

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

December 3, 2008

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

CALL TO ORDER

6:21 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	Parks and Recreation Manager Jon Jainga
Assistant City Manager Maryann Ustick	Planning and Zoning Director Frank Fiori
City Attorney Carie Torrence	Police Chief Joe Forti
City Clerk Karen L. Storms	Public Works Director Dr. Qiong Liu
Economic Development Director Mike Majewski	Utilities Director David Bereskin
Finance Director Phil Stoeckinger	Assistant to the City Manager Michelle Bailey-Hedgepeth
Fire Chief Al Gillespie	Senior Assistant to the City Manager Kenny Young
General Services and	Planning and Zoning Manager Marc Jordan
Communications Director Brenda Fischer	Deputy Director of Engineering Randy DeVaul
Human Resources Joyce Lira	Deputy Director of Operations Harry Wang
Information Technology Director Steve Chapin	Assistant City Clerk Anita Sheldon

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Karen L. Storms, CMC
City Clerk

INVOCATION

Pastor Doug Cowburn
Canyon Ridge Christian Church

PLEDGE OF ALLEGIANCE

Councilman Robert L. Eliason

PUBLIC FORUM

Bob Videan, 5116 Ruby Sunset, North Las Vegas stated he did not want apartments to be built near his subdivision.

AGENDA

1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF DECEMBER 3, 2008.

ACTION: APPROVED AS AMENDED; ITEM NO. 2 CONTINUED TO JANUARY 7, 2009; ITEM NO. 3 CONTINUED TO DECEMBER 17, 2008; ITEMS NOS. 18 AND 19 SET FOR PUBLIC HEARING JANUARY 7, 2009; ITEM NO. 30 WITHDRAWN

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

PUBLIC HEARINGS - 6:15 P.M.

2. UN-74-08 (PROJECT #1554-CCSD); AN APPLICATION SUBMITTED BY THE CLARK COUNTY SCHOOL DISTRICT ON BEHALF OF NOVEMBER 2005 LAND INVESTORS LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN MPC-PSP MASTER PLANNED COMMUNITY-PUBLIC/SEMI-PUBLIC DISTRICT TO ALLOW A SCHOOL ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF AVIARY WAY AND VIRAGE PARKWAY.

ACTION: CONTINUED TO JANUARY 7, 2009

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

3. **UN-96-08 (DECATUR DESERT PLAZA); AN APPLICATION SUBMITTED BY DECATUR DESERT PLAZA LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW AN ON-SALE ESTABLISHMENT WITH RESTRICTED GAMING ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF LONE MOUNTAIN ROAD AND DECATUR BOULEVARD.**

ACTION: CONTINUED TO DECEMBER 17, 2008

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

CONSENT AGENDA

4. **APPROVAL OF SPECIAL CITY COUNCIL MEETING MINUTES OF NOVEMBER 5, 2008.**

ACTION: APPROVED

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

5. **APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF NOVEMBER 5, 2008.**

ACTION: APPROVED

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

6. **APPROVAL OF AN APPLICATION FOR FULL LIQUOR ON-SALE BUSINESS LICENSE FOR NORTH GEISHA LLC, DBA GEISHA STEAK HOUSE, 6572 NORTH DECATUR BOULEVARD, SUITE 150, NORTH LAS VEGAS, NEVADA, 89131, PENDING VERIFICATION OF THE PURCHASE ACKNOWLEDGEMENT FORM. THIS IS A CHANGE OF OWNERSHIP FOR THE BUSINESS.**

ACTION: APPROVED

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

7. **APPROVAL OF CONSTRUCTION CHANGE ORDER NO. 1 TO THE TRAFFIC SIGNAL PROGRAM, PHASE III, BID NO. 1256 WITH ACME ELECTRIC IN THE AMOUNT OF \$95,000 FROM REGIONAL TRANSPORTATION COMMISSION QUESTION 10 AND DEVELOPER PARTICIPATION FUNDS TO EXTEND THE NEVADA ENERGY SYSTEM TO CONNECT TO THE EXISTING TRANSFORMER.(CNLV CONTRACT NO. C-6611)**

