

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

February 4, 2009

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

CALL TO ORDER

6:03 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 E. Rose
Assistant City Manager Sam Chambers
Assistant City Manager Maryann Ustick
City Attorney Carie Torrence
Acting City Clerk Anita Sheldon
Finance Director Phil Stoeckinger
Fire Chief Al Gillespie
General Services and
Communications Director Brenda Fischer
Human Resources Director Joyce Lira
Information Technology Director Steve Chapin

Library Director Kathy Pennell
Parks and Recreation Manager Jon Jainga
Planning and Zoning Director Frank Fiori
Police Chief Joe Forti
Public Works Director Dr. Qiong Liu
Utilities Director David Bereskin
Assistant to the City Manager Michelle Bailey-Hedgepeth
Senior Assistant to the City Manager Kenny Young
Planning and Zoning Manager Marc Jordan
Deputy City Clerk Marie Purcell

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Anita Sheldon
Acting City Clerk

INVOCATION

Pastor Marcus Borton
Canyon Ridge Christian Church

PLEDGE OF ALLEGIANCE

Councilwoman Shari Buck

PUBLIC FORUM

There was no public participation.

AGENDA

1. APPROVAL OF THE REGULAR CITY COUNCIL MEETING AGENDA OF FEBRUARY 4, 2009.

ACTION: APPROVED AS AMENDED; ITEM NOS. 2 AND 3 CONTINUED TO JUNE 3, 2009; ITEM NO. 4 WITHDRAWN WITHOUT PREJUDICE

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

6. APPROVAL OF AN APPLICATION FOR BEER-WINE-SPIRIT-BASED PRODUCTS ON-SALE BUSINESS LICENSE FOR E.N.C. FAMILY, INC., DBA DELUCIA'S PIZZERIA, 2345 EAST CENTENNIAL PARKWAY, SUITE 119, NORTH LAS VEGAS, NEVADA, 89081.

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 AN APPLICATION FOR RESTRICTED GAMING BUSINESS LICENSE FOR CAPADO GAMING CORPORATION, DBAT LA BONITA GROCERY & MARKET II, 2672 NORTH LAS VEGAS BOULEVARD, NORTH LAS VEGAS, NEVADA, 89030 PENDING VERIFICATION OF STATE GAMING COMMISSION APPROVAL.**

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. **APPROVAL OF AN APPLICATION FOR JAMES A. REYES AS A KEY EMPLOYEE FOR THE FULL LIQUOR OFF-SALE BUSINESS LICENSE FOR SAM'S WEST, INC., DBA SAM'S CLUB #4974, 2650 EAST CRAIG ROAD, NORTH LAS VEGAS, NEVADA, 89081.**

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

9. **APPROVAL OF AN APPLICATION FOR CAROL A. MCNALLY AS A KEY EMPLOYEE FOR THE FULL LIQUOR OFF-SALE BUSINESS LICENSE FOR SAM'S WEST, INC., DBA SAM'S CLUB #4974, 2650 EAST CRAIG ROAD, NORTH LAS VEGAS, NEVADA, 89081.**

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

10. APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR REBECA C. MEDRANO, DBA REBECA'S CHILD CARE, 5649 FARPOINT ROAD, NORTH LAS VEGAS, NEVADA, 89031 PENDING VERIFICATION OF REQUIRED DEPARTMENT APPROVALS.

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 APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR TIFFANY J. PATE, DBA LEARN WITH LOVE CHILDCARE, 4339 MESA LANDING AVENUE, NORTH LAS VEGAS, NEVADA, 89085 PENDING VERIFICATION OF SOUTHERN NEVADA HEALTH DISTRICT APPROVAL AND REQUIRED DEPARTMENT APPROVALS.

