

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

March 5, 2008

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

CITY COUNCIL MEETING

CALL TO ORDER

6:00 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
Assistant City Manager Sam Chambers
Assistant City Manager Maryann Ustick
City Attorney Carie Torrence
City Clerk Karen Storms
Communications Director Brenda Fischer
Economic Development Director Mike Majewski
Finance Director Phil Stoeckinger
Deputy Fire Chief Kevin Brame
General Services Director Eric Dabney
Human Resources Director Joyce Lira

Information Technology Director Steve Chapin
Library Director Kathy Pennell
Parks and Recreation Director Mike Henley
Acting Planning and Zoning Director Frank Fiori
Acting Police Chief Joe Forti
Public Works Director Qiong Liu
Utilities Manager Leslie Long
Assistant to the City Manager Michelle Bailey-Hedgepeth
Senior Assistant to the City Manager Kenny Young
Planning and Zoning Manager Marc Jordan
Assistant City Clerk Anita Sheldon

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Karen L. Storms, CMC
City Clerk

INVOCATION

L. Dean Leavitt
Planning Commissioner

PLEDGE OF ALLEGIANCE

Mayor Pro Tempore William E. Robinson

PUBLIC FORUM

There was no public participation.

PRESENTATION

- ★ **PRESENTATION RECOGNIZING TIFFANY HANLEY AND ABIMAEEL DURAN FOR BEING SELECTED TO PARTICIPATE IN THE CLARK COUNTY SCHOOL DISTRICT HONOR BAND.**

Councilwoman Buck recognized two students from Canyon Springs High School, Tiffany Hanley and Abimael Duran, for being named to the Clark County Honor Band.

ACTION: PRESENTATION MADE

AGENDA

1. **APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF MARCH 5, 2008.**

ACTION: APPROVED AS AMENDED; ITEM NO. 27 TABLED TO APRIL 2, 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

3. APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR CHRISTINE A. MCMANUS, DBA ENCHANTED CHILD CARE, 5605 NATIVE SUNFLOWER STREET, NORTH LAS VEGAS, NEVADA, 89031 PENDING REQUIRED DEPARTMENT APPROVALS.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

4. APPROVAL OF AN APPLICATION FOR GENERAL 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: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

5. APPROVAL OF AN APPLICATION FOR BRADLEY C. LECLEAR AS THE KEY EMPLOYEE FOR THE GENERAL 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: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

6. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT FROM MARCELLO AIRPORT CENTER, LLC FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT LAKE MEAD BOULEVARD & RANCHO DRIVE - NORTH LEG/DUAL LEFT IN THE AMOUNT OF 1% OF THE TOTAL COST OR \$1,200; CAREY AVENUE & RANCHO DRIVE - EAST LEG/DUAL LEFT IN THE AMOUNT OF 1.5% OF THE TOTAL COST OR \$1,800; AND DECATUR BOULEVARD & RANCHO DRIVE - SOUTH LEG/DUAL LEFT IN THE AMOUNT OF 2.5% OF THE TOTAL COST OR \$3,000 FOR THE U.S. BANK AT MARCELLO MARKETPLACE LOCATED ON THE NORTHEAST CORNER OF CAREY AVENUE & RANCHO DRIVE.**

ACTION: PAYMENT ACCEPTED

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

7. **FINAL ACCEPTANCE OF THE COLTON WATER LINE, BID NUMBER 1276 FOR MAINTENANCE AND AUTHORIZATION TO FILE THE NOTICE OF COMPLETION. (CNLV CONTRACT NO. C-6603)**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

8. **APPROVAL OF AN OVERSIZING AGREEMENT WITH NOVEMBER 2005 LAND INVESTORS, LLC IN THE AMOUNT OF \$1,159,111.37 FOR THE OVERSIZING OF THE 2430 ZONE RESERVOIR LOCATED AT MOCCASIN ROAD AND DECATUR BOULEVARD. (CNLV CONTRACT NO. C-6742)**

ACTION: APPROVED

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

9. APPROVAL OF A WATERLINE OVERSIZING AGREEMENT WITH GREAT AMERICAN CAPITAL IN THE AMOUNT OF \$82,470 FOR THE INSTALLATION OF 1,320 LINEAL FEET OF 18-INCH WATER MAIN IN LOSEE ROAD FROM CENTENNIAL PARKWAY TO ROME BOULEVARD. (CNLV CONTRACT NO. C-6743)

ACTION: APPROVED

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

10. APPROVAL OF A WATER REFUNDING AGREEMENT WITH CLARK COUNTY SCHOOL DISTRICT IN AN AMOUNT NOT TO EXCEED \$19,206 FOR THE INSTALLATION OF 1,136 LINEAL FEET OF 8-INCH WATER MAIN IN SPARROW GULL AVENUE FROM SHADOW TREE STREET TO COMMERCE STREET. (CNLV CONTRACT NO. C-6744)