ACTION: APPROVED

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

8. **FINAL ACCEPTANCE OF THE PLAYGROUND SHELTERS - AVIARY AND DEER SPRINGS PARKS PROJECT, BID NO. 1282, FOR MAINTENANCE AND AUTHORIZE FILING OF THE NOTICE OF COMPLETION. (CNLV CONTRACT NO. C-6644)**

ACTION: PLAYGROUND SHELTERS ACCEPTED; NOTICE OF FINAL ACTION AUTHORIZED

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

9. FINAL ACCEPTANCE OF MONTE VISTA PARK AND VALLEY VIEW PARK RENOVATION PROJECT, BID NO. 1299, FOR MAINTENANCE AND AUTHORIZE FILING OF THE NOTICE OF COMPLETION. (CNLV CONTRACT NO. C-6746)

ACTION: RENOVATION PROJECT ACCEPTED; NOTICE OF COMPLETION AUTHORIZED

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

10. APPROVAL OF AN INTERLOCAL CONTRACT (NO. 592) WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA FOR THE ALLEN LANE - LONE MOUNTAIN ROAD TO ANN ROAD PROJECT, WHICH REQUIRES ITEMS COVERED IN SECTION II - PROJECT COSTS NOT TO EXCEED \$1,925,000 TO BE COMPLETED BY JUNE 30, 2010. (CNLV CONTRACT NO. C-6965)

ACTION: APPROVED

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

11. APPROVAL OF AN INTERLOCAL CONTRACT (NO. 593) WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA FOR THE CAREY TRAFFIC SIGNAL INTERCONNECT, COMMERCE STREET TO RANCHO DRIVE PROJECT, WHICH REQUIRES ITEMS COVERED IN SECTION II - PROJECT COSTS NOT TO EXCEED \$1,930,900 TO BE COMPLETED BY MARCH 31, 2010. (CNLV CONTRACT NO. C-6966)

ACTION: APPROVED

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

12. **APPROVAL OF THE SUPPLEMENTAL INTERLOCAL CONTRACT (NO. 527-A) WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA FOR THE LOSEE ROAD, ALEXANDER ROAD TO NORTHERN BELTWAY PROJECT, WHICH REQUIRES ITEMS COVERED IN SECTION II - PROJECT COSTS NOT TO EXCEED \$2,510,000. (CNLV CONTRACT NO. C-6248)**

ACTION: APPROVED

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

13. **AN APPEAL SUBMITTED BY KUMMER, KAEMPFER, BONNER, RENSHAW & FERRARIO, ON BEHALF OF THE APPLICANT, OF THE PLANNING COMMISSION'S DECISION TO DENY AMP-10-08 (GOLDFIELD II); AN APPLICATION SUBMITTED BY TANEY ENGINEERING, ON BEHALF OF WILLIAM LYON HOMES, INC., AND ARCHANA PATEL, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF SINGLE FAMILY LOW (UP TO 6 DWELLING UNITS/ACRE) TO NEIGHBORHOOD COMMERCIAL ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF LONE MOUNTAIN ROAD AND NORTH 5TH STREET. (SET PUBLIC HEARING FOR DECEMBER 17, 2008) (ASSOCIATED ITEM NO. 14, APPEAL OF ZN-25-08)**