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 A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH SCOPE CAMINO AL NORTE, LLC FOR A PORTION OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT LONE MOUNTAIN ROAD & CAMINO AL NORTE IN THE AMOUNT OF 3.2% OF THE TOTAL COST OR \$3,435; WASHBURN ROAD & CAMINO AL NORTE IN THE AMOUNT OF 10.1% OF THE TOTAL COST OR \$24,912; ANN ROAD & CAMINO AL NORTE IN THE AMOUNT OF 5.7% OF THE TOTAL COST OR \$16,399; LA MADRE WAY & CAMINO AL NORTE IN THE AMOUNT OF 2.8% OF THE TOTAL COST OR \$22,332; LONE MOUNTAIN ROAD & CAMINO AL NORTE - WEST LEG/DUAL LEFT IN THE AMOUNT OF 7.7% OF THE TOTAL COST OR \$9,240; WASHBURN ROAD & CAMINO AL NORTE - WEST LEG/DUAL LEFT IN THE AMOUNT OF 14% OF THE TOTAL COST OR \$16,800; WASHBURN ROAD & CAMINO AL NORTE - SOUTH LEG/DUAL LEFT IN THE AMOUNT OF 20% OF THE TOTAL COST OR \$24,000; WASHBURN ROAD & CAMINO AL NORTE -

NORTH LEG/DUAL LEFT IN THE AMOUNT OF 13.7% OF THE TOTAL COST OR \$16,440; ANN ROAD & CAMINO AL NORTE - SOUTH LEG/DUAL LEFT IN THE AMOUNT OF 10% OF THE TOTAL COST OR \$12,000; ANN ROAD & CAMINO AL NORTE - EAST LEG/DUAL LEFT IN THE AMOUNT OF 7.7% OF THE TOTAL COST OR \$9,240 AND LA MADRE WAY & CAMINO AL NORTE - WEST LEG/DUAL LEFT IN THE AMOUNT OF 2.3% OF THE TOTAL COST OR \$2,760 FOR THE CAMINO AL NORTE & WASHBURN CENTER LOCATED ON THE NORTHWEST CORNER OF WASHBURN ROAD AND CAMINO AL NORTE.

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. **APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH COMMERCIAL LOFTS, LLC FOR A PORTION OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT CHEYENNE AVENUE & CLAYTON STREET IN THE AMOUNT OF 7.7% OF THE TOTAL COST OR \$9,240; GOWAN ROAD & CLAYTON STREET IN THE AMOUNT OF 2.9% OF THE TOTAL COST OR \$20,112 AND GOWAN ROAD & SIMMONS STREET IN THE AMOUNT OF 1.3% OF THE TOTAL COST OR \$7,840 FOR COMMERCIAL LOFTS AT COLTON AND CLAYTON LOCATED ON THE SOUTHWEST CORNER OF COLTON AVENUE AND CLAYTON STREET.**

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

14. **FINAL ACCEPTANCE OF THE NORTH LAS VEGAS TRAFFIC SIGNAL PROGRAM, PHASE I, BID NUMBER 1281 INCLUDING ADDITIVE ALTERNATE 3 FOR MAINTENANCE AND AUTHORIZE FILING OF THE NOTICE OF COMPLETION.**

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

15. **FINAL ACCEPTANCE OF THE FREHNER SEWER LINE, BID NUMBER 1298 FOR MAINTENANCE AND AUTHORIZE FILING OF THE NOTICE OF COMPLETION.**

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

16. **ACCEPTANCE OF CONTINUANCE OF AN EXISTING GRANT FROM THE NEVADA OFFICE OF THE ATTORNEY GENERAL, UNDER THE VIOLENCE AGAINST WOMEN ACT GRANT PROGRAM, IN THE AMOUNT OF \$63,619, REQUIRING A LOCAL MATCH IN THE AMOUNT OF \$21,206 TO PROVIDE VICTIM ADVOCACY SERVICES BY THE CITY ATTORNEY'S OFFICE.**

ACTION: GRANT ACCEPTED

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. **ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$7,309 FROM THE STATE OF NEVADA, DEPARTMENT OF PUBLIC SAFETY, OFFICE OF TRAFFIC SAFETY, UNDER THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION GRANT PROGRAM THAT WILL ENABLE THE POLICE DEPARTMENT TO PURCHASE HANDHELD CITATION WRITING DEVICES THAT WILL BE USED BY TRAFFIC DIVISION OFFICERS.**