ACTION: APPROVED

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

11. APPROVAL OF A SEWER REFUNDING AGREEMENT WITH CLARK COUNTY SCHOOL DISTRICT IN AN AMOUNT NOT TO EXCEED \$17,760 FOR THE INSTALLATION OF 928 LINEAL FEET OF 8-INCH SANITARY SEWER MAIN IN SPARROW GULL AVENUE FROM EAST OF SHADOW TREE STREET TO COMMERCE STREET. (CNLV CONTRACT NO. C-6745)

ACTION: APPROVED

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

12. **AN APPEAL SUBMITTED BY FARUS FARMANALI, ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY AMP-02-08 (LONE MOUNTAIN'S 5TH LLC); AN APPLICATION SUBMITTED BY LONE MOUNTAIN'S 5TH LLC AND VIVIANNA C. GONZALEZ, 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 SOUTHEAST CORNER OF LONE MOUNTAIN ROAD AND NORTH 5TH STREET. (SET PUBLIC HEARING FOR MARCH 19, 2008) (ASSOCIATED ITEM NO. 13, APPEAL OF ZN-06-08)**

ACTION: PUBLIC HEARING SET FOR MARCH 19, 2008

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

13. **AN APPEAL SUBMITTED BY FARUS FARMANALI, ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-06-08 (LONE MOUNTAIN'S 5TH LLC); AN APPLICATION SUBMITTED BY LONE MOUNTAIN'S 5TH LLC AND VIVIANNA C. GONZALEZ, PROPERTY OWNERS, FOR A RECLASSIFICATION OF PROPERTY FROM R-E RANCH ESTATES DISTRICT TO C-1 NEIGHBORHOOD COMMERCIAL DISTRICT ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF LONE MOUNTAIN ROAD AND NORTH 5TH STREET. (SET PUBLIC HEARING FOR MARCH 19, 2008) (ASSOCIATED ITEM NO. 12, APPEAL OF AMP-02-08)**

ACTION: PUBLIC HEARING SET FOR MARCH 19, 2008

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

14. **AMP-03-08 (N5 COMMERCIAL CENTER); AN APPLICATION SUBMITTED BY CELEBRATE PROPERTIES, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF SINGLE FAMILY MEDIUM (UP TO 13 DWELLING UNITS/ACRE) TO NEIGHBORHOOD COMMERCIAL ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF NORTH 5TH STREET AND ALEXANDER ROAD. (SET PUBLIC HEARING FOR MARCH 19, 2008) (ASSOCIATED ITEM NO. 47, ORDINANCE NO. 2435)**

ACTION: PUBLIC HEARING SET FOR MARCH 19, 2008

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

15. **UN-01-08 (MONEYTREE); AN APPLICATION SUBMITTED BY MONEYTREE, INC., ON BEHALF OF CLARK COUNTY DEPARTMENT OF AVIATION & MARCELLO AIRPORT CENTER, LLC LEASE, PROPERTY OWNERS, FOR A SPECIAL USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A DEFERRED DEPOSIT LOAN ESTABLISHMENT ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF RANCHO DRIVE AND CAREY AVENUE. (SET PUBLIC HEARING FOR MARCH 19, 2008)**

ACTION: PUBLIC HEARING SET FOR MARCH 19, 2008

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

BUSINESS

16. REJECTION OF THE BID PROTEST FROM CAPRIATI CONSTRUCTION CORPORATION FOR THE MONTE VISTA PARK AND VALLEY VIEW PARK RENOVATION IMPROVEMENTS, BID NUMBER B-1299. (ASSOCIATED ITEM NO. 17)

Bethany Rudd-Sanchez, Deputy City Attorney was in attendance to discuss the bid protest filed by Capriati Construction Corporation alleging that awarding Bid Number 1299 to the apparent low bidder would not comply with the City's bid documents or Nevada Law. Ms. Sanchez explained that once the Public Works Department received the bid protest notice they contacted the City Attorney's office to provide legal advice. On January 8, 2008 the City opened the submitted bids for Bid Number 1299 which were for park renovations and improvements at Monte Vista Park and Valley View Park and the apparent low bidder was Gothic Landscape Incorporated. The second apparent low bidder was Capriati Construction Corporation. On January 16, 2008, Capriati Construction filed a bid protest. The crux of the protest was that the omitted resident agent signature block rendered the bid bond invalid. After research it was determined that the bid bond submitted by the apparent low bidder was valid since it met the requirements of both Nevada Law and Nevada Department of Insurance. Nevada Law did not require the counter signature of a resident agent to make the bid bond valid. NRS 680A.310 stated that "the counter signature requirement did not apply to bid bonds issued in connection with any public or private contract." The apparent low bidder's bond company was licensed, in good standing and able to issue policies. Ms. Sanchez explained the resident agent's signature block was additional, publically available information which was not legally required under Nevada Law to make the bond valid and enforceable. The only agent that could legally accept service of process by Nevada Law was the Commissioner of the Division of Insurance. Based on the language of the Nevada Statute, the City Attorney's office determined that the signature block was not required. If it were required, the protest bond submitted by Capriati Construction for the protest was also invalid and Council should therefore reject the bid protest. Ms. Sanchez explained the City had the authority to waive its own requirement. In the bid documentation that went to bidders, the City expressed the right to waive informalities and the City Council should strongly consider waiving an informality to award the bid because it had to be awarded to the best bid submitted by the lowest responsible bidder as required under the Public Works bidding statutes under Chapter 338.