ACTION: PUBLIC HEARING SET FOR DECEMBER 17, 2008

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

14. **AN APPEAL SUBMITTED BY KUMMER, KAEMPFER, BONNER, RENSHAW & FERRARIO, ON BEHALF OF THE APPLICANT, OF THE PLANNING COMMISSION'S DECISION TO DENY ZN-25-08 (GOLDFIELD II); AN APPLICATION SUBMITTED BY TANEY ENGINEERING, ON BEHALF OF WILLIAM LYON HOMES, INC., AND ARCHANA PATEL, PROPERTY OWNERS, FOR A RECLASSIFICATION OF PROPERTY FROM R-E RANCH ESTATES DISTRICT AND R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO C-1 NEIGHBORHOOD COMMERCIAL DISTRICT ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF LONE MOUNTAIN ROAD AND NORTH 5TH STREET. (SET PUBLIC HEARING FOR DECEMBER 17, 2008) (ASSOCIATED ITEM NO. 13, APPEAL OF AMP-10-08)**

ACTION: PUBLIC HEARING SET FOR DECEMBER 17, 2008

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

15. **AN APPEAL SUBMITTED BY BROWN, BROWN, AND PREMSRIRUT, ON BEHALF OF THE APPLICANT, OF THE PLANNING COMMISSION'S DECISION TO DENY ZN-23-08 (CRAIG SELF STORAGE); AN APPLICATION SUBMITTED BY CRAIG SELF STORAGE LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT ON PROPERTY LOCATED SOUTH OF CRAIG ROAD APPROXIMATELY 1,000 FEET WEST OF ALLEN LANE. (SET PUBLIC HEARING FOR DECEMBER 17, 2008)**

ACTION: PUBLIC HEARING SET FOR DECEMBER 17, 2008

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

16. **UN-112-08 (UNEV PIPELINE LLC); AN APPLICATION SUBMITTED BY UNEV PIPELINE LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW ADDITIONAL SECURITY MEASURES (BARBED WIRE) ON PROPERTY LOCATED APPROXIMATELY 3,800 FEET SOUTH OF GRAND VALLEY PARKWAY AND APPROXIMATELY 6,000 FEET WEST OF U.S. HIGHWAY 93. (SET PUBLIC HEARING FOR DECEMBER 17, 2008)**

ACTION: PUBLIC HEARING SET FOR DECEMBER 17, 2008

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

17. **VAC-05-08 (PARK HIGHLANDS); AN APPLICATION SUBMITTED BY SUMMERSET DEVELOPMENT ON BEHALF OF NOVEMBER 2005 LAND INVESTORS LLC, PROPERTY OWNER, TO VACATE EXCESS DRAINAGE EASEMENTS RELATED TO THE DETENTION BASIN WITHIN PARK HIGHLANDS ON PROPERTY LOCATED NORTH OF THE 215 BELTWAY BETWEEN COMMERCE STREET AND LOSEE ROAD. (SET PUBLIC HEARING FOR JANUARY 7, 2009)**

ACTION: PUBLIC HEARING SET FOR JANUARY 7, 2009

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

18. **VAC-13-08 (NORTH 5TH AND WASHBURN); AN APPLICATION SUBMITTED BY PARKWILL EAGLE, LLC, PARKWILL ENTERPRISES, LLC AND EAGLE 7 PROPERTIES, LLC, PARKWILL ENTERPRISES, LLC AND ABBEY JAMES R JR & COLLEEN TR, CASTLE ROCK ENTERPRISES, INC., ALL FOR ONE FAMILY TRUST AND LEE BRIAN A & JULIE A M TRS, ABBEY JAMES R JR & M COLLEEN TR AND ABBEY JAMES R JR & M COLLEEN TRS, AND WILLIAM LYON HOMES, INC., PROPERTY OWNERS, TO VACATE A PORTION OF EAGLE WAY BETWEEN WASHBURN ROAD AND LA MADRE WAY. (SET FINAL ACTION FOR JANUARY 7, 2009) (ASSOCIATED ITEMS NO. 19, VAC-14-08, NO. 28, ORDINANCE NO. 2490, AND NO. 29, ORDINANCE NO. 2491)**

