACT WITH THE REGIONAL TRANSPORTATION COMMISSION FOR THE INTERSTATE LAMB BOULEVARD, I-15 TO NORTHERN BELTWAY PROJECT, WHICH EXTENDS THE COMPLETION DATE FOR THE PROJECT TO JUNE 30, 2009. (CNLV CONTRACT NO. C-5530)

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

11. APPROVAL OF THE FIRST SUPPLEMENTAL INTERLOCAL CONTRACT WITH THE REGIONAL TRANSPORTATION COMMISSION FOR THE CRAIG ROAD - GRADE SEPARATION PROJECT FROM BERG STREET TO PECOS ROAD, WHICH EXTENDS THE COMPLETION DATE FOR THE PROJECT TO DECEMBER 31, 2009. (CNLV CONTRACT NO. C-4958)

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 THE SECOND SUPPLEMENTAL INTERLOCAL CONTRACT WITH THE REGIONAL TRANSPORTATION COMMISSION FOR THE I-15/LAMB BOULEVARD INTERCHANGE PROJECT, WHICH EXTENDS THE COMPLETION DATE FOR THE PROJECT TO DECEMBER 31, 2007. (CNLV CONTRACT NO. C-5066)

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. APPROVAL OF THE THIRD SUPPLEMENTAL INTERLOCAL CONTRACT WITH THE REGIONAL TRANSPORTATION COMMISSION FOR THE CHEYENNE AVENUE, DECATUR BOULEVARD TO VAN DER MEER AVENUE PROJECT, WHICH EXTENDS THE COMPLETION DATE FOR THE PROJECT TO JUNE 30, 2008. (CNLV CONTRACT NO. C-4978)

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

14. APPROVAL OF THE THIRD SUPPLEMENTAL INTERLOCAL CONTRACT WITH THE REGIONAL TRANSPORTATION COMMISSION FOR THE CLAYTON STREET - CRAIG ROAD TO LONE MOUNTAIN ROAD PROJECT, WHICH EXTENDS THE COMPLETION DATE FOR THE PROJECT TO JUNE 30, 2008. (CNLV CONTRACT NO. C-5195)

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 THE FOURTH SUPPLEMENTAL INTERLOCAL CONTRACT WITH THE REGIONAL TRANSPORTATION COMMISSION FOR THE CLAYTON STREET - CRAIG ROAD TO LONE MOUNTAIN ROAD PROJECT, WHICH REQUIRES THE ITEMS COVERED IN SECTION II - PROJECT COSTS NOT TO EXCEED A TOTAL OF \$2,665,000. (CNLV CONTRACT NO. C-5195)

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

16. APPROVAL OF THE FIFTH SUPPLEMENTAL INTERLOCAL CONTRACT WITH THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT FOR THE TRIBUTARY TO THE WESTERN TRIBUTARY AT CRAIG ROAD PROJECT, WHICH REQUIRES THE ITEMS COVERED IN SECTION II - PROJECT COSTS NOT TO EXCEED A TOTAL OF \$5,569,195, TO BE COMPLETED PRIOR TO DECEMBER 31, 2007. (CNLV CONTRACT NO. C-5092)

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

17. APPROVAL OF A PROFESSIONAL ARCHITECTURAL SERVICES AGREEMENT WITH GARY GUY WILSON PROFESSIONAL CORPORATION, IN AN AMOUNT NOT TO EXCEED \$45,300, FOR THE DETENTION ADMINISTRATION REMODEL PROJECT. (CNLV CONTRACT NO. C-6482)

Mayor Pro Tempore Robinson questioned whether this was a consultant. City Manager Rose explained this work would be done by an outside consultant if approved by the City Council.

ACTION: APPROVED

MOTION: Councilwoman Buck

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith and Buck

NAYS: Mayor Pro Tempore Robinson and Councilman Eliason

ABSTAIN: None

18. APPROVAL OF A PROFESSIONAL ARCHITECTURAL SERVICES AGREEMENT WITH FENTRESS BRADBURN, LTD., IN THE AMOUNT OF \$669,308, FOR PROGRAMMING FOR THE NEW CITY HALL PROJECT. (CNLV CONTRACT NO. C-6480)

Mayor Pro Tempore Robinson questioned why the City was going outside for consultants when there were a number of engineers working for the City. He stated the City should be doing this work with staff and not spending taxpayer money. Councilwoman Smith explained there were no architects on staff and that was the reason outside consultants were used.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilwoman Buck

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

NAYS: Mayor Pro Tempore Robinson

ABSTAIN: None

PUBLIC HEARINGS - 6:15 P.M.

2. UN-92-06 (PROJECT #1552); AN APPLICATION SUBMITTED BY THE CLARK COUNTY SCHOOL DISTRICT, ON BEHALF OF THE SCHOOL BOARD OF TRUSTEES, PROPERTY OWNER, FOR A USE PERMIT IN AN R-E RANCH ESTATES DISTRICT TO ALLOW AN ELEMENTARY SCHOOL ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF EL CAMPO GRANDE AVENUE AND BRUCE STREET. (CONTINUED DECEMBER 6, 2006, JANUARY 3 AND JANUARY 17, 2007)

Planning and Zoning Director Stewart explained the School District was proposing one principal building totaling 62,500 square feet. It was an elementary school with basketball courts, tetherball courts, playgrounds, a parking area and a future portable classroom area within approximately 17.85 acres. This item had been continued several times to work with residents in the area on traffic concerns and proximity to the pig farm.

Guy Corrado, Clark County School District, 4212 Eucalyptus, Las Vegas, stated the District agreed with most of the conditions but there were a few conditions they were in disagreement with, one being condition #10, the right-of-way dedication for the CAT bus.

Lieutenant Ken Young from the Clark County School District Police spoke about safety of children around school bus stops. He spoke about the proximity of the bus stop drop off and the potential for problems. He asked that the City reconsider the location of the bus stop due to the age of the children attending the school.

Chief Parisi explained the Police Department was never consulted on this matter and was unaware of the problems with the bus stop location.

Mr. Corrado explained that the School District was in agreement with improving the half streets on El Campo Grande Avenue, Bruce Street and Ann Road.

Mayor Montandon stated the City worked closely with the School District and the location of the site was well located with streets on three sides. On one side of the primary street where all the traffic would be coming in and out was a farm and the other half was not going to be developed in the near future unless the School District developed it and it would need to be fully developed from Ann Road to El Campo Grande Avenue. He also explained the other half of the street was privately owned and although the necessary documents had not been received, did not see a problem with the owner granting the easement.

Mr. Corrado explained the School District felt very strong about not developing the full street.

Mr. Paul Gerner, Superintendent of Facilities for Clark County School District, explained that he felt the School District was being held hostage over the development of the half-street. The development of this street would set a precedent and a cost for a bond of \$600-\$800 million since all the schools that would be developed from this point on would be required to have all streets fully developed. If a precedent was forced on the School District, it would have to be done. He requested that Council not force a precedent on the School District.

Mayor Montandon explained this was a unique situation with the proximity to a farm and he was open to alternate solutions.

Councilwoman Buck said that now that it had been stated there would be future schools in this area, it was extremely important to consider the safety of the children. There were

three options, deny the school, move the location or swap sites, or build the street. On the other side of the street, the farm side, lights and sidewalks would not be required. It was encouraged that the School District meet with the City Council before planning future school sites to avoid any problems.