Public Works Director Qiong Liu explained the negative impacts if the bid protest was not rejected. The City had moved forward with the other eight parks which were under construction and would be completed within a few months. Monte Vista Park and Valley View Park were the remaining parks the City wanted to proceed with. There was a tight time schedule and budget. If the City went out to rebid the project, a higher bid would be anticipated based on previous experience on the rebidding process. Additional costs were also anticipated for advertising and higher construction costs. Another issue was access since the peak park usage season would be from April to October and if the park project

was delayed, construction would occur during the peak season, limiting access to park usage in those neighborhoods. If the additional costs occurred, the scope of the park renovations would be reduced or funding from other projects would have to be reallocated to this project and would negatively impact those projects. Staff recommended rejection of the bid protest.

Susan Frankewich, Esq., 3210 W. Charleston Boulevard, Las Vegas, represented Capriati Construction and protested the bid on their behalf. She urged Council to reject the award to Gothic Landscape. Ms. Frankewich explained there were two parks for renovation included, Monte Vista and Valley View Parks. She stated the budget that was given for the project was \$1.5 million. When the bids were opened the apparent low bidder was Gothic Landscape with a bid of \$1.1 million and Capriati Construction's bid was \$1.2 million. Ms. Frankewich stated that under Nevada Law a bid bond was required to accompany a bid. The bid bond submitted by Gothic Landscape did not comply with Nevada Law. She stated that Ms. Sanchez noted that there was a blank in the resident agent line on the form and on the protest bond. Nevada Law stated that there were one of two options. Under NRS 683A.090 "you must either have a resident agent in the State of Nevada to obtain service of process or you must have a managing agent for the company in the State of Nevada". The bid bond submitted by Gothic Landscape did not list a resident agent. It listed four managing agents with power of attorney for Arch Insurance Company. All four persons notarized their signatures as being residents of Ventura, California, making the bid bond not in compliance with the statute. There was no responsible person for Arch Insurance in the State of Nevada which was a violation of Nevada Law. Another issue was that it was not a responsible bid. The City received a bid which was flawed and not the appropriate low bid. On the bid schedule prepared by the City, it required the improvements for Monte Vista Park to provide a resilient safety surface in certain portions of the park. Ms. Frankewich explained that the bid submitted was wrong by over \$65,000 due to exclusion of the safety coating for the top surface at one of the parks and did not comply with the requirements. Ms. Frankewich urged the Council to reject the bid from Gothic Landscape and award the bid to Capriati Construction.

Mayor Montandon explained that the argument regarding the resident agent was a technical detail. Mayor Montandon commented that the argument regarding response to the bid would be asked of Public Works and he said that Gothic Landscape would build the safety coating whether the number was there or not.

Director Liu explained that they would have to build the park according to the specifications, deadline, scopes and budget.

Councilwoman Smith stated that the company had to meet the City's specifications and if the bid was approved and Gothic Landscape forgot something, it would have to be added in at their cost. She also explained that although people had the right to protest it would be a dangerous precedent if the City started to have bidding wars.

ACTION: APPROVED

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

17. AWARD OF BID NUMBER B-1299 AND APPROVAL OF A CONTRACT WITH GOTHIC LANDSCAPE, INC. IN THE AMOUNT OF \$1,089,337.71 FOR THE MONTE VISTA PARK AND VALLEY VIEW PARK RENOVATION IMPROVEMENTS. (ASSOCIATED ITEM NO. 16) (CNLV CONTRACT NO. C-6746)

ACTION: BID AWARDED

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

PUBLIC HEARINGS - 6:15 P.M.

2. UN-10-08 (RACEWAY BUSINESS PARK); AN APPLICATION SUBMITTED BY JOHN DAVID BURKE, ON BEHALF OF CROSS CREEK DEVELOPMENT, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN RESTAURANT ON PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF EL CAMPO GRANDE AVENUE AND HOLLYWOOD BOULEVARD.

Acting Planning and Zoning Director Frank Fiori explained this was a Special Use Permit to allow on-sale of alcoholic beverages in conjunction with a tavern/restaurant and recommended approval subject to all conditions.

Stephanie Allen, 3800 Howard Hughes Parkway, Las Vegas, appeared on behalf of the applicant and concurred with Staff's recommendation of approval.