ACTION: PUBLIC HEARING SET FOR JANUARY 7, 2009

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

19. **VAC-14-08 (NORTH 5TH AND WASHBURN); AN APPLICATION SUBMITTED BY PARKWILL EAGLE, LLC, PARKWILL ENTERPRISES, LLC AND EAGLE 7 PROPERTIES, LLC, PARKWILL ENTERPRISES, LLC AND ABBEY JAMES R JR & COLLEEN TR, CASTLE ROCK ENTERPRISES, INC., ALL FOR ONE FAMILY TRUST AND LEE BRIAN A & JULIE A M TRS, ABBEY JAMES R JR & M COLLEEN TR AND ABBEY JAMES R JR & M COLLEEN TRS, AND WILLIAM LYON HOMES, INC., PROPERTY OWNERS TO VACATE A PORTION OF ROSADA WAY BETWEEN GOLDFIELD STREET AND NORTH 5TH STREET. (SET FINAL ACTION FOR JANUARY 7, 2009) (ASSOCIATED ITEMS NO. 18, VAC-13-08, NO. 28, ORDINANCE NO. 2490, AND NO. 29, ORDINANCE NO. 2491)**

ACTION: PUBLIC HEARING SET FOR JANUARY 7, 2009

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

20. **VAC-15-08 (CAMINO AL NORTE AND WASHBURN); AN APPLICATION SUBMITTED BY SCOPE DEVELOPMENT, LLC ON BEHALF OF SCOPE CAMINO AL NORTE, LLC, PROPERTY OWNER, FOR A VACATION IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO VACATE A TWENTY (20) FOOT WIDE DRAINAGE EASEMENT ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF CAMINO AL NORTE AND WASHBURN ROAD. (SET PUBLIC HEARING FOR JANUARY 7, 2009)**

ACTION: PUBLIC HEARING SET FOR JANUARY 7, 2009

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

BUSINESS

21. **DISCUSSION AND/OR ACTION REGARDING AN APPEAL BY JOE DEAN GRANT, JR., OF A WORK CARD DENIAL.**

Mayor Montandon stated that Mr. Grant was not in attendance to present his appeal and recommended tabling the item to the next City Council meeting. Councilwoman Smith requested the appellant be contacted advising him of the new meeting date.

ACTION: TABLED TO DECEMBER 17, 2008

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

22. **APPROVAL OF A PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES AGREEMENT WITH DEKKER/PERICH/SABATINI, LTD., IN THE AMOUNT OF \$313,360 FOR THE DESIGN OF FIRE STATION 50 AT CITY VIEW PARK. (CNLV CONTRACT NO. C-6967)**

ACTION: APPROVED

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

23. AWARD OF BID NO. 1311 AND APPROVAL OF A CONTRACT WITH FREHNER CONSTRUCTION COMPANY IN THE AMOUNT OF \$16,611,701.96 FROM VARIOUS FUNDS FOR THE NORTH 5TH STREET SUPER ARTERIAL PROJECT FROM OWENS AVENUE TO CHEYENNE AVENUE AND REJECTION OF THE BID SUBMITTED BY CAPRIATI CONSTRUCTION CORPORATION AS BEING NON-RESPONSIVE. (CNLV CONTRACT NO. 6968)

City Attorney Torrence explained that she submitted two stacks of documents for Council's review and submission to the record. On the Invitation to Bid, the bid package included the material supplier list as a document necessary for submittal and stated that omission of, or failure to complete any portion of the required documents prior to the time of the bid opening may be cause to reject the entire bid. The City issued Addendum No. 2 and revised some of the instructions to bidders with no changes to the section that defined the documents necessary for submittal of the bid package. The bidders needed to provide the material supplier list with the submission of the bid proposal. A minor change was made to the material supplier list in adding the column for days until delivery, which was left out when the form was copied for the original bid packet. In the bid proposal from Capriati Construction, the form was blank.