ACTION: GRANT ACCEPTED

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

18. **RESOLUTION NO. 2406; A RESOLUTION ESTABLISHING THE CITY'S
STATE LEGISLATIVE PLATFORM FOR THE 2009 NEVADA LEGISLATURE.
(TABLED JANUARY 21, 2009)**

Mayor Pro Tempore Robinson was concerned about item numbers 1 - 5 under the Employee Relations section of the Legislative Platform. City Manager Gregory Rose explained that the Legislative Platform provided direction to staff as they testified on issues. Mayor Pro Tempore Robinson said that item numbers 1 and 2 were vague in reference to unions and recommended they be stricken from the Legislative Platform. City Manager Rose explained that if the items were stricken, there would be no direction from the City Council on those issues. Councilwoman Smith felt if individual issues arose during the Legislative session, they could be brought back to the City Council for Staff direction. City Manager Rose said if the items were stricken from the platform then the City would take a neutral position on those issues. Councilwoman Buck questioned why the City Council would not be in favor of having local control instead of State control over public employee disputes or supporting legislature that improved access to and reduced the cost of health care for public employees.

ACTION: PASSED AND ADOPTED AS AMENDED; EMPLOYEE RELATIONS
DELETED FROM LEGISLATIVE PLATFORM FOR DISCUSSION

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

Councilman Eliason requested clarification of the items under Employee Relations. Human Resources Director Joyce Lira explained that item numbers 1 and 2 struck a balance between the compensation and benefits that might arise in the Legislative session to ensure that the needs of the taxpayers were considered in terms of cost as well as the employees in terms of take away. Other issues were combined under items 1 and 2 such as stress related claims on workers' compensation. Mayor Pro Tempore Robinson asked if the issues were discussed with the union. Director Lira said she did not receive input from the POA or IHF but that there was concern from Teamsters Local 14 with item number 5 regarding the opposition to strike.

ACTION: THE FOLLOWING EMPLOYEE RELATIONS ISSUES WERE APPROVED AS PART OF THE LEGISLATIVE PLATFORM:

1. SUPPORT LEGISLATION THAT IMPROVES ACCESS TO, AND REDUCES THE COST OF, HEALTHCARE FOR PUBLIC EMPLOYEES.
2. OPPOSE ANY REDUCTION IN LOCAL CONTROL OVER PUBLIC EMPLOYEE DISPUTES, OR IMPOSITION OF REGULATIONS OF AN OUTSIDE AGENCY.

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

PUBLIC HEARINGS - 6:15 P.M.

2. **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. (CONTINUED DECEMBER 17, 2008 AND JANUARY 21, 2009) (ASSOCIATED ITEM NO., APPEAL OF ZN-25-08)**

ACTION: CONTINUED TO JUNE 3, 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. **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. (CONTINUED DECEMBER 17, 2008 AND JANUARY 21, 2009) (ASSOCIATED ITEM NO., APPEAL OF AMP-10-08)**

ACTION: CONTINUED TO JUNE 3, 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

4. **UN-83-05 (PARK CENTRAL PLAZA); AN APPLICATION SUBMITTED BY PARK CENTRAL PLAZA 32, LLC, C/O KEVIN SPILSBURY ON BEHALF OF PARK CENTRAL PLAZA 32, LLC, C/O INFINITY ENTERPRISES INVESTMENTS, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN/RESTAURANT ON PROPERTY LOCATED AT 5860 LOSEE ROAD.**

ACTION: WITHDRAWN WITHOUT PREJUDICE

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. **VAC-16-08 (MILLER SUBSTATION); AN APPLICATION SUBMITTED BY NV ENERGY, PROPERTY OWNER, FOR A VACATION IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO VACATE A TWENTY-FIVE FOOT WIDE SLOPE EASEMENT ALONG THE SOUTHERN PROPERTY LINE ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF CAREY AVENUE AND COMMERCE STREET.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

BUSINESS (CONTINUED)

19. **ADOPTION OF THE PROPOSED 2010 - 2014 CAPITAL IMPROVEMENT PLAN IN THE AMOUNT OF \$926,048,800.**

City Manager Gregory Rose explained that the City held a competition with the Clark County School District and the winner's artwork was the cover of the Capital Improvement Plan. Emily Ramirez, a third grader, won the competition and described her artwork on the inside cover of the plan. City Manager Rose explained the intent was to get children involved in government and suggested that the student be brought to a City Council meeting for recognition when the annual operating budget was presented for consideration.