Mayor Montandon closed the public hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. UNLESS EXPRESSLY, AUTHORIZED THROUGH A VARIANCE, WAIVER OR ANOTHER APPROVED METHOD, DEVELOPMENT SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES.
2. THAT UN-10-08 IS SITE-SPECIFIC AND NON-TRANSFERABLE.
3. THAT THE PROPOSED TAVERN RESTAURANT BE LIMITED TO NO MORE THAN 6,751 SQUARE FEET IN SIZE INCLUDING BOTH INDOOR GROSS FLOOR AREA AND OUTDOOR SEATING AREAS.
4. THAT UN-10-08 SHALL COMPLY WITH ALL CONDITIONS OF APPROVAL FOR SPR-01-08.
5. THE PROPOSED SITE PLAN DOES NOT MATCH THE APPROVED CIVIL IMPROVEMENT PLANS. A FORMAL REVISION MUST BE SUBMITTED TO PUBLIC WORKS TO REMOVE BUILDINGS 1-3 ON THE APPROVED PLANS AND A SEPARATE NEW SUBMITTAL FOR THE PROPOSED NORTHEAST CORNER OF THE SITE WILL NEED TO BE SUBMITTED.
6. APPROVAL OF A DRAINAGE STUDY UPDATE IS REQUIRED PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENT PLANS.
7. THE NORTHERN HOLLYWOOD BOULEVARD DRIVEWAY ON THE PROPOSED SITE PLAN MUST MATCH THE APPROVED AND PERMITTED LOCATION SHOWN ON THE CIVIL DRAWINGS.
8. THE APPLICANT SHALL SUBMIT A TRAFFIC STUDY UPDATE FOR REVIEW AND APPROVAL.
9. ALL KNOWN GEOLOGIC HAZARDS SHALL BE SHOWN ON THE SITE PLAN AND THE CIVIL IMPROVEMENT PLANS. SUBSEQUENT IDENTIFICATION OF ADDITIONAL HAZARDS MAY SUBSTANTIALLY ALTER THE ORIGINAL PLAN.
10. THE PUBLIC STREET GEOMETRICS, WIDTH OF OVER-PAVE AND THICKNESS OF THE PAVEMENT SECTIONS WILL BE DETERMINED BY THE DEPARTMENT OF PUBLIC WORKS.
11. ALL NEVADA POWER COMPANY EASEMENTS, APPURTENANCES, LINES AND POLES MUST BE SHOWN AND SHALL BE LOCATED ENTIRELY WITHIN THE PERIMETER LANDSCAPE AREA OF THIS DEVELOPMENT. DISTRIBUTION LINES, EXISTING OR PROPOSED, SHALL BE PLACED UNDERGROUND.

12. PRIOR TO THE INSTALLATION OF ANY SUBGRADE STREET IMPROVEMENTS, ALL REQUIRED UNDERGROUND UTILITIES (I.E. TELEPHONE, POWER, WATER, ETC.) LOCATED WITHIN PUBLIC RIGHTS-OF-WAY, SHALL BE EXTENDED A MINIMUM OF TEN (10) FEET BEYOND THE PROJECT BOUNDARY.
13. ALL OFF-SITE IMPROVEMENTS MUST BE COMPLETED PRIOR TO FINAL INSPECTION OF THE FIRST BUILDING.

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

BUSINESS (CONTINUED)

18. REJECTION OF THE BID PROTEST FROM TRANSFORM DATA CORPORATION FOR THE PURCHASE OF AN ELECTRONIC DOCUMENT MANAGEMENT SYSTEM IN THE CITY CLERK'S OFFICE, RFP 007-007R. (ASSOCIATED ITEM NO. 19)

City Clerk Karen Storms explained that in 2006 the City's current record management system, KoVis, started experiencing critical failures. In FY06-07 over 1,000 service calls were placed to the vendor with response time averaging from 2 - 4 weeks. Charges of additional fees were incurred for many fixes. With the KoVis system being eight years old, it was apparent the City needed a new document management solution to manage the City's 27 million existing images and approximately 2 million images generated yearly. Additionally, the City's agenda process had been paper based and needed to tie into the records program to electronically access, track and archive agenda items from beginning to end. Ms. Storms stated that based on the results of an internal survey the City Clerk's office went out for a request for proposal in June, 2007 consistent with provisions of NRS 332.065. Each of the nine vendor proposals were reviewed separately by a five member panel that made up a representative sampling of all City departments. A weighted evaluation formula was used to evaluate each vendor's solution in the categories of document management, imaging, e-forms, workflow, functional requirements, integration and support. The evaluation team developed a list of four vendors who were invited to give a two hour presentation to the panel and were provided specific instructions as to what was expected during the presentations. SIRE Technologies received the highest score in both the weighted evaluation and presentation. The determination was made that SIRE Technologies provided the best solution for the City. Based on the recommendation from

the evaluation team and proven success of the product in other government agencies, Staff believed the recommendation presented was the most responsive and responsible solution for the City and recommended Council reject the bid protest submitted by Transform Data Corporation.