Mr. Gerner explained that they plan in advance and the Planning Department would not be aware of what would be developed in these areas at the time.

Councilwoman Smith explained the Council wanted to be partners in this endeavor and she felt that sharing the School District's plans would be of help. When Council questioned what would be going on the unused land they were told it was not known, but now it was being said there would be another school. The precedent issue of being across from the pig farm would not impact the School District in future locations.

Mr. Gerner explained they secure sites five and six years in advance and hold them in inventory depending on the growth in the specific area.

Councilwoman Smith asked when the School District purchased this particular site. Mr. Gerner was not sure of when it was purchased. Councilwoman Smith expressed the idea that if these sites were in inventory, that was when they could be shared with the City and the locations could be reviewed to avoid these situations.

Mayor Montandon opened the Public Hearing.

Harvey Ferber, 1504 Lazy Hill Ranch Way, North Las Vegas, explained he lived north of the school area and had no problem with the location of the school, providing the school was in line with Johnston so the playground area was contiguous. He was against having a third school in that area.

Steve Shoaff, 5622 Midnight Breeze Street, North Las Vegas, explained the School District previously denied that there would be a second school on that site. He asked if they would be fencing off Mr. Combs' property so that parents could not park on his property for student drop-off and/or pick-up. He spoke against the location of the school unless a solution for the development of the half-street is reached.

Mayor Montandon explained that there was no application or plans before the City Council regarding another school on that location.

Gay Shoaff, 5622 Midnight Breeze Street, North Las Vegas, explained the Combs were not notified of the meetings with the School District, and questioned why the school would not be built big enough to avoid placement of portable classrooms. Ms. Shoaff felt the School District should flip the parcels.

Scott Sauer, 5629 Midnight Breeze Street, North Las Vegas, explained that the School District said there would not be another school planned at this location because it wouldn't fit. He felt there was a lack of cooperation with the School District and they have not

followed through with promises. He asked that Council condition that the fence be eight feet tall along the residential properties, no speakers face residential homes on the east side of the property, and fence the entire property within thirty days.

Mr. Corrado explained that the School District was unsure of the plans with the remaining five acres, and that a middle school could not be built on five acres, but an elementary school was feasible at the location.

Councilwoman Buck said she received a phone call from a School Board member stating that a school was being planned on the remaining five acres.

Mayor Montandon explained there was a condition requiring a CAT bus stop. Acting Director Liu explained this was a standard condition which would require a bus stop dedication because of the location on Ann Road and Bruce Street. The City was not required to construct at this time, but it was a standard condition.

Mayor Montandon explained the other condition was the construction of a full street on Bruce Street from San Miguel Avenue to Ann Road.

Carol Bailey, Clark County School District, explained that when the School District plans the half-streets, they also had to do a seven foot overlay. If the City was willing to work with the School District on developing the half street, and extend the overlay and not classify it as a full off-street improvement, it would help with the conditions of improving the overlay.

Mayor Montandon explained that the asphalt needed to come out to the other side, with a curb and gutter. Without a curb and gutter, Mr. Combs' property would become a parking lot.

Ms. Bailey explained that a curb and gutter would also improve the drainage and that was something that would be looked at and asked that Council be careful in verbalizing and conditioning that improvement on the west side of the street.

Councilwoman Smith questioned whether the right-of-way still needed to be acquired. Ms. Bailey explained that it would be needed.

Mayor Montandon explained that the City was working on acquiring the right-of-way. If the City did not acquire it, all the issues become mute.

Ms. Bailey explained that if Mr. Combs dedicated the right-of-way, the School District would have to go back to him and ask him for permission to place the seven foot overlay.

Ms. Bailey explained that as properties were acquired by the School District, it was not known what would be done with the property. The School District anticipated what the growth would be in a given area. It was not inevitable that the additional five acres would be a school, but could be a regional office.

Acting City Attorney Torrence stated the language would be acceptable and recommended removing Condition 18B from the conditions, renumbering C and D and adding a separate condition, #26.

Councilwoman Smith recommended adding conditions regarding the chain link fence and the speakers on the east side of the school

Acting Public Works Director Liu recommended specifying two lanes on the west side.

Mayor Montandon closed the public hearing.

ACTION: AMENDED AS FOLLOWS:

1. DELETE CONDITION #10 WITH THE BUS TURN OUT
2. DELETE CONDITION #18B REGARDING BRUCE STREET
3. CREATE A FINAL CONDITION #25 THAT THE HALF-STREET ON EAST SIDE OF BRUCE STREET BE IMPROVED, THAT THE APRON EXTENDING WEST ONTO THE OTHER HALF-STREET WILL BE IMPROVED WIDE ENOUGH FOR AT LEAST TWO LANES OF TRAFFIC WITH A CURB AND GUTTER
4. ADD CONDITION #26 TO REQUIRE AN EIGHT-FOOT CHAIN LINK FENCE ON THE EAST SIDE NEXT TO THE NEIGHBORS AND NO SPEAKERS ON THE EAST SIDE OF THE SCHOOL.

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

ACTION: APPROVED AS AMENDED

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

3. **AN APPEAL SUBMITTED BY JENNIFER LAZOVICH OF KUMMER KAEMPFER BONNER RENSHAW & FERRARIO, ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY SPR-41-06 (5TH STREET MARKETPLACE); AN APPLICATION SUBMITTED BY NGA #2 LLC, ETAL, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-E RANCH ESTATES DISTRICT, A C-2 GENERAL COMMERCIAL DISTRICT, AND AN O-L OPEN LAND DISTRICT FOR APPROVAL OF A 650,000 SQUARE FOOT COMMERCIAL COMPLEX ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF NORTH 5TH STREET AND DEER SPRINGS WAY. (CONTINUED JANUARY 3 AND JANUARY 17, 2007)**

Councilman Eliason explained that he would be abstaining on this item.

Councilwoman Smith explained that she neglected to disclose on the previous item that she was employed by the School District and wanted it noted for the record.

Planning and Zoning Director Stewart explained that the application was for a Mixed Use, approximately 650,000 square feet commercial complex. The City had worked on the south side of the development with some site plan issues regarding the interface of the development with Deer Springs Way to the south. The Planning Department was satisfied with the changes to the site plan as proposed. There were still issues related to traffic and ingress and egress from the site at Dorrell Lane.

Jennifer Lazovich, Kummer Kaempfer Bonner Renshaw & Ferrario, 3800 Howard Hughes Parkway, Las Vegas, represented John Ritter along with Bob Gronauer, and explained that a month ago she went into detail about the site and the request for the signal at Dorrell Lane and North 5th Street. After that, it was decided the item be held and during the last thirty days she had worked on two issues. Ms. Lazovich met with neighbors that lived near the site on Deer Springs Way, and worked on the City policy that was adopted in August, 2006 for request of left in/left out along North 5th Street.

Ms. Lazovich explained that the neighbors commented on the location of the Home Depot, just south of Dorrell Lane and felt the location was too close to the residential community.

The Home Depot could not be moved because the development would be covering the drainage channel and could not be moved to other locations because of the size. It was moved as far north as possible from the neighborhood.

It was agreed to construct a taller screen wall to block truck traffic and to plant at a minimum, nine foot tall trees when the perimeter landscaping was completed.

Another issue was the transition of Dorrell Lane to Park Highlands so the travel lanes could be matched. The concentration was to have the travel lanes that go into the site match the travel lanes that were approved for Park Highlands. Park Highlands would have two travel lanes in each direction that would be matched, with an eighty foot right-of-way.