City Manager Rose responded to some questions from the previous presentation. He explained that the number of jobs that would be created from the new City Hall project was estimated at 160. City Attorney Torrence responded to the use of the \$55 million bond proceeds and explained that the bond documents were drafted broadly enough to cover other projects as defined by state law. Councilman Eliason said the issue was brought up because he was concerned that the public was told one thing but the City did something different. City Manager Rose explained that the funds were being used for the Multi-generational center, police downtown command center and the fire station #53 relocation. In addition, the funds were being used for the Capital Improvement Program. Councilman Eliason questioned the purchase of the Frehner building and the use of bond proceeds. City Manager Rose said the \$40 million bond project would be forwarded to the City Council for approval but the Frehner building would not be included. Finance Director Phil Stoeckinger explained the interest earnings on the \$55 million bond were in excess of \$5 million and would pay for the Frehner building. City Manager Rose explained that when bond proceeds were used, even if it was an approved project in the Capital Improvement Plan, the information went to the City Council.

City Manager Rose said there were changes from the previous workshop. The VESTA project moved from the E-911 fund to bond proceeds and Skyview moved \$500,000 from Park District funds to bond proceeds.

City Manager Rose explained that the Capital Improvement Plan summary by category identified the percentage in each area that would get a portion of the budget over five years.

Councilman Eliason questioned the Skyview project funding. Mayor Montandon explained that all of the funding was from the \$55 million bond proceeds and that the \$500,000 from the Park District fund would also come from the bond proceeds. Director Stoeckinger explained the reason was due to the lack of development from Park District funds.

Councilman Eliason requested clarification on the \$5 million Las Vegas Boulevard utilities upgrade. City Manager Rose explained the project was for drainage in the downtown redevelopment area. Councilman Eliason said there was \$4.2 million for specific projects in the downtown master plan update. There was a process that went through specific projects and questioned why the normal Redevelopment Agency Board process was not being followed. City Manager Rose explained that an Owner Participation Agreement was being negotiated with Las Flores. He recommended projects that were for off-site improvements.

ACTION: APPROVED AS AMENDED; VESTA PROJECT - MOVED FROM E-911 FUND TO BOND PROCEEDS AND SKYVIEW- MOVED \$500,00 FROM PARK DISTRICT FUNDS TO BOND PROCEEDS

MOTION: Councilwoman Buck

SECOND: Councilwoman Smith

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

NAYS: Councilman Eliason

ABSTAIN: None

20. APPROVAL OF THE PROPOSED BUDGET REDUCTIONS TO BE INCLUDED IN THE ADOPTED FY08-09 BUDGET.

Finance Director Phil Stoeckinger explained that a bad recession was one that lasted two years with an unemployment rate between 7.5% - 15%. In December, the unemployment rate was 9.1% and projected to reach 11.4% within a year. He explained that all local governments relied on the same revenues as the State. Director Stoeckinger explained the similarities in local government and state revenue structures. Sales tax revenue was the largest revenue sources. Other revenue sources included property tax and construction/gaming industries. He explained that 75-80% of expenditures were attributed to salaries and related benefits and that 83% of revenues were dictated by the state. The Governor proposed to redirect 4 cents of property tax to

the state to help fund their shortfall with a yearly decrease to the general fund of \$3.7 million and redirection of a portion of court fees at \$250,000.

Director Stoeckinger explained that consolidated taxes were the largest revenue source in the General Fund and was 21.5% lower than last year. He explained that the economy moved from a service based society to goods based society nationwide. The City was 15% less in revenues than 2006.

Director Stoeckinger explained that property taxes had been a stable revenue source but there were two zip codes in North Las Vegas that were among the top twenty in the nation with the worse housing markets. He explained that 80% of the homes in those zip codes had a negative equity. There was a decline in land and home values. Nearly all of the abatement from the past three years disappeared and there was a lack of new growth.