Tom Talamantez, 529 Caribbean Palm Drive, Las Vegas, represented Transform Data Corporation and explained that he agreed the City needed a new system. He stated that in the RFP it was required that it be an Oracle certified solution. Mr. Talamantez explained that at the pre-bid conference a question was asked whether or not it had to be an Oracle certified product and it was stated that it was a requirement. He also explained that several vendors did not respond because their product did not meet that requirement. He also understood that SIRE Technologies did not meet that requirement. Mr. Talamantez acquired a document from Oracle that listed all certified solutions and SIRE Technologies was not listed. Mr. Talamantez also explained that he did not know what SIRE Technologies' proposal included and requested a copy from the Purchasing Department but was denied pending award of the RFP. He stated he knew the award was for \$295,000 and Transform Data's price sheet came in at \$237,000 and included the Oracle integration. Mr. Talamantez questioned why the contract would be awarded to an out-of-state company at a higher cost when the industry did not acknowledge SIRE Technologies as a true competitor in the industry. He explained he understood they had done work in the area of City Clerks but, specific to enterprise cities, he did not know if they would be able to handle that and could put the City's Oracle installation at risk.

Mayor Montandon questioned the Oracle certification portion. City Clerk Storms explained that the Oracle certification in the bid document was one requirement and something the vendors were judged on. In the SIRE Technology bid document it did state they were Oracle certified. Mayor Montandon stated he needed a third party, either from Information Technology or the City Attorney to answer his question since the City paid a large sum for Oracle fees and he wanted to be assured the City was compliant.

Deputy City Attorney Bethany Rudd-Sanchez clarified that the City Clerk needed to award the contract to the lowest responsible and responsive bidder and knew that the City Clerk went through a committee to be sure that the responses were responsive to the RFP.

Mayor Montandon explained that there were a lot of programs that would work with Oracle but whether they were certified or not, he needed to know the answer.

Craig Petersen, SIRE Technologies, explained that the company had Oracle certified people, certified technicians, worked with the Oracle database and had Oracle integrations across the country. He could not respond regarding the company as an Oracle partner without further research.

Councilwoman Buck requested that this item be continued for two weeks.

Councilwoman Smith questioned the scores from the vendors. City Clerk Storms explained every section in the introduction had several questions, which were then weighted. Each individual question was given a score. The final decision was based on what the product could do.

Mayor Montandon requested that the item be held to make sure it would work with Oracle.

City Clerk Storms commented that the City of Las Vegas and Clark County had successfully integrated SIRE and that the City of Henderson would be looking towards it also.

Mr. Talamantez commented that Mr. Petersen stated he was unaware of the Oracle certification but stated in their bid that they were an Oracle certified solution not that employees were. He also stated that on the SIRE website they stated they won the ACE award for government but did not.

ACTION: TABLED TO MARCH 19, 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

19. AUTHORIZATION TO AUGMENT THE CITY CLERK'S OFFICE BUDGET IN THE AMOUNT OF \$250,000 FROM THE GENERAL FUND CONTINGENCY ACCOUNT; AND AUTHORIZATION FOR THE CITY MANAGER TO SIGN AN AGREEMENT, IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE, WITH ALPHACORP (SIRE TECHNOLOGIES) IN THE AMOUNT OF \$295,284.80 FOR THE PURCHASE OF AN ELECTRONIC DOCUMENT MANAGEMENT SYSTEM IN THE CITY CLERK'S OFFICE. (TABLED JANUARY 16 AND FEBRUARY 6, 2008) (ASSOCIATED ITEM NO. 18)

ACTION: TABLED TO MARCH 19, 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

20. APPROVAL TO AMEND THE 2007-2008 STAFFING PATTERN AS FOLLOWS:
(ALL STAFFING PATTERN CHANGES WILL BE PROCESSED WHEN ADMINISTRATIVELY FEASIBLE)

PUBLIC WORKS

1. Title Change Only - Public Works Director to Public Works Director/City Engineer.
2. Title Change Only - Transportation Services Administrator to City Traffic Engineer.
3. Title Change Only - Deputy Director/City Engineer to Deputy Director of Engineering.
4. Upgrade (vacant) Land Development Services Administrator (ADD42) to Deputy Director of Operations (ADD43).

Public Works Director Qiong Liu explained that goals and objectives were identified with the most critical being the improvement of operational efficiency and improvement of customer service. In 2006, Management Partners were hired to do an audit of the organizational structure and the operations in Public Works. It was recommended to have two Deputy Directors, one covering engineering and the other operations. Director Liu explained there were some vacancies in the Public Works Department and with Council approval it would provide the opportunity to build the leadership team which would improve efficiency and customer service.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

21. APPROVAL OF THE CONDEMNATION OF REAL PROPERTY NEEDED FOR THE NORTH 5TH STREET PROJECT, OWENS AVENUE TO CHEYENNE AVENUE; AND AUTHORIZATION TO THE CITY ATTORNEY TO INITIATE A FORMAL COMPLAINT IN CLARK COUNTY DISTRICT COURT FOR REAL PROPERTY OWNED BY JAMES BRADLEY BAILEY, APN 139-23-110-003, LOCATED AT 509 EAST CAREY AVENUE.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilwoman Buck