Ms. Lazovich explained that she complied with the City policy and submitted a traffic study, which requested and supported a traffic light at North 5th Street and Dorrell Lane and was willing to agree to a condition that would require the light to be deed restricted.

Ms. Lazovich read into the record the following condition:

A signalized intersection allowing full turning movements shall be allowed at the intersection of North 5th Street and Dorrell Lane. Developers shall record a deed restriction against the property which will require the developer to remove the signal at this intersection if requested by the North Las Vegas City Council after completion of the 150 foot wide super arterial along North 5th Street between Owens Avenue and the I-215 as shown in Table 7-5 of the Regional Transportation Plan for fiscal year 2006-2030 approved by the Regional Transportation Commission on July 13, 2006 as may be amended by the RTC in the future. If the signal is removed, a permanent left turning movement shall be allowed at the location of the signalized intersection.

Ms. Lazovich recommended deleting condition #26, and replace it with the new condition.

Mayor Montandon questioned a non-signalized permanent left turn movement from southbound I-15 to the center, and a non-signalized left turn movement out of the center which was determined to be unsafe and asked if the left turning movement would be southbound only.

Ms. Lazovich re-read the last sentence of the condition which would say, if the signal is removed, a permanent left in turning movement shall be allowed at the location of the signalized intersection and stated it would not be a left out.

City Manager Rose advised Council when the traffic study was submitted it was reviewed and comments were submitted to them asking for responses, but Staff had not approved. They did submit a traffic study that provided evidence that a light was justified at the location, but the City had some issues that needed to be resolved regarding the traffic

study and was waiting for responses.

Acting Public Works Director Liu explained that according to the Municipal Code the traffic study must be approved prior to submission of the civil improvement plan.

Bob Borgersen, 7617 Island Rail Drive, North Las Vegas, commented about the convenience of North 5th Street for downtown access and was against the installation of a traffic signal.

Frank Digiovanni, 809 Evening Fawn Drive, North Las Vegas, explained the need for a traffic signal in the area for the safety of the children.

Harvey Ferber, 1504 Lazy Hill Ranch Way, North Las Vegas, explained the neighbors had three issues and met with the applicant's attorneys, Ms. Lazovich and City Staff. One issue was the Home Depot location, the lack of a walking area and proximity to the park.

Mayor Montandon explained the site plan was different than previously submitted and changes had been made.

Mr. Ferber explained the other issue was traffic and felt that Deer Springs Way could not support the amount of traffic anticipated.

He explained that the neighbors suggested that these projects not proceed until the City showed a reasonable plan as to how the traffic would flow through the area.

Mayor Montandon explained that the City did not approve civil improvement plans until the traffic study was approved.

Public Works Director Al-Ghafry explained that a traffic study was reviewed by project and cumulative impact and felt the traffic study was incomplete and more information was needed to account for the cumulative impact as well as the project impact. He also explained the entire region was reviewed and the impact to the intersections in the vicinity of the project.

Mayor Pro Tempore Robinson explained that the neighbors had several opportunities to attend the Council Meetings and the issue needed to be resolved.

Councilwoman Smith explained there have been several town meetings by various Council Members, Staff had met with the neighbors and there had been numerous opportunities to gain information on the issues.

Mr. Ferber explained what he requested was that the neighbors had the opportunity to see the plan that showed how the traffic situation would be resolved.

Mayor Montandon explained that at nlvplan.com was the Comprehensive Master Plan that included the traffic, streets, and information of that sort. As traffic plans were approved it changed and was updated. The specific plans were available for public review. The plans for this specific project had not been approved.

Mr. Ferber asked how the public could view the proposed plans before they were approved. Mayor Montandon suggested he contact City Manager Rose or Public Works Director Al-Ghafry for the policy regarding the plans being presented to the public.

City Manager Rose explained the City would be happy to provide the citizens with any available public documents, but the process would not be able to be stopped.

Gay Shoaff, 5622 Midnight Breeze Street, North Las Vegas, questioned whether there were residential homes on Dorrell Lane and the route a resident would take to go southbound on North 5th Street from Dorrell Lane.

Mayor Montandon explained there are homes on the west side of Dorrell Lane and those residents would turn right to go southbound on North 5th Street.

Ms. Shoaff was concerned about retailers' hesitation of moving into the commercial area without a traffic light at the location.

Ms. Lazovich explained there were other conditions which would be new conditions. If Dorrell Lane had not been constructed when the adjacent parcels to the east required access to North 5th Street, the City would require developers to grant an easement for access along the Dorrell Lane alignment. If this project did not go in, in advance of Park Highlands developing, they would want to make sure they could get access out to North 5th Street. The other condition that was for the developer to work with Park Highlands on maintaining two travel lanes in each direction along Dorrell Lane and providing necessary transition of the travel lanes, so that the travel lanes could be matched on both sides.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, explained about the discussion regarding the eighty foot right-of-way on Dorrell Lane in between Donna Street and North 5th Street. Park Highlands wanted to be assured that there would be an eighty foot right-of-way since that was what was committed. On Park Highlands eighty foot right-of-way on Dorrell Lane, east of Donna Street, there would be transitioning for Park Highlands with respect to the bicycle paths. South of Dorrell Lane the bicycle paths would connect but the bicycle path on the north side of Dorrell Lane, which is on the east side of Donna Street may have to be eliminated in the future on Park Highlands.

Councilwoman Buck questioned the condition regarding the signalized intersection and wanted to make sure future discussions of the deed restriction would be a public hearing and not an administrative decision so the neighbors would be notified if the light was being

removed or kept.

Ms. Lazovich explained that the language could be changed to note that the developers shall record a deed restriction against the property which would require the developer to remove the signal at this intersection if requested by the North Las Vegas City Council during a public hearing.

Ms. Lazovich explained two additional conditions would need to be added. The first would read a decorative eight foot screen wall shall be provided on the east property line behind the location of the Home Depot (including the garden center), Major H and the truck turnaround area behind Retail 3. Furthermore, the decorative wall shall continue along Deer Springs Way to screen the truck turnaround area behind retail 3. The decorative screen wall shall not encroach into the perimeter landscaping along Deer Springs Way or Dorrell Lane.

The second condition would relate to the landscaping. Large variety evergreen trees shall be planted a minimum of one tree every twenty feet on center behind Home Depot and Major H and along Deer Springs Way behind Retail 3. The trees shall be a minimum of nine feet in height (twenty four inch box at planting as approved by Staff).

Mayor Montandon closed the public hearing.

