

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

February 18, 2009

CALL TO ORDER

4:30 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

ROLL CALL

COUNCIL PRESENT

Mayor Michael L. Montandon
Councilwoman Stephanie S. Smith
Councilwoman Shari Buck
Councilman Robert L. Eliason

EXCUSED

Mayor Pro Tempore William E. Robinson

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
Parks and Recreation Director Mike Henley
Planning and Zoning Director Frank Fiori
Utilities Director David Bereskin
Deputy City Attorney Jeff Barr
Deputy City Clerk Marie Purcell
Deputy City Clerk Adelmira Tapia-Rojas

VERIFICATION

Anita Sheldon
Acting City Clerk

BUSINESS

1. DISCUSSION, DIRECTION AND/OR ACTION REGARDING A PROPOSED INTERLOCAL AGREEMENT WITH THE CLARK COUNTY WATER RECLAMATION DISTRICT AND COUNTY OF CLARK.

Utilities Director David Bereskin explained that the Interlocal Agreement moved forward to the County Commission where substantial changes were made. He said the County revised the language changing the future direction and vision that the Council passed on over the years. The County added the requirement that the City would agree to and support Nevada Revised Statute amendments that would allow for de-annexation of lands. Director Bereskin showed the City Council maps that illustrated the changes. He explained that the City continued to grow along the I-15 corridor on both sides of Las Vegas Boulevard and northward towards Apex. The Speedway area was still shown as being in the County. The City Council was aware of annexation agreements for the speedway and Staff was working with Harsch Development regarding Speedway Park. He showed Sloan Boulevard where the County jail was being built with a future annexation with them and other areas for future incorporation.

Director Bereskin said that after the County Commission meeting, language was included which changed the map. Hollywood Boulevard east was now to remain in the County and stay that way if the Council moved forward with the agreement.

Director Bereskin explained that after working with the County and Nellis Air Force for the Apex annexation, the issue of Nellis Dunes came up. With the new boundary lines, part of the Nellis Dunes project would have fallen within the City limits. Staff tried to be sure there was a provision in the agreement stating that the City would work with Clark County for the development of the area within the City, but the property needed to comply with Title 17 guidelines so that the City was able to have a say in what would be placed on Las Vegas Boulevard frontage.

Director Bereskin explained another change was under the wastewater planning area and the County added a paragraph which was a mirror of the language changing the future boundaries. The language stated if residents were existing Clark County customers, they would be maintained as County customers. If the City annexed, the County wanted to retain their customers within the area east of Hollywood Boulevard up to the Apex area. He explained that the language dictated that the County retained ownership of the infrastructure east of Hollywood Boulevard. He felt the agreement was salvageable. The changed language regarding the purchase of infrastructure from the County minimized the cost to the developers in the northeast triangle area, commonly known as the Thomas & Mack Industrial Park. The Special Improvement District that was agreed to for participation in buying County infrastructure to lessen the amount of work to get the flows to the plant would be minimized.

Councilman Eliason arrived at 4:41 p.m.

Director Bereskin explained language was inserted into the agreement requiring annexation to receive water and/or wastewater service. He explained that everything west of Hollywood Boulevard down to the Sloan area would remain County and the strip of land close to Lamb Boulevard would also remain County property which was not a cohesive solution to water and wastewater needs.

Director Bereskin said another language change was that the agreement would terminate in three years if the City's wastewater treatment plant was not in operation.

Mayor Montandon said there were serious last minute changes made and asked what the situation would be without the agreement. Director Bereskin explained that if the City moved forward without the agreement, the infrastructure that would be purchased from the Reclamation District would be off the table and would increase the project cost to \$15 million or more. Mayor Montandon asked if the residents in the area, pointed out on the map, would still receive water service from the City. Director Bereskin said they would remain serviced by the City because they were part of Sunrise Manor.

Mayor Montandon asked how the agreement affected the development of the water and sewer system for Apex/Kapex. Director Bereskin explained that some of the annexed property would need to be de-annexed. Mayor Montandon spoke about sections east of Las Vegas Boulevard that were within the City and inside the Nellis Dunes Project. He explained that Nellis Air Force did not want populated development in that area. He felt that the request to de-annex the property was not reasonable.

ACTION: DISCUSSION HELD; STAFF DIRECTED TO WORK WITH CLARK COUNTY TO RELAX TITLE 17 REQUIREMENTS WITHIN THE NELLIS DUNES AREA AND REJECT ALL OTHER AMENDMENTS TO THE PROPOSED INTERLOCAL AGREEMENT

2. **DISCUSSION AND/OR ACTION REGARDING ADOPTION OF POLICIES AND PROCEDURES FOR THE DEVELOPMENT OF NEW TELECOMMUNICATION FACILITIES IN CITY-OWNED PARKS; AND APPROVAL TO REQUIRE THAT ALL CURRENT AND FUTURE LEASE REVENUES GENERATED BY TELECOMMUNICATION FACILITIES WITHIN CITY-OWNED PARKS BE DIRECTED TO THE PARKS AND RECREATION OPERATING BUDGET.**

ACTION: WITHDRAWN

PUBLIC FORUM

There was no public participation.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 4:59 P.M.

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

APPROVED: March 18, 2009

Mayor Michael L. Montandon

ATTEST:

Anita Sheldon
Acting City Clerk