City Attorney Torrence explained that there were four approved contractors for the mechanically stabilized earth walls and there was no indication whether Capriati Construction intended to use an approved contractor. City Attorney Torrence explained that at the pre-bid conference it was explained to bidders why the material supplier list was critical to the project. It was also explained that if the bidder failed to submit or complete these documents or any of the required documents, the bid was subject to rejection regardless of whether it was the low bidder. The Public Works Department was unable to determine whether or not Capriati Construction's bid provided the quality of services, materials, equipment and labor necessary to conform to the approved plans or specifications based on their failure to complete the form.

Deputy Director of Engineering Randy DeVaul explained that the list was critical because it allowed the City to verify that the bid conformed to the specifications and judged the quality of the supplier providing the materials. It also allowed for the City to ensure that the supplier was authorized to provide the material. One of the major components of the project was construction of mechanically stabilized earth walls. He explained there were only four suppliers for the walls.

Susan Frankewich, Esq., 3210 West Charleston #4, Las Vegas, represented Capriati Construction and she explained that there was nothing in the bid documents that stated the material supplier list was needed or the bid would be disqualified. She commented that omission of the list was not a reason to disqualify the bid. City Attorney Torrence explained that Capriati Construction indicated they were able to perform the construction of the mechanically stabilized earth walls, which they were not. The bid documents required the use of approved patentees adopted by the Nevada Department of Transportation.

Robert A. Albano, 10216 Hailey Lynne Road, Las Vegas, explained he was the President and CEO of American Asphalt and Grading. He commented on the importance of the bidding process.

Sean Stewart, 4040 Frehner Road, North Las Vegas, explained he was Vice-President and General Counsel for Frehner Construction Company and mentioned that this project involved a lot of jobs for people who lived and worked in the City and would be affected by the bid.

Mayor Pro Tempore Robinson questioned the difference in the total amount of the bids. City Attorney Torrence explained the difference was \$67,000 which was less than ½ of 1% of the bid project.

Councilwoman Smith commented that the language indicating the need for the material supplier list was defined.

Public Works Director Dr. Qiong Liu explained that required documents in a bid package differed depending on the project. She explained that in the instructions to bidders, it was referenced several times that the material supplier list was a critical document and was required prior to the bid opening.

Councilwoman Buck commented that the City Attorney and Public Works Department made it clear that the bidders were required to provide the material supplier list with the submission of the bid package.

ACTION: BID NO. 1311 AWARDED AND CONTRACT WITH FREHNER
CONSTRUCTION COMPANY APPROVED; CAPRIATI
CONSTRUCTION CORPORATION BID REJECTED AS BEING NON-
RESPONSIVE

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

24. AWARD OF REQUEST FOR PROPOSAL, NO. 007-016 AND APPROVAL OF A CONTRACT WITH AEP-NEVADA, IN AN AMOUNT NOT TO EXCEED \$66,614.19 PER YEAR BASED ON VEHICLE QUANTITIES, FOR UP-FITTING OF POLICE DEPARTMENT VEHICLES. (CNLV CONTRACT NO. C-6969)

ACTION: RFP NO. 007-016 AWARDED TO AEP-NEVADA AND CONTRACT APPROVED AS AMENDED TO \$347,012.95 PER YEAR

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

25. APPROVAL OF AN AGREEMENT TO TRANSFER THE VOLUNTARY EMPLOYEE BENEFIT LONG-TERM CARE POLICY FROM AETNA LIFE INSURANCE COMPANY TO PRUDENTIAL INSURANCE COMPANY OF AMERICA FOR THE HUMAN RESOURCES DEPARTMENT. (CNLV CONTRACT NO. C-6970)

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

ORDINANCES
INTRODUCTION ONLY

26. ORDINANCE NO. 2488; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS REPEALING CHAPTER 38 OF TITLE 5 OF THE NORTH LAS VEGAS MUNICIPAL CODE REGULATING PAWNBROKERS AND ENACTING NEW REGULATIONS GOVERNING PAWNBROKERS, INCLUDING NEW REGULATIONS CONCERNING APPLICANT BACKGROUND INVESTIGATIONS, THE ELIMINATION OF POPULATION-BASED LICENSE LIMITATIONS AND LOTTERY PROVISIONS, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR DECEMBER 17, 2008)