ACTION: APPROVED AS AMENDED; AMENDED AS FOLLOWS:

ADD NEW CONDITION:

1. A DECORATIVE EIGHT-FOOT SCREEN WALL SHALL BE PROVIDED ON THE EAST PROPERTY LINE BEHIND THE LOCATION OF THE HOME DEPOT (INCLUDING THE GARDEN CENTER), MAJOR H AND THE TRUCK TURN AROUND AREA BEHIND RETAIL 3. FURTHERMORE, THE DECORATIVE WALL SHALL CONTINUE ALONG DEER SPRINGS WAY TO SCREEN THE TRUCK TURN AROUND AREA BEHIND RETAIL 3. THE DECORATIVE SCREEN WALL SHALL NOT ENCROACH INTO THE PERIMETER LANDSCAPING ALONG DEER SPRINGS WAY AND DORRELL LANE.
2. LARGE VARIETY EVERGREEN TREES SHALL BE PLANTED A MINIMUM OF ONE (1) TREE EVERY TWENTY (20) FEET ON CENTER BEHIND HOME DEPOT AND MAJOR H AND ALONG DEER SPRINGS WAY BEHIND RETAIL 3. THE TREES SHALL BE A MINIMUM OF NINE (9) FEET IN HEIGHT (MINIMUM 24-INCH BOX) AT PLANTING, AS APPROVED BY STAFF.
3. IF DORRELL LANE HAS NOT BEEN CONSTRUCTED WHEN ADJACENT PARCELS TO THE EAST REQUIRE ACCESS TO

NORTH 5TH STREET, THE CITY WILL REQUIRE DEVELOPER TO GRANT AN EASEMENT FOR ACCESS ALONG THE DORRELL LANE ALIGNMENT.

4. DEVELOPER WILL WORK WITH THE CITY AND PARK HIGHLANDS ON MAINTAINING TWO TRAVEL LANES IN EACH DIRECTION ALONG DORRELL LANE AND PROVIDING NECESSARY TRANSITION OF THE TRAVEL LANES.
5. DELETE CONDITION #26 AND REPLACE WITH NEW CONDITION #26 TO READ AS FOLLOWS:

A SIGNALIZED INTERSECTION ALLOWING FULL TURNING MOVEMENTS SHALL BE ALLOWED AT THE INTERSECTION OF NORTH 5TH STREET AND DORRELL LANE. DEVELOPER SHALL RECORD A DEED RESTRICTION AGAINST THE PROPERTY WHICH WILL REQUIRE THE DEVELOPER TO REMOVE THE SIGNAL AT THIS INTERSECTION IF REQUESTED BY THE NORTH LAS VEGAS CITY COUNCIL, DURING A PUBLIC HEARING, AFTER COMPLETION OF THE 150 FOOT WIDE SUPER ARTERIAL ALONG NORTH 5TH STREET BETWEEN OWENS AVENUE AND THE I-215 AS SHOWN IN TABLE 7-5: REGIONAL TRANSPORTATION PLAN FOR FY 2006-2030 APPROVED BY THE REGIONAL TRANSPORTATION COMMISSION ON JULY 13, 2006 AS MAY BE AMENDED BY THE RTC IN THE FUTURE. IF THE SIGNAL IS REMOVED, A PERMANENT LEFT-IN TURNING MOVEMENT SHALL BE ALLOWED AT THE LOCATION OF THE SIGNALIZED INTERSECTION.

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

Mayor Montandon recessed the meeting at 7:56 p.m.

Mayor Montandon reconvened the meeting at 8:09 p.m.

BUSINESS - CONTINUED

9. **AMENDED AGENDA ITEM: APPROVAL TO ACCEPT THE WASTEWATER**

COLLECTION SYSTEM MASTER PLAN AND DIRECTION ON THE PROPOSED ALTERNATIVES FOR PROVIDING WASTEWATER SERVICE TO THE NORTHEAST PORTION OF THE CITY. (TABLED JANUARY 17, 2007)

Utilities Director David Bereskin explained the approval for the Wastewater Collection System Master Plan would be for getting the sewage flows to the plant.

Robert McLaughlin, Manager of Engineering Services, explained the wastewater master plan supports the Vision 2025 priority of well-planned quality growth, and addressed flows to be treated at the proposed future water reclamation facility. The purpose and goals of the Master Plan were to develop a calibrated hydraulic model, identify existing bottlenecks in the system, develop build-out condition flows for year 2030 and identify system improvements to be included in the Capital Improvement Plan. It would also identify alternatives for wastewater services in the southeast and the northeast portion of the City.

The Master Plan had identified six projects for years 2007 and 2008, including 36" sewer along the "A" channel along Craig Road and Losee Road; 27" inch sewers from Statz/Engineers Way to Craig/Frehner Roads; 12" interconnect at Centennial Parkway and Commerce Street; a short 27" sewer at I-15 and Losee Road; and the Losee Road sewer that is approximately four miles of 27" - 33" sewer at a projected cost of \$9.5 million. The project had been accelerated to be completed in advance of the Losee Road Improvements.

Mr. McLaughlin discussed future project plans, and explained the only project not included in the Capital Improvement Plan would be done as part of the Park Highlands project, which was an interconnect at Commerce Street and Centennial Parkway.

The initial treatment capacity at the Water Reclamation Facility is 25 million gallons per day and ultimate capacity of 51 million.

Mr. McLaughlin explained areas A, B and C were the southeast part of the City, generally bounded by Owens Avenue on the south, I-15 to the west and Craig Road to the north which flowed to the City of Las Vegas. Area C was bounded by Craig Road on the south, I-15 on the west and Lamb Boulevard on the east which flowed to the Clark County Water Reclamation District. Areas A, B and C did not flow by gravity to the Water Reclamation Facility so the Master Plan would provide three alternatives for providing wastewater services to these areas.

Alternative one continued the current conditions with A and B going to Las Vegas and C to Clark County, with no capital expenditures to the City but would provide the lowest present worth value with little control over future treatment costs increases that may be imposed by the City of Las Vegas. In addition, Las Vegas would like to see North Las Vegas flows removed from their system.

Alternative two would have only Area A flowing to the City of Las Vegas, B and C would be pumped west to the new water reclamation facility, which would reduce treatment needs

by the City of Las Vegas but not eliminate them. This alternative would take all flows away from Clark County.

Alternative three collected all areas and pumped them west to the new water reclamation facility and removed all flows being treated by outside agencies and would not be subject to their treatment costs and increases, and provided the highest present worth value to the City.

Utilities Director Bereskin explained that it was a major shift in policy in the Valley.

Mayor Pro Tempore Robinson asked if this was in addition to the already incurred cost and Director Bereskin stated it was. The major portion of the Capital Improvements had to do with building the treatment capacity at the new reclamation facility and that was \$27 million in Alternative Three. If sewer service was provided for the entire service boundary of the City, that was in addition to the \$200 million project.

Areas D, E and F in the northeast portion of the City, generally located north of Ann Road and east of Lamb Boulevard flow to Clark County Reclamation District. The Master Plan identified five alternatives for serving this area.

Alternative One continued flows to the Clark County Reclamation District and continued to execute interlocal agreements, with no capital expenditures to the City, and no present worth value.

Alternative Two would be to build a satellite water reclamation facility and treat all flows there, and would require siting, permitting and operational needs associated with this alternative.

Alternative Three collected all flows and pumped them to the west to the proposed Losee Sewer, with control of the development in areas D, E and F and would include a much more complex system including two pump stations and two forcemains that would need to be operated.

Alternative Four collected all flows and routed them to the existing 21" sewer in Donovan Way, would require one small pump station and a short forcemain, and had the highest net present worth to the City.

Alternative Five took all flows by gravity down Las Vegas Boulevard to Craig Road and one larger pump station pumping west to the water reclamation facility, with small, positive worth to the City and allowed control of the development in areas D, E and F with a more complex system with one pump station and large forcemain. A portion of this would be located in the NDOT right-of-way on Las Vegas Boulevard.

Utilities Director Bereskin requested Council accept the Wastewater Collection System Master Plan.

Mayor Montandon explained that although the direction on the other two items were separate they were related to each other, Options A and B would still involve connection to the City of Las Vegas.