AYES: Mayor Montandon, Councilmembers Smith, Buck and Eliason

NAYS: Mayor Pro Tempore Robinson

ABSTAIN: None

22. APPROVAL OF A MORTGAGE LOAN IN THE AMOUNT OF \$195,000, FUNDED BY THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA, FOR THE PURCHASE OF REPLACEMENT PROPERTY LOCATED AT 1108 STANLEY AVENUE AS A RESULT OF DISPLACEMENT CAUSED BY THE NORTH 5TH STREET PROJECT.

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

23. APPROVAL OF A COOPERATIVE AGREEMENT WITH CLARK COUNTY IN THE AMOUNT OF \$1,885,040 FOR COST PARTICIPATION IN PROJECTS ALONG JURISDICTIONAL BOUNDARIES. (CNLV CONTRACT NO. C-6748)

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

24. APPROVAL OF A CONTRACT CHANGE WITH TAND, INC. IN THE AMOUNT OF \$244,955 REDUCTION IN THE COST OF THE WORK TO BE PERFORMED, FOR THE INTELLIGENT TRANSPORTATION SYSTEMS FY05 COMMUNICATIONS INFRASTRUCTURE PROJECT FOR VARIOUS TRAFFIC SIGNAL INTERCONNECTS TO BE ADDED TO THE REGIONAL FREEWAY AND ARTERIAL SYSTEMS TRANSPORTATION PROJECT AT VARIOUS LOCATIONS. (CNLV CONTRACT NO. C-6620)

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

25. ADOPTION OF AMENDMENTS TO THE UNIFORM REGULATIONS FOR THE CONTROL OF DRAINAGE IN ACCORDANCE WITH NRS 543.595 SUBSECTION 3, AND SECTION VIII.A.2 OF THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT'S POLICIES AND PROCEDURES.

ACTION: AMENDMENTS ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

26. APPROVAL OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH MWH AMERICAS, INC. IN THE AMOUNT OF \$1,102,000, TO BE REIMBURSED BY THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT, FOR THE TROPICAL PARKWAY STORM DRAIN EAST PROJECT. (CNLV CONTACT NO. C-6749)

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

AYES: Mayor Montandon, Councilmembers Smith, Buck and Eliason

NAYS: Mayor Pro Tempore Robinson

ABSTAIN: None

27. APPROVAL OF A PROFESSIONAL INSPECTION SERVICES AGREEMENT WITH AZTECH MATERIALS TESTING, INC. IN THE AMOUNT OF \$256,540, FROM GENERAL OBLIGATIONS BONDS, FOR THE ALEXANDER LIBRARY AND PARK PROJECT LOCATED ON ALEXANDER ROAD WEST OF MARTIN L. KING BOULEVARD.

ACTION: TABLED TO APRIL 2, 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

28. APPROVAL OF A PROFESSIONAL CONSTRUCTION MANAGEMENT SERVICES AGREEMENT WITH PBS&J IN THE AMOUNT OF \$463,401 FOR THE LAS VEGAS WASH TRAILS PHASE II PROJECT. (CNLV CONTRACT NO. C-6752)

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

29. PRESENTATION AND/OR APPROVAL OF THE SELECTION AND DISPLAY OF NICHOLAS PRICE ENTERPRISES, LLC PHOTOGRAPHY EXHIBIT IN EXISTING OR NEW DEVELOPMENTS WITHIN THE CITY.

Parks and Recreation Director Mike Henley explained that in February, 2007 the City entered into a five year agreement with Nicholas Price LLC, to be the City's provider of a community arts program in the public domain. Grace Price, President of Marketing and Business Development for Nicholas Price, LLC, petitioned the City to bring a second and third exhibit on board. She made a presentation at the February 12, 2008 Parks and Recreation Advisory Board meeting, and the Board recommended approval of the display.

Grace Price, President of Marketing and Business Development, Nicholas Price LLC, made a presentation regarding the exhibit which included black and white photography on Southern Nevada ghost towns, legends of mobsters and miners, wetlands, Red Rock and other photography.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

30. AUTHORIZATION FOR STAFF TO REQUEST SOUTHERN NEVADA PUBLIC LAND MANAGEMENT ACT FUNDS IN THE AMOUNT OF \$25,000,000 TO BE TRANSFERRED FROM THE WILLIE MCCOOL REGIONAL PARK DEVELOPMENT PROJECT TO THE CRAIG RANCH REGIONAL PARK PROJECT, THROUGH A SCOPE MODIFICATION REQUEST.