Ordinance No. 2488 as introduced by the City Clerk:

ORDINANCE NO. 2488; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS REPEALING CHAPTER 38 OF TITLE 5 OF THE NORTH LAS VEGAS MUNICIPAL CODE REGULATING PAWNBROKERS AND ENACTING NEW REGULATIONS GOVERNING PAWNBROKERS, INCLUDING NEW REGULATIONS CONCERNING APPLICANT BACKGROUND INVESTIGATIONS, THE ELIMINATION OF POPULATION-BASED LICENSE LIMITATIONS AND LOTTERY PROVISIONS, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR DECEMBER 17, 2008)

ACTION: FINAL ACTION SET FOR DECEMBER 17, 2008

27. **ORDINANCE NO. 2489; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-11-08); AMENDING TITLE 17 (SECTIONS 17.12.020, 17.24.020 AND 17.28.050) TO CHANGE THE REQUIREMENTS TO ALLOW FOR DEFERRED DEPOSIT LOAN, PAWNSHOPS, AND AUTO-TITLE LOAN FACILITIES, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR DECEMBER 17, 2008)**

Ordinance No. 2489 as introduced by the City Clerk:

ORDINANCE NO. 2489; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-11-08); AMENDING TITLE 17 (SECTIONS 17.12.020, 17.24.020 AND 17.28.050) TO CHANGE THE REQUIREMENTS TO ALLOW FOR DEFERRED DEPOSIT LOAN, PAWNSHOPS, AND AUTO-TITLE LOAN FACILITIES, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR DECEMBER 17, 2008)

ACTION: FINAL ACTION SET FOR DECEMBER 17, 2008

28. **ORDINANCE NO. 2490; 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 26.0 +/- ACRES THEREIN FROM AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT AND AN R-E, RANCH ESTATES DISTRICT TO AN MUD/MX-1, MIXED USE DEVELOPMENT DISTRICT/NEIGHBORHOOD CENTER MIXED USE SUBDISTRICT (ZN-26-08, NORTH 5TH AND WASHBURN) CONSISTING OF 344 RESIDENTIAL UNITS AND 81,600 SQUARE FEET OF COMMERCIAL SPACE FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF WASHBURN ROAD AND NORTH 5TH STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR DECEMBER 17, 2008) (ASSOCIATED ITEMS NO. 18, VAC-13-08, NO. 19, VAC-14-08, AND NO. 29, ORDINANCE NO. 2491)**

Ordinance No. 2490 as introduced by the City Clerk:

ORDINANCE NO. 2490; 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 26.0 +/- ACRES THEREIN FROM AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT AND AN R-E, RANCH ESTATES DISTRICT TO AN MUD/MX-1, MIXED USE DEVELOPMENT DISTRICT/NEIGHBORHOOD CENTER MIXED USE SUBDISTRICT (ZN-26-08, NORTH 5TH AND WASHBURN) CONSISTING OF 344 RESIDENTIAL UNITS AND 81,600 SQUARE FEET OF COMMERCIAL SPACE FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF WASHBURN ROAD AND NORTH 5TH STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR DECEMBER 17, 2008) (ASSOCIATED ITEMS NO. 18, VAC-13-08, NO. 19, VAC-14-08, AND NO. 29, ORDINANCE NO. 2491)

ACTION: FINAL ACTION SET FOR DECEMBER 17, 2008

29. **ORDINANCE NO. 2491; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-10-08) BY AMENDING TITLE 17 (SECTION 17.20.230.E) TO ALLOW RESTAURANTS WITH DRIVE THROUGH SERVICE LANE AS A SPECIAL USE WITHIN THE MUD/MX-1, MIXED USE DEVELOPMENT DISTRICT/NEIGHBORHOOD CENTER MIXED USE SUBDISTRICT AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR DECEMBER 17, 2008) (ASSOCIATED ITEMS NO. 18, VAC-13-08, NO. 19, VAC-14-08, NO. 28, ORDINANCE NO. 2490)**