Director Bereskin stated it would still continue flows to the City of Las Vegas which could be problematic.

Mayor Montandon stated what Council would try to do was make the decision whether the City would have its own water reclamation system or be dependent on Las Vegas, and hoped the two cities could work together and the wastewater systems in the Valley could be considered one system.

Mayor Montandon commented on Alternative 4 and 5 and supported either one of those with the idea that, if something radically changed, it could be brought back to Council.

Director Bereskin clarified the third directive and recommended Alternative 4 with the caveat that if the City could not secure an easement through Nellis Air Force Base property the City Manager would have the direction to move to Alternative 5.

ACTION: MASTER PLAN ACCEPTED; STAFF DIRECTED TO PROCEED WITH CITY MANAGER'S SUGGESTED ALTERNATIVES; SECTIONS A, B AND C, ALTERNATIVE #3; SECTIONS D, E AND F, ALTERNATIVE #4; IF AN EASEMENT CANNOT BE SECURED THROUGH NELLIS AIR FORCE BASE STAFF DIRECTED TO MOVE TO ALTERNATIVE #5.

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

19. APPROVAL OF A PROFESSIONAL ARCHITECTURAL SERVICES AGREEMENT WITH DEKKER/PERICH/SABATINI, IN THE AMOUNT OF \$538,770, FOR THE FIRE STATION 53 PROJECT LOCATED ON GOWAN ROAD, EAST OF SIMMONS STREET. (CNLV CONTRACT NO. C-6481)

ACTION: APPROVED

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

20. APPROVAL OF RIGHT-OF-WAY ACQUISITION FROM EVELYN AND ROMER GADDI, PROPERTY OWNERS, FOR THE 1,010 SQUARE FOOT HOME, APN 139-22-711-176, LOCATED AT 1815 NORTH 5TH STREET, IN THE AMOUNT OF \$165,000 TO BE FUNDED BY THE REGIONAL TRANSPORTATION COMMISSION, FOR PROPERTY NEEDED FOR THE NORTH 5TH STREET IMPROVEMENT PROJECT.

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

21. APPROVAL OF THE CONDEMNATION OF REAL PROPERTY, AND ANY ASSOCIATED EASEMENTS NEEDED, FOR THE LAMB BOULEVARD PROJECT - INTERSTATE 15 TO CLARK COUNTY BELTWAY CC-215 AND AUTHORIZATION TO THE CITY ATTORNEY TO INITIATE A FORMAL COMPLAINT IN CLARK COUNTY DISTRICT COURT FOR REAL PROPERTY OWNED BY MICHAEL ANGELO, LLC, APNS 123-29-101-001 THROUGH 004 LOCATED AT THE SOUTHEAST INTERSECTION OF LAMB BOULEVARD AND CENTENNIAL PARKWAY.

Mayor Pro Tempore Robinson questioned whether the City had met with the property owner and made an effort to acquire the property.

Acting City Attorney Torrence explained Public Works had been negotiating with the property owners, who had their own appraiser who would submit the appraisal. The City would continue negotiations with them prior to filing the condemnation action.

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

**22. ACCEPTANCE OF PETITION FOR ANNEXATION (ANNEXATION NO. 133);
SUBMITTED BY AML INVESTMENT I, LLC, TO ANNEX APN 123-34-101-005
LOCATED ON THE SOUTHWEST CORNER OF ANN ROAD AND MT. HOOD
STREET. (ASSOCIATED ITEM NO. 41, ORDINANCE NO. 2348)**

ACTION: PETITION ACCEPTED

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

**23. AUTHORIZE ISSUANCE OF A PURCHASE ORDER TO CASHMAN EQUIPMENT
COMPANY, IN THE AMOUNT OF \$231,967, USING CLARK COUNTY BID
NUMBER 600297, PURSUANT TO NRS 332, FOR THE PURCHASE OF AN ALL-
WHEEL DRIVE ARTICULATED MOTOR GRADER FOR THE PUBLIC WORKS
DEPARTMENT.**

Mayor Pro Tempore Robinson suggested that although this item was needed, a freeze should be placed on equipment purchases.

ACTION: PURCHASE ORDER 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

24. APPROVAL TO AUGMENT THE FY06-07 BUDGET IN AN AMOUNT NOT TO EXCEED \$166,000; \$41,000 FOR LEASE EXPENSES AND \$125,000 FOR FURNITURE, FIXTURES AND EQUIPMENT; AND APPROVAL TO AMEND THE CITY CENTER PLAZA LEASE AGREEMENT FOR ADDITIONAL SPACE AT 2290 MCDANIEL STREET, SUITE 1A.

ACTION: BUDGET AUGMENTED; LEASE AGREEMENT AMENDMENT APPROVED

MOTION: Councilwoman Buck

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

25. RATIFICATION OF LOCAL CONTRACT AGREEMENTS WITH TEAMSTERS LOCAL 14 FOR THE PERIOD OF JULY 1, 2005 THROUGH JUNE 30, 2008; APPROVAL TO AMEND THE FY06-07 BUDGET IN THE AMOUNT OF \$3,149,400; AND APPROVAL TO TRANSFER \$2.2 MILLION FROM THE MUNICIPAL FACILITIES FUND TO THE GENERAL FUND. (CNLV CONTRACT NO. C-6483)

ACTION: CONTRACT RATIFIED; BUDGET AMENDED; TRANSFER APPROVED

MOTION: Councilwoman Smith

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

26. APPROVAL TO APPLY FOR A 10-YEAR LEASE EXTENSION WITH THE BUREAU OF LAND MANAGEMENT FOR THE 160-ACRE MCCOOL REGIONAL PARK LOCATED AT THE NORTHEAST CORNER OF DECATUR BOULEVARD AND HORSE DRIVE. (CNLV CONTRACT NO. C-6075)

ACTION: APPROVED

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

27. APPROVAL OF A PROFESSIONAL PLANNING SERVICES AGREEMENT WITH CLARION ASSOCIATES OF COLORADO, LLC IN AN AMOUNT NOT TO EXCEED \$269,735, TO UPDATE THE CITY'S ZONING ORDINANCE. (CNLV CONTRACT NO. C-6486)

ACTION: APPROVED

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

Item No. 31 was heard next.

31. RESOLUTION NO. 2370; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS ADOPTING INTERLOCAL COOPERATIVE AGREEMENT FOR THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

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

28. APPROVAL OF AN AMENDMENT TO THE INTERLOCAL CONTRACT WITH CLARK COUNTY FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM SERVICES FOR THE 2006/2007 FISCAL YEAR TO PROVIDE AN ANNUAL CONTRACT FOR THE ADMINISTRATION OF THE CDBG PROGRAM WITH SPECIFIC PROGRAM REQUIREMENTS FOR THE ANNUAL PROGRAM PARTICIPANTS. (CNLV CONTRACT NO. C-6366)

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

29. APPROVAL OF THE FREQUENCY RECONFIGURATION AGREEMENT WITH NEXTEL OF CALIFORNIA, INC., A SUBSIDIARY OF SPRINT NEXTEL CORPORATION IN THE AMOUNT OF \$751,856, PAID FOR BY SPRINT NEXTEL, FOR THE REPLACEMENT OF APPROXIMATELY 472 RADIOS WHICH CANNOT BE USED ON THE NEWLY ASSIGNED FREQUENCIES; RE-TUNING OF EXISTING RADIOS THAT ARE COMPATIBLE WITH THE NEW FREQUENCIES; AND REIMBURSEMENT FOR LABOR AND OTHER COSTS ASSOCIATED WITH THE RE-TUNING AND INSTALLATION OF SUCH RADIOS FOR THE POLICE DEPARTMENT. (CNLV CONTRACT NO. C-6487)