Director Stoeckinger said voter approved taxes were limited to exclusive uses such as Funds 268, 287 and 288. Fund 268 was for parks, fire and street maintenance and was property tax driven. Fund 287 was the Safe Streets, represented 55 cents of the property tax and funded police and detention officers. Fund 288, More Cops, was a sales tax and provided for the hiring of and equipping of new officers.

Director Stoeckinger explained that water usage was at the same level as four years ago even though North Las Vegas was the fastest growing city.

Director Stoeckinger said that the reason the City was in decent financial shape was due to proactive Council actions. These actions included the adoption of financial policies in 2003-2004 and included the establishment of an 18% ending fund balance in the General Fund and cost saving recommendations of \$6.9 million. In the current fiscal year, actions included hired positions as part of the Capital Improvement/Strategic Plan and were related to Public Safety. There was a fleet savings of \$4.3 million over the next three years. 2009 Capital Improvement Plan projects of \$3.4 million and 2010 projects of \$14.4 million were canceled or moved out.

Director Stoeckinger explained the proposed recommendations for the current fiscal year which included expansion of the hiring freeze and 3% department reductions. Proposed recommendations for 2009/10 included 6% department reductions, hiring freeze, delay of projects in the new Capital Improvement Plan and temporary decrease of the General Fund balance to 14% with a plan to restore to 18% in the future. City Manager Rose explained that although there was a hiring freeze the intent was to provide the same level of services to the residents. Director Stoeckinger said that other considerations included continued discussions with bargaining units, reprioritization of projects and further reductions with potential elimination of services. City Manager Rose said he was working with the bargaining units and had advised them layoffs could be avoided if both sides worked together.

Councilwoman Smith confirmed that approval of the budget reductions would not authorize the execution of layoffs as necessary.

Mayor Pro Tempore Robinson said he felt the current staff, until the economy improved, would suffice for services to the community. He stressed that no hiring should be done during a hiring freeze. City Manager Rose explained that services would be impacted with a complete hiring freeze. He said that if an employee left a critical position, the position would be filled. Councilman Eliason recommended not saying there was a hiring freeze and use different language. City Manager Rose said it was important that Council agreed with the concept or the City would stop hiring. Councilwoman Buck said it was important to continue hiring in the public safety departments to keep the current level of services. Mayor Pro Tempore Robinson felt that the language needed to be changed since the public visited the website and would see available job positions during a hiring freeze.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

21. APPROVAL OF A REQUEST FOR NON-OPERATIONAL STATUS FOR THE NON-RESTRICTED GAMING LIQUOR AND NON-RESTRICTED GAMING BUSINESS LICENSES FOR JOHNNY MAXX, INC., DBA BEVERLY HILLBILLIES GAMBLER CASINO, 2501 EAST LAKE MEAD BOULEVARD, NORTH LAS VEGAS, NEVADA, 89030 THROUGH JANUARY 6, 2010.

Finance Director Phil Stoeckinger explained that the Beverly Hills Gambler Casino was closing for renovations. Councilman Eliason asked if the non-operational status would go beyond January 2010. City Attorney Carie Torrence explained that the non-operational status could be given for a maximum of two years.

George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, explained that one- year was adequate for the applicant and hoped to be operational within nine months.

Councilwoman Smith was not in favor of renovating the same uses that were in existence and preferred the site become something other than what it was. City Attorney Torrence explained it was a non-conforming use with an unrestricted gaming license under the Municipal Code because there was no hotel. Councilwoman Buck asked if the use stopped or was being suspended. City Attorney Carie Torrence explained that the applicant requested a non-operational period to allow a change of ownership and improvements. If the applicant did not ask Council for the non-operational period, they would lose their grandfathered status.

ACTION: APPROVED

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

22. APPROVAL OF AN APPLICATION FOR NON-RESTRICTED GAMING LIQUOR AND NON-RESTRICTED GAMING BUSINESS LICENSES; AND REQUEST FOR NON-OPERATIONAL STATUS OF THE NON-RESTRICTED GAMING LIQUOR AND NON-RESTRICTED GAMING BUSINESS LICENSES THROUGH FEBRUARY 4, 2010 FOR NEVADA RESTAURANT SERVICES, INC., DBA DOTTY'S #46, 2501 EAST LAKE MEAD BOULEVARD, NORTH LAS VEGAS, NEVADA, 89030 PENDING VERIFICATION OF STATE GAMING COMMISSION APPROVAL, WORKERS' COMPENSATION COVERAGE AND DOCUMENTATION CONFIRMING SALE CLOSING.