Parks and Recreation Director Mike Henley explained that in Round 6 the City submitted an application to the Bureau of Land Management and was funded under the Southern Nevada Public Land Management Act for \$25 million to plan and develop Willie McCool Regional Park into the City's second regional park. There were a number of delays on the project due to the continued process of defining the conservation transfer area and he felt the delay would continue. Director Henley proposed to approach the Bureau of Land Management to request transfer of the funds to Craig Ranch Regional Park which would put the planned phased improvements identified in the Master Plan for Craig Ranch in the ground. Director Henley explained tentative approval was received to fund the large regional playground structure for the park separately under Round 9, but had to work through a review and determination from a number of Bureau of Land Management committees and would be a \$4.8 million allocation for a playground structure.

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

31. APPROVAL TO ACCEPT THE NAMING RECOMMENDATIONS SUBMITTED BY THE PARKS AND RECREATION ADVISORY BOARD, IN ACCORDANCE WITH MUNICIPAL CODE 12.12.030 NAMING REGULATIONS; SELECTION AND APPROVAL OF THE NAME OF THE PARK TO BE LOCATED AT TROPICAL PARKWAY AND BRUCE STREET.

Parks and Recreation Director Mike Henley explained that pursuant to the City's naming regulation, the City's website was used to survey residents and 28 responses were received for the naming of the park. They were submitted to the Parks and Recreation Advisory Board who then forwarded five names, Tropical Breeze Park, Tropical View Park, Tropical Community Park, Meadow Fields and Northern View for consideration.

ACTION: APPROVED THE NAME TROPICAL BREEZE PARK

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

32. APPROVAL OF A SERVICE AGREEMENT WITH MOTOROLA, INC., AND AUTHORIZATION TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF \$42,700 FOR MAINTENANCE AND SUPPORT OF DISPATCH COMMUNICATIONS EQUIPMENT IN THE POLICE DEPARTMENT. (CNLY CONTRACT NO. C-6753)

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

33. APPROVAL TO AUGMENT THE POLICE DEPARTMENT'S FY07-08 GENERAL FUND OPERATING BUDGET IN THE AMOUNT OF \$12,500, FROM THE GENERAL FUND CONTINGENCY ACCOUNT, FOR THE ADDITION OF FIVE SCHOOL CROSSING GUARD POSITIONS (2.5 FTES) TO BE PLACED AT CIVIC CENTER DRIVE AND EVANS AVENUE (CAHLAN ELEMENTARY SCHOOL); TONOPAH AVENUE AND BELMONT STREET (WILLIAMS ELEMENTARY SCHOOL); AZURE AVENUE AND STATZ STREET (TARTAN ELEMENTARY SCHOOL); GOWAN ROAD AND ENGLESTAD ROAD (SEDWAY MIDDLE SCHOOL); AND VERDE WAY AND GOLDFIELD STREET (ELIZONDO ELEMENTARY SCHOOL).

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

34. APPROVAL OF A LEASE AGREEMENT WITH JACKSON-SHAW/NORTH PORT III, LIMITED PARTNERSHIP FOR AN OFFICE FACILITY FOR THE POLICE DEPARTMENT'S DETECTIVE BUREAU; AND APPROVAL TO AUGMENT THE POLICE DEPARTMENT'S FY07-08 OPERATING BUDGET IN THE AMOUNT OF \$1,000,000 FROM THE PUBLIC SAFETY TAX FUND TO COVER TWO-THIRDS OF THE TOTAL COST OF REQUIRED TENANT IMPROVEMENTS. (CNLV CONTRACT NO. C-6754)

City Manager Gregory Rose explained the City explored the possibility of reducing the length of the term of the contract, which was ten years, but understood that if that option was chosen the contract would need to be renegotiated.

City Attorney Carie Torrence explained that \$512,500 was provided in exchange for a long term lease. A big portion of tenant improvements would be lost if the contract was renegotiated for a short term lease.

Mayor Pro Tempore Robinson questioned why a ten year lease was needed when there would be a new police building before the end of the lease. Acting Police Chief Joe Forti explained that the building would be used for the detectives over a long term period and he was unsure if the detectives would move to the new police building.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

35. APPROVAL OF AN AGREEMENT WITH ORACLE USA, INC., IN THE AMOUNT OF \$73,200 TO PURCHASE TWO DATABASE LICENSES AND ASSOCIATED TECHNICAL SUPPORT SERVICES FOR THE INFORMATION TECHNOLOGY DEPARTMENT; AND AUTHORIZE THE CITY MANAGER TO EXECUTE, ON AN ANNUAL BASIS, ANY AGREEMENTS OR PURCHASE ORDERS RELATED TO MAINTENANCE FEES, TECHNICAL SUPPORT FEES AND SOFTWARE UPDATE FEES FOR ALL ORACLE PRODUCTS BEGINNING IN 2008, PROVIDED SUCH FEES DO NOT EXCEED \$500,000 IN 2008 AND THE TOTAL ANNUAL INCREASE EACH YEAR THEREAFTER DOES NOT EXCEED 10% OF THE PRIOR YEAR'S FEES. (CNLV CONTRACT NO. C-6755)

Councilwoman Smith questioned the authorization for the City Manager to execute the annual agreements and felt it should be deleted.