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

30. **RESOLUTION NO. 2369; A RESOLUTION MAKING A PROVISIONAL ORDER FOR THE ACQUISITION AND IMPROVEMENT OF A STREET PROJECT IN NORTH LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 63 (LAMB BLVD. - I-15 TO CLARK COUNTY 215); AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING ON THE PROJECT.**

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

ORDINANCES
INTRODUCTION ONLY

32. **ORDINANCE NO. 2330; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS TO ESTABLISH TERMS AND CONDITIONS OF EMPLOYMENT FOR EMPLOYEES WHO WORK FOR THE CITY FOR MORE THAN TWENTY YEARS AND OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR FEBRUARY 21, 2007)**

Ordinance No. 2330 as introduced by the City Clerk:

ORDINANCE NO. 2330; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS TO ESTABLISH TERMS AND CONDITIONS OF EMPLOYMENT FOR EMPLOYEES WHO WORK FOR THE CITY FOR MORE THAN TWENTY YEARS AND OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR FEBRUARY 21, 2007)

ACTION: FINAL ACTION SET FOR FEBRUARY 21, 2007

33. **ORDINANCE NO. 2333; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS, NEVADA TO ADD CHAPTER 2.62 OF TITLE 2 OF THE NORTH LAS VEGAS MUNICIPAL CODE TO ESTABLISH A PROCEDURE FOR CREATING OR AMENDING A LIST OF APPRAISERS QUALIFIED TO CONDUCT APPRAISALS OF REAL PROPERTY OFFERED FOR SALE OR LEASE BY THE CITY OF NORTH LAS VEGAS, NEVADA. (SET FINAL ACTION FOR FEBRUARY 21, 2007)**

Ordinance No. 2333 as introduced by the City Clerk:

ORDINANCE NO. 2333; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS, NEVADA TO ADD CHAPTER 2.62 OF TITLE 2 OF THE NORTH LAS VEGAS MUNICIPAL CODE TO ESTABLISH A PROCEDURE FOR CREATING OR AMENDING A LIST OF APPRAISERS QUALIFIED TO CONDUCT APPRAISALS OF REAL PROPERTY OFFERED FOR SALE OR LEASE BY THE CITY OF NORTH LAS VEGAS, NEVADA. (SET FINAL ACTION FOR FEBRUARY 21, 2007)

ACTION: FINAL ACTION SET FOR FEBRUARY 21, 2007

34. **ORDINANCE NO. 2341; AN ORDINANCE PROVIDING FOR THE ISSUANCE OF REGISTERED, NEGOTIABLE, CITY OF NORTH LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) WATER AND SEWER REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2007; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND COVENANTS RELATING TO THE PAYMENT OF THE BONDS; AND PROVIDING OTHER MATTERS RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 21, 2007)**

Ordinance No. 2341 as introduced by the City Clerk:

ORDINANCE NO. 2341; AN ORDINANCE PROVIDING FOR THE ISSUANCE OF REGISTERED, NEGOTIABLE, CITY OF NORTH LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) WATER AND SEWER REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2007; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND COVENANTS RELATING TO THE PAYMENT OF THE BONDS; AND PROVIDING OTHER MATTERS RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 21, 2007)

ACTION: FINAL ACTION SET FOR FEBRUARY 21, 2007

35. **ORDINANCE NO. 2342; 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 484.6 ACRES OF THE 2,074 ACRE EAST PARCEL OF THE PARK HIGHLANDS MASTER PLANNED COMMUNITY FROM AN MPC/MASTER PLANNED COMMUNITY OVERLAY DISTRICT TO VARIOUS ZONING DISTRICTS CONSISTENT WITH THE MAY 3, 2006 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI INC., ORDINANCE NO. 2262, INCLUDING PSP/MPC PUBLIC SEMI PUBLIC/MASTER PLANNED COMMUNITY DISTRICT, RZ6/MPC RESIDENTIAL ZONE UP TO 6 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY DISTRICT, RZ10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY DISTRICT, RZ13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY DISTRICT, RZ50/MPC RESIDENTIAL ZONE UP TO 50 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY DISTRICT, AND MUZ/MPC MIXED USE ZONE/MASTER PLANNED COMMUNITY DISTRICT (ZN-03-07 THROUGH ZN-21-07) FOR PROPERTY GENERALLY BOUNDED ON THE NORTH BY GRAND TETON DRIVE, ON THE EAST BY LOSEE ROAD, ON THE WEST CLAYTON STREET, AND ON THE SOUTH BY THE 215 BELTWAY, DEER SPRINGS WAY AND ELKHORN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 21, 2007)**

Ordinance No. 2342 as introduced by the City Clerk:

ORDINANCE NO. 2342; 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 484.6 ACRES OF THE 2,074 ACRE EAST PARCEL OF THE PARK HIGHLANDS MASTER PLANNED COMMUNITY FROM AN MPC/MASTER PLANNED COMMUNITY OVERLAY DISTRICT TO VARIOUS ZONING DISTRICTS CONSISTENT WITH THE MAY 3, 2006 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI INC., ORDINANCE NO. 2262, INCLUDING PSP/MPC PUBLIC SEMI PUBLIC/MASTER PLANNED COMMUNITY DISTRICT, RZ6/MPC RESIDENTIAL ZONE UP TO 6 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY DISTRICT, RZ10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY DISTRICT, RZ13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY DISTRICT,

RZ50/MPC RESIDENTIAL ZONE UP TO 50 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY DISTRICT, AND MUZ/MPC MIXED USE ZONE/MASTER PLANNED COMMUNITY DISTRICT (ZN-03-07 THROUGH ZN-21-07) FOR PROPERTY GENERALLY BOUNDED ON THE NORTH BY GRAND TETON DRIVE, ON THE EAST BY LOSEE ROAD, ON THE WEST CLAYTON STREET, AND ON THE SOUTH BY THE 215 BELTWAY, DEER SPRINGS WAY AND ELKHORN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 21, 2007)

ACTION: FINAL ACTION SET FOR FEBRUARY 21, 2007

36. **ORDINANCE NO. 2343; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 2311 WHICH AMENDED ORDINANCE NUMBER 2187 WHICH RECLASSIFIED RUNVEE HOBART (ZN-06-04) TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, SPECIFICALLY AMENDING CONDITION #52 TO ALLOW MODEL 3860 TO BE LOCATED ON CARLA ANN ROAD WITHIN THE DESIGNATED AREA OF RUNVEE HOBART 3B AND BY AMENDING CONDITIONS, AS SET FORTH BELOW; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 21, 2007)**

Ordinance No. 2343 as introduced by the City Clerk:

ORDINANCE NO. 2343; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 2311 WHICH AMENDED ORDINANCE NUMBER 2187 WHICH RECLASSIFIED RUNVEE HOBART (ZN-06-04) TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, SPECIFICALLY AMENDING CONDITION #52 TO ALLOW MODEL 3860 TO BE LOCATED ON CARLA ANN ROAD WITHIN THE DESIGNATED AREA OF RUNVEE HOBART 3B AND BY AMENDING CONDITIONS, AS SET FORTH BELOW; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 21, 2007)