Finance Director Phil Stoeckinger explained that the applicant requested non-operational status and, if approved, a condition would be that Nevada Restaurant Services, Inc. may not open without verification from the Southern Nevada Health District and required department approvals.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITION:

1. PRIOR TO RE-OPENING, SOUTHERN NEVADA HEALTH DISTRICT APPROVAL AND REQUIRED DEPARTMENT APPROVALS MUST BE OBTAINED

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

23. AUTHORIZATION TO ISSUE A PURCHASE ORDER TO FORD COUNTRY IN THE AMOUNT OF \$106,265, UTILIZING THE STATE OF NEVADA BID NUMBER 7378 PURSUANT TO NRS 332 LOCAL GOVERNMENT PURCHASING ACT FOR THE PURCHASE OF FIVE FORD TAURUS VEHICLES FOR THE POLICE DEPARTMENT.

ACTION: PURCHASE ORDER AUTHORIZED

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

**24. AWARD OF REQUEST FOR PROPOSAL #007-020 TO APPLIED ANALYSIS
IN AN AMOUNT NOT TO EXCEED \$45,310 TO SECURE SERVICES
RELATED TO ECONOMIC, MARKET AND SUPPLY/DEMAND ANALYSIS
RELATED TO GAMING USES IN THE CITY.**

City Attorney Carie Torrence explained that Council would be authorizing a transfer from the Contingency Fund to pay for the analysis. Mayor Montandon explained the analysis would review the impact of gaming on the community. Councilwoman Smith questioned if the impacted amenities and casinos in master planned communities versus non-master planned communities would be addressed. Purchasing Manager Dwight Rawlinson explained that the resort style casino versus the PT Pub type would be reviewed as well as the infrastructure needs and amenities.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, represented BCO Gaming and asked when the study would be completed.

Jeremy Aguerro, Applied Analysis, 10100 W. Charleston Boulevard, Las Vegas, said the analysis should be completed within sixty days. Chairman Eliason asked if a six-month update would be needed. Mr. Aguerro said the analysis approach and procedure was framed to break down different types of gaming establishments and perform an analysis based on the entire Las Vegas Valley as it currently existed and since the dynamics did not rapidly change, it was not anticipated to have to do a recurring update. Mayor Pro Tempore Robinson asked if the market dictated what would be built. Mr. Aguerro said the market dynamics dictated certain conditions and would be considered. He explained that the goal was to design a model that would allow the change of one assumption as opposed to starting over.

ACTION: REQUEST FOR PROPOSAL AWARDED; AUTHORIZED TRANSFER
FROM CONTINGENCY FUND

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

25. RATIFICATION OF REVISED SUBSTANTIAL AMENDMENT TO THE 2008 ACTION PLAN FOR THE FY2005-2009 HOUSING AND URBAN DEVELOPMENT CONSOLIDATED PLAN IN THE AMOUNT OF \$8,651,992; \$6,837,736 FROM THE FEDERAL GOVERNMENT AND \$1,841,256 FROM THE STATE OF NEVADA TO INCORPORATE THE NEW FEDERAL NEIGHBORHOOD STABILIZATION PROGRAM.

ACTION: RATIFIED

MOTION: Councilwoman Smith

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

26. APPROVAL OF 2009/2010 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING ALLOCATIONS IN THE AMOUNT OF \$1,631,780 AS RECOMMENDED BY THE CITIZENS ADVISORY COMMITTEE.

Lillian McMorris, 1900 Garnet Gable Avenue, Las Vegas, spoke on behalf of the Power Zone, an organization that had applied for funding and explained the center was important for the youth and families of the community. She asked that the organization be considered for funding.