Ordinance No. 2491 as introduced by the City Clerk:

ORDINANCE NO. 2491; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-10-08) BY AMENDING TITLE 17 (SECTION 17.20.230.E) TO ALLOW RESTAURANTS WITH DRIVE THROUGH SERVICE LANE AS A SPECIAL USE WITHIN THE MUD/MX-1, MIXED USE DEVELOPMENT DISTRICT/NEIGHBORHOOD CENTER MIXED USE SUBDISTRICT AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR DECEMBER 17, 2008) (ASSOCIATED ITEMS NO. 18, VAC-13-08, NO. 19, VAC-14-08, NO. 28, ORDINANCE NO. 2490)

ACTION: FINAL ACTION SET FOR DECEMBER 17, 2008

ORDINANCES
FINAL ACTION

30. **ORDINANCE NO. 2483; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING ORDINANCE NO. 2287 AND SECTIONS 2.36.050 AND 2.36.060 OF CHAPTER 2.36, ENTITLED "ADMINISTRATIVE FEES," OF TITLE 2 OF THE NORTH LAS VEGAS MUNICIPAL CODE, TO CORRECT AND CLARIFY THE CHAPTER, ADD NEW FEES; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

ACTION: WITHDRAWN

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

31. **ORDINANCE NO. 2486 (ANNEXATION NO. 145); 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.**

Ordinance No. 2486 as introduced by the City Manager:

ORDINANCE NO. 2486 (ANNEXATION NO. 145); 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.

ACTION: PASSED AND ADOPTED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

APPOINTMENTS

32. APPOINTMENT BY COUNCILWOMAN BUCK OF A MEMBER TO THE PARKS AND RECREATION ADVISORY BOARD TO FILL AN UNEXPIRED TERM ENDING JUNE 30, 2011. (TABLED NOVEMBER 5 AND NOVEMBER 19, 2008)

ACTION: COUNCILWOMAN BUCK APPOINTED KELLY WESTPHAL TO FILL THE UNEXPIRED TERM ENDING JUNE 30, 2011

MOTION: Councilwoman Buck

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

33. RECOMMENDATION OF AN APPOINTMENT TO THE CITIZEN ADVISORY COMMITTEE OF THE CLARK COUNTY DESERT CONSERVATION PROGRAM.

ACTION: TABLED TO DECEMBER 17, 2008

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

34. APPOINTMENT OF AN AT-LARGE CITIZEN MEMBER TO THE CITIZENS ADVISORY COMMITTEE TO FILL AN UNEXPIRED TERM ENDING JUNE 30, 2010.

ACTION: MAYOR PRO TEMPORE ROBINSON APPOINTED CARRIE THOMAS TO FILL THE UNEXPIRED TERM ENDING JUNE 30, 2010

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

COUNCIL ITEMS

Councilman Eliason stated that people were being cited for code enforcement violations and their citations containing their address and social security number were taped to the handrails. He also stated that citations were issued to the tenants when Cox Communications ran cable down the side of the building and in through windows.

Councilwoman Smith directed Staff to pursue banks to have them maintain vacant properties owned by the bank.

Mayor Pro Tempore Robinson directed Staff to contact the property owners of a fence on Cheyenne Avenue to have them shore up the fence properly or remove it.

CITY MANAGER'S REPORT

No report was given.

PUBLIC FORUM

Rosie, 18829 North Shadows Circle, California, stated residents were not given enough time to fix properties before they were cited and fined. Mayor Montandon referred her to Fire Chief Al Gillespie.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 7:45 P.M.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

APPROVED: January 7, 2009

Mayor Michael L. Montandon

ATTEST:

Karen L. Storms, CMC
City Clerk