ACTION: FINAL ACTION SET FOR FEBRUARY 21, 2007

37. **ORDINANCE NO. 2344; 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 118 ACRES THEREIN FROM AN M-2, GENERAL INDUSTRIAL DISTRICT TO AN MUD/MX-3, MIXED USE DEVELOPMENT DISTRICT/REGIONAL CENTER MIXED USE SUBDISTRICT (ZN-23-07, NORTHGATE, PHASE I) CONSISTING OF 363 - 877 RESIDENTIAL UNITS, 540,000 SQUARE FEET OF HOTEL SPACE WITH 1,000 ROOMS, UP TO 410,800 SQUARE FEET OF OFFICE SPACE, AND/OR 198,000 - 567,400 SQUARE FEET OF COMMERCIAL SPACE LOCATED AT THE NORTHEAST CORNER OF LAMB BOULEVARD AND ANN ROAD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 21, 2007)

Ordinance No. 2344 as introduced by the City Clerk:

ORDINANCE NO. 2344; 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 118 ACRES THEREIN FROM AN M-2, GENERAL INDUSTRIAL DISTRICT TO AN MUD/MX-3, MIXED USE DEVELOPMENT DISTRICT/REGIONAL CENTER MIXED USE SUBDISTRICT (ZN-23-07, NORTHGATE, PHASE I) CONSISTING OF 363 - 877 RESIDENTIAL UNITS, 540,000 SQUARE FEET OF HOTEL SPACE WITH 1,000 ROOMS, UP TO 410,800 SQUARE FEET OF OFFICE SPACE, AND/OR 198,000 - 567,400 SQUARE FEET OF COMMERCIAL SPACE LOCATED AT THE NORTHEAST CORNER OF LAMB BOULEVARD AND ANN ROAD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 21, 2007)

ACTION: FINAL ACTION SET FOR FEBRUARY 21, 2007

38. **ORDINANCE NO. 2345; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY AMENDING A PREVIOUSLY APPROVED 3.9+ ACRE PUD, PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A CONVENIENCE STORE WITH GAS PUMPS, CAR WASH, AND TWO RETAIL BUILDINGS WITH A TOTAL OF 26,350 SQUARE FEET, FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND NORTH 5TH STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 21, 2007)**

Ordinance No. 2345 as introduced by the City Clerk:

ORDINANCE NO. 2345; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY AMENDING A PREVIOUSLY APPROVED 3.9± ACRE PUD, PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A CONVENIENCE STORE WITH GAS PUMPS, CAR WASH, AND TWO RETAIL BUILDINGS WITH A TOTAL OF 26,350 SQUARE FEET, FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND NORTH 5TH STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 21, 2007)

ACTION: FINAL ACTION SET FOR FEBRUARY 21, 2007

39. **ORDINANCE NO. 2346; 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 17.45+ ACRES THEREIN FROM AN O-L, OPEN LAND DISTRICT TO AN M-2, GENERAL INDUSTRIAL DISTRICT (ZN-02-07, PASSCO LIGHT INDUSTRIAL), FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF TROPICAL PARKWAY & BEESLEY DRIVE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 21, 2007)**

Ordinance No. 2346 as introduced by the City Clerk:

ORDINANCE NO. 2346; 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 17.45± ACRES THEREIN FROM AN O-L, OPEN LAND DISTRICT TO AN M-2, GENERAL INDUSTRIAL DISTRICT (ZN-02-07, PASSCO LIGHT INDUSTRIAL), FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF TROPICAL PARKWAY & BEESLEY DRIVE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 21, 2007)

ACTION: FINAL ACTION SET FOR FEBRUARY 21, 2007

40. **ORDINANCE NO. 2347; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 1992 WHICH AMENDED ORDINANCE NUMBER 1499 WHICH RECLASSIFIED LAKE MEAD INDUSTRIAL PARK (ZN-05-01) TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, TO ALLOW CONCRETE TILT-UP PANELS, AND BY AMENDING AND ADDING CONDITIONS, AS SET FORTH BELOW; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 21, 2007)**

Ordinance No. 2347 as introduced by the City Clerk:

ORDINANCE NO. 2347; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 1992 WHICH AMENDED ORDINANCE NUMBER 1499 WHICH RECLASSIFIED LAKE MEAD INDUSTRIAL PARK (ZN-05-01) TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, TO ALLOW CONCRETE TILT-UP PANELS, AND BY AMENDING AND ADDING CONDITIONS, AS SET FORTH BELOW; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 21, 2007)

ACTION: FINAL ACTION SET FOR FEBRUARY 21, 2007

41. **ORDINANCE NO. 2348; AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF NORTH LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO, AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES, AND REGULATIONS IN FORCE IN SAID CITY; OFFERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 21, 2007) (ASSOCIATED ITEM NO. 22, ANNEXATION NO. 133)**

Ordinance No. 2348 as introduced by the City Clerk:

ORDINANCE NO. 2348; AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF NORTH LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO, AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF

SAID CITY; DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES, AND REGULATIONS IN FORCE IN SAID CITY; OFFERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 21, 2007) (ASSOCIATED ITEM NO. 22, ANNEXATION NO. 133)

ACTION: FINAL ACTION SET FOR FEBRUARY 21, 2007

ORDINANCES
FINAL ACTION

42. **ORDINANCE NO. 2339; 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 22.91 + ACRES THEREIN FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO AN MUD, MIXED USE DEVELOPMENT DISTRICT (ZN-54-06, CRAIG & ALLEN) CONSISTING OF 440 CONDOMINIUMS AND/OR LIVE-WORK RESIDENTIAL UNITS AND 72,300 SQUARE FEET OF COMMERCIAL AREA LOCATED AT THE SOUTHWEST CORNER OF ALLEN LANE AND CRAIG ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED JANUARY 17, 2007)**

Ordinance No. 2339 as introduced by the City Manager:

ORDINANCE NO. 2339; 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 22.91 + ACRES THEREIN FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO AN MUD, MIXED USE DEVELOPMENT DISTRICT (ZN-54-06, CRAIG & ALLEN) CONSISTING OF 440 CONDOMINIUMS AND/OR LIVE-WORK RESIDENTIAL UNITS AND 72,300 SQUARE FEET OF COMMERCIAL AREA LOCATED AT THE SOUTHWEST CORNER OF ALLEN LANE AND CRAIG ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED JANUARY 17, 2007)

Planning and Zoning Director Stewart explained that the applicant had revised the site plan

reducing the number of condominiums from 440 to 312 and reducing the commercial area from 72,300 square feet to 50,687 square feet. The site was reviewed by the Planning Commission and they recommended approval.

George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, explained the area was designated for mixed-use on the Craig Corridor. Four neighborhood meetings were held and the neighbors were canvassed regarding their concerns.

Byron Goynes, 8728 Tala Street, Las Vegas, was retained by the applicant to canvass the neighborhood in December 2006 and made three attempts to meet with all neighbors. He reached 215 neighbors and gained 114 approvals of support. The neighbors were against the big box look, a Deseret Industry's type building in size, and encroachment of commercial going south towards Goldcrest Drive. They wanted a residential type use for the neighborhood. Mixed-use development was explained to the neighbors who then understood the transition. They were pleased to be contacted by the developer for their input. Neighbors discussed the plan for a detached structure. The neighbors on Bola Drive and Extenso Drive, who would be directly impacted, were pleased with the views, the 100 foot setback from the street and the staggered trees. Neighbors had concerns regarding the school and Mr. Goynes went to the school and found no issues of overcrowding.