Mayor Montandon explained that there were discretionary funds available for youth and children that totaled \$85,567 and the City received \$386,000 in requests for the grants. He explained that during the process, the application went through a technical analysis with staff review to be sure the application met the basic criteria and then went before a Citizens Advisory Committee for consideration.

Senior Assistant to the City Manager Kenny Young explained that the Citizens Advisory Committee visited each of the program sites, received a presentation on program offerings and reviewed the applications for an understanding of the programs. There was \$386,412 in requests for youth programs with \$85,567 for allocation. The program that ranked number one was the Boys & Girls Club from Las Vegas for the Street Smart Program with a request for \$30,000. The amount recommended for allocation was \$22,650. The next program was Classroom on Wheels for their pre-k program. They requested \$39,125 and received \$23,000. The third program was Variety Early Learning Center for child care scholarships. They requested \$30,000 and received \$23,917. Spread the Word, which was the Kids to Kid program for learning literacy requested \$20,000 and received \$10,000. Southern Nevada Public Television Ready to Learn, another literacy program, requested \$8,000 and received \$6,000. The Clark County Bar Association Trial by Peers, Parazone Community Center After School Program, Expertise Options and GNJ Family Life Center did not receive funding. Mayor

Pro Tempore Robinson asked if the approved programs were from North Las Vegas and how many residents they served. Senior Assistant Young explained that an important criteria was that the agencies provided service to North Las Vegas residents. Mayor Pro Tempore Robinson asked if he knew an exact figure. Senior Assistant Young said the committee went through those figures during their ranking process. Some organizations did not score high because they did not serve the residents. He explained that GNJ Family Life Center did not score high because they did not have a high number of North Las Vegas residents that they served.

Richard Cherchio, 417 Horse Pointe Avenue, North Las Vegas, spoke about the importance of keeping the youths off the street and urged Council to consider including the Power Zone in the funding allocations.

Pastor Pat Spearman, 6731 Sugarbird Court, North Las Vegas, spoke on behalf of Power Zone and explained the program was in the northern part of the City. She asked for consideration to fund the program and explained that the services provided by the program were from out of pocket resources and donations. She explained there were no services in that part of the City for the youth. Councilwoman Buck explained there were application rules, rankings and a process and said the recommendations of the Citizens Advisory Committee needed to be followed. She wanted to obtain information to find out what the application was lacking or what criteria was not met to help Pastor Spearman meet the criteria for funding next year. Senior Assistant Young explained many new organizations had capacity issues and there were limited resources to help those organizations get started. He explained staff would be working with Pastor Spearman to point out deficiencies that needed to be corrected for a stronger application for grant funding. Mayor Pro Tempore Robinson questioned funding for GNJ Family Life Center. Senior Assistant Young explained that one issue was the location. Students had to travel a distance by bus to the service site. Another issue was the amount of requested funding was considered exorbitant compared to similar programs. The Citizen Advisory Committee felt that GNJ Family Life Center should align themselves with similar service groups and not be isolated. The services offered were not viewed as a high priority as other services in the same category. He explained that the application lacked clarity in terms of the outcomes provided for the program and the City needed to be accountable to Housing and Urban Development for the outcomes. The proposal was ranked last out of nine applications.

Councilwoman Smith asked Pastor Spearman if the program was currently running. Pastor Spearman explained the program was running on a shoe-string budget and requested funding to provide better services. Councilwoman Smith asked if there would be an impact if they received \$2,000. Pastor Spearman said any amount would help.

Councilman Eliason asked if the Boys & Girls Club of Las Vegas took over the one in North Las Vegas. Mayor Montandon said that the Boys & Girls Clubs of Henderson and Las Vegas announced a merger to become the Boys & Girls Club of Southern Nevada. The merger was called off by the Boys & Girls Club of Las Vegas in December. The application for the funding came through as the Boys & Girls Club of Southern Nevada

and since that time there were two separate organizations. The application was reviewed and there was some crossover. Mayor Montandon explained that the application was for a program to be administered between two clubs, but the only operating club for North Las Vegas was run by the Boys & Girls Club of Henderson.