Mr. Garcia explained that of the 215 neighbors canvassed, 114 were in favor, 12 were against and 34 undecided.

Mr. Garcia spoke about the property to the west of the proposed project, which was vacant and part of the original PUD. He would be provided with emergency access through the site, create a mixed-use project on that site and collaborate on both projects.

Mayor Pro Tempore Robinson questioned whether the issues were addressed with the residents in Ward 2 and was concerned since he received several calls from residents in that area that would be impacted with traffic issues and were against the project.

Mr. Garcia explained the PUD had multiple amendments over time and legally had an obligation to focus on the people that were affected by the PUD and asked if this item needed to be continued so a meeting could be held with the affected residents prior to the approval of the final development plan.

Mayor Pro Tempore Robinson would like the input of the residents of Ward 2 since they would be impacted.

Doug Wood, 4108 Bola Drive, North Las Vegas, explained he felt this project would not work. The original concept was a vertical mixed-use and then went to a horizontal mixed-use because the commercial people complained of the apartments above them. He suggested vertical mixed-use.

Carol Kilgore, 4040 Bola Drive, North Las Vegas, explained he did not know anyone that had been canvassed and felt there was more density on this property now than they ever

asked for previously. He was concerned about traffic issues because of the proposed project.

Anita Wood, 4108 Bola Drive, North Las Vegas, explained she didn't feel that three-story condominiums were compatible with the single-family homes in the area with no transition area. She was also concerned about the school and the additional traffic. She explained the project was a mixed-use PUD, with commercial segregated from the residential and didn't conform with the ordinance that the buildings needed to be adjacent. Ms. Wood referred to the Planning Commission Staff Report of December 13, 2006 and stated: "The MUD is not consistent with the efficient development and preservation of the entire planned unit development. The six acre parcel to the west as well as the existing residential to the south will be affected by the MUD design with the development of multi-family residential. The plan impairs the reasonable reliance of the residents and owners upon the provisions of the plan and results in changes that would adversely affect the public interest. The owners of the proposed 20 acre MUD would be the only parties benefitting and or unaffected by the amendment to the PUD. Therefore, because NRS Section 278A.410 states that modification of the PUD shall not be granted solely to confer a private benefit upon any person, a separation and modification of the existing PUD should be discouraged. Ms. Wood requested that Council support Staff with their recommendations.

Jay Brown, 520 South 4th Street, Las Vegas, represented Blake Rosser, property owner of the six acre parcel to the west of the proposed project, and spoke in support of the project.

Mayor Montandon questioned the time frame for the development of the six acre parcel.

Blake Rosser, 2620 West Horizon Ridge Parkway, Henderson, explained the timeline would follow in suit with a mixed-use, and he was working with architects and designers who had presented ideas to Planning Commission. The biggest concern was the ingress/egress because there was only one area to come in and exit on Craig Road, but they were working with the neighboring development on emergency access. He was in support of the project. They would be submitting plans to the Planning Commission in the next month or two and had submitted something at the task level but were asked to return with revisions and were working on them. He would be looking for a development partner.

Councilwoman Buck was contacted by Mr. and Mrs. Kneitel who offered their protest against the project and had submitted a letter to the Planning Commission.

Adam J. Hathcock, 9829 Miss Peach Avenue, Las Vegas, explained he was a co-developer on the parcel and had attempted to accomplish an enhancement or redevelopment of the area of Craig Road. There was concern regarding commercial being adjacent to residential but most Master Plans would have commercial on a double section corner, wrapped with multi-family to buffer the commercial and the streets from single-family residences. It was being done with this project. He considered the fact that the City

wanted a mixed-use project and explained not all projects could be like the District, four stories high with retail. This project was a mixed-use with good transition for the corridor. The open space was double what was required. He tried to accommodate a commercial with a multi-family component that created a sense of community and felt it would be acceptable.

Stan Kuperus, 4225 Bola Drive, North Las Vegas, explained his house faced the project and felt when commercial is mixed with residential it becomes walkable.

Maren Parry, Ballard, Spahr, Andrews & Ingersoll, 300 South 4th Street, Las Vegas, explained the original PUD was put in place in 1989 as a resolution of intent which required extensions of time and was amended every two years. One comment expressed at the Planning Commission was they did not want it to remain vacant. Staff stated they needed to be in compliance with Nevada Revised Statutes.

Ms. Parry explained that she submitted a letter to the Planning Commission explaining how the project complied with the Nevada law. She explained that when a PUD goes before Council there was an initial preliminary approval and then a final approval. When the original PUD was approved, Staff put into record that this could not be considered final approval because it was in violation of various parts of the ordinance and would have to come back for final approval. There should also have been a time limit on PUDs where a developer must come back and do a final plan. When resolutions of intent were done, that satisfied the requirement, but if that expired, State law required that it go back to what the City considered was appropriate under the General Plan and the Zoning. She explained the developer was coming back with different zoning. The original developer had abandoned the development. Ms. Parry explained that what was focused on was the best interest of the residents, and she wanted to work with the other developer of the six acres to make the project work.

Mr. Garcia explained they worked with the zoning of mixed-use commercial. He explained they offered to provide an eight foot high block wall and a thirty-foot wide landscape buffer. The driveways that abut the school along Goldcrest Street would be closed off and the two driveways on Allen Lane would be combined into one to reduce the impact of traffic to the residents. This would be a fifty percent decrease in traffic. Alternative developments were shown to the residents and the one favored would be views with dense landscaping. He explained horizontal and vertical mixed-use, and showed that horizontal contemplated retail being separated from residential which the development proposed. Mr. Garcia explained how the proposed development would be in compliance with current ordinances and zoning and met mixed-use zoning requirements.

Mayor Pro Tempore Robinson explained the residents in Ward 2 were not canvassed and he was against the development.

Councilwoman Smith was concerned about having a single-family home next to three-story homes.

Councilwoman Buck asked Mr. Garcia if he would like to continue this item for two weeks so that a canvass could be done of the residents in Ward 2 and discuss their concerns.

Mr. Garcia stated he would canvass the residents of Ward 2 but felt that two weeks would not be a sufficient amount of time.

ACTION: CONTINUED TO MARCH 7, 2007

MOTION: Councilwoman Buck

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

APPOINTMENTS

43. DISCUSSION, SELECTION AND/OR APPOINTMENT OF AN ACTING OR PERMANENT CITY ATTORNEY.

Warren Van Landschoot, 3806 Verde Way, North Las Vegas, spoke in support of Carie Torrence as City Attorney and the amount of time and support she had given to the Courts.

ACTION: CARIE TORRENCE APPOINTED AS CITY ATTORNEY; STAFF DIRECTED TO PREPARE CONTRACT FOR COUNCIL APPROVAL

MOTION: Councilwoman Smith

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

44. RATIFICATION OF THE APPOINTMENT OF MAJED AL GHAFRY AS PUBLIC WORKS DIRECTOR EFFECTIVE FEBRUARY 5, 2007.

ACTION: 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

COUNCIL ITEMS

There were no additional items.

CITY MANAGER'S REPORT

City Manager Rose welcomed Majed Al-Ghafry as Director of Public Works.

PUBLIC FORUM

There was no public participation.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 9:49 P.M.

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

APPROVED: April 18, 2007

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

ATTEST:

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