Sylvia Spencer, GNJ Family Life Center, 3450 W. Cheyenne Ave., #300, North Las Vegas, explained that the program served the youths based on funding and was restricted. She was told there would be consideration for allocation and a follow-up of technical assistance, which did not occur. City Manager Rose explained that the commitment was made to all non-profit organizations that were operating in or providing services to residents of the City and would try to provide technical assistance to strengthen those that were not successful. He explained that if one of the non-profit organizations dropped out for one reason or another and funds were available, then all the programs would go into a queue and the City Council would decide which programs would be funded.

Scott Sauer, 770 W. Lone Mountain Rd., #2026, North Las Vegas, member of the Citizens Advisory Committee, said the committee had a difficult time trying to allocate limited resources for numerous requests.

Danielle Monroe-Moreno, 4841 Spanish Wells Drive, North Las Vegas, spoke in support of Pastor Spearman and the program at Power Zone.

Councilwoman Buck asked if the Boys & Girls Club application changed because of the circumstances and asked if the application would be considered invalid or not meeting the guidelines due to their change in status. Senior Assistant Young said he would need to review the issue and circumstances. He was unsure if Staff was informed of the change in status. Councilwoman Buck recommended that the Legal Department and Senior Assistant to the City Manager Young review the application and if deemed invalid, the Citizens Advisory Committee could reconvene and re-disburse the funds.

ACTION: APPROVED; STAFF DIRECTED TO REVIEW ALL APPLICATIONS TO CONFIRM ELIGIBILITY

MOTION: Councilwoman Smith

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

27. APPROVAL OF THE REALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, IN THE AMOUNT OF \$125,058 TO PURCHASE A 0.89 ACRE LOT FROM THE HOUSING AUTHORITY OF THE CITY OF NORTH LAS VEGAS, LOCATED ON THE SOUTHWEST CORNER OF COLTON AVENUE AND BRAZIL STREET CONTINGENT UPON THE APPROVAL OF THE ENVIRONMENTAL ASSESSMENT BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

ACTION: APPROVED

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

28. APPROVAL OF THE 2009 NORTH LAS VEGAS WASTEWATER SERVICE AGREEMENT WITH THE CITY OF LAS VEGAS IN THE AMOUNT OF \$13,500,000 PER YEAR FOR FIVE YEARS TO PROVIDE WASTEWATER TREATMENT.

ACTION: APPROVED

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

29. RESOLUTION NO. 2412; A RESOLUTION OF THE CITY OF NORTH LAS VEGAS, NEVADA, AUTHORIZING THE ESTABLISHMENT AND/OR CHANGE IN MONETARY AMOUNTS OF PETTY CASH ACCOUNTS AND RESCINDING RESOLUTION NO. 2308.

ACTION: PASSED AND ADOPTED

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

30. RESOLUTION NO. 2413; A RESOLUTION OF THE CITY COUNCIL OF NORTH LAS VEGAS IN SUPPORT OF THE NATIONAL LEVEL EXERCISE 2010.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

ORDINANCES
FINAL ACTION

31. ORDINANCE NO. 2496; 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 6.13+/- ACRES THEREIN FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-23-08, CRAIG SELF STORAGE), FOR PROPERTY GENERALLY LOCATED SOUTH OF CRAIG ROAD AND APPROXIMATELY 1,000 FEET WEST OF ALLEN LANE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Ordinance No. 2496 as introduced by the City Manager:

ORDINANCE NO. 2496; 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 6.13+/- ACRES THEREIN FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-23-08, CRAIG SELF STORAGE), FOR PROPERTY GENERALLY LOCATED SOUTH OF CRAIG ROAD AND APPROXIMATELY 1,000 FEET WEST OF ALLEN LANE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

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

COUNCIL ITEMS

Councilwoman Smith requested that the individuals who prevented a dog attack be recognized at a City Council Meeting.

CITY MANAGER'S REPORT

There was no report given.

PUBLIC FORUM

Carl Ueker, 2620 Taylor Avenue, North Las Vegas, complained about graffiti in his neighborhood.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 8:27 P.M.

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

APPROVED: March 18, 2009

Mayor Michael L. Montandon

ATTEST:

Anita Sheldon
Acting City Clerk