ACTION: APPROVED AS AMENDED; AUTHORIZATION FOR CITY MANAGER TO EXECUTE ANNUAL AGREEMENTS OR PURCHASE ORDERS DELETED

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

36. APPROVAL OF AN INTERLOCAL AGREEMENT WITH THE CLARK COUNTY WATER RECLAMATION DISTRICT, CITY OF HENDERSON AND CITY OF LAS VEGAS IN THE AMOUNT OF \$31,250 TO RETAIN THE SERVICES OF HALE LANE PEEK DENNISON AND HOWARD FOR PROFESSIONAL SERVICES. (CNLV CONTRACT NO. C-6756)

ACTION: APPROVED

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

37. AUTHORIZATION TO AUGMENT THE OFFICE OF HOUSING AND NEIGHBORHOOD SERVICES BUDGET IN THE AMOUNT OF \$57,900, FROM THE GENERAL FUND CONTINGENCY ACCOUNT, FOR THE NEIGHBORHOOD SERVICES OUTREACH COORDINATOR POSITION.

ACTION: AUTHORIZED

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

- 38. AUTHORIZATION OF THE REALLOCATION OF HOME INVESTMENT PARTNERSHIPS FUNDS IN THE AMOUNT OF \$500,000 FROM THE 40-BLOCK AREA/COLLEGE PARK NEIGHBORHOOD REVITALIZATION PROGRAM TO NEIGHBORHOOD HOUSING SERVICES OF SOUTHERN NEVADA FOR CONTINUED ADMINISTRATION OF THE HOMEBUYER ASSISTANCE PROGRAM TO ASSIST LOW INCOME, FIRST-TIME HOMEBUYERS WITH DOWN PAYMENT AND CLOSING COST FINANCIAL ASSISTANCE.**

ACTION: AUTHORIZED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

- 39. AUTHORIZATION OF THE ALLOCATION OF HOME INVESTMENT PARTNERSHIPS PROGRAM AND/OR LOW INCOME HOUSING TRUST FUNDS IN THE AMOUNT OF \$950,000 TO NEVADA HAND FOR PRE-DEVELOPMENT SOFT COSTS TO DEVELOP AN AFFORDABLE ASSISTED LIVING FACILITY FOR SENIORS ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF DEER SPRINGS WAY AND DECATUR BOULEVARD.**

ACTION: AUTHORIZED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

- 40. RESOLUTION NO. 2397; A RESOLUTION ADOPTING AN INTERLOCAL AGREEMENT TO PROVIDE HOME INVESTMENT PARTNERSHIP ACT (HOME) AND/OR LOW INCOME HOUSING TRUST FUND (LIHTF) PROGRAM FUNDS TO THE CITY OF NORTH LAS VEGAS.**

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

ORDINANCES
INTRODUCTION ONLY

41. **ORDINANCE NO. 2428; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS: (1) REPEALING CHAPTER 26 OF TITLE 5 OF THE NORTH LAS VEGAS MUNICIPAL CODE REGULATING THE SALE OF BEER, WINE AND LIQUOR AND REPLACING THE SAME WITH NEW REGULATIONS GOVERNING THE SALE OF BEER, WINE AND LIQUOR, INCLUDING, A NEW LICENSE CLASSIFICATION AND FEE STRUCTURE, (2) VARIOUS REVISIONS TO SECTION 001 OF CHAPTER 2 OF TITLE 5 RELATED TO DEFINITIONS; AND (3) OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR MARCH 19, 2008) (ASSOCIATED ITEMS NO. 42, ORDINANCE NO. 2429 AND NO. 43, ORDINANCE NO. 2430)**

Ordinance No. 2428 as introduced by the City Clerk:

ORDINANCE NO. 2428; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS: (1) REPEALING CHAPTER 26 OF TITLE 5 OF THE NORTH LAS VEGAS MUNICIPAL CODE REGULATING THE SALE OF BEER, WINE AND LIQUOR AND REPLACING THE SAME WITH NEW REGULATIONS GOVERNING THE SALE OF BEER, WINE AND LIQUOR, INCLUDING, A NEW LICENSE CLASSIFICATION AND FEE STRUCTURE, (2) VARIOUS REVISIONS TO SECTION 001 OF CHAPTER 2 OF TITLE 5 RELATED TO DEFINITIONS; AND (3) OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR MARCH 19, 2008) (ASSOCIATED ITEMS NO. 42, ORDINANCE NO. 2429 AND NO. 43, ORDINANCE NO. 2430)

ACTION: FINAL ACTION SET FOR MARCH 19, 2008

42. **ORDINANCE NO. 2429; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS: (1) REPEALING CHAPTER 26 OF TITLE 5 OF THE NORTH LAS VEGAS MUNICIPAL CODE REGULATING THE SALE OF BEER, WINE AND LIQUOR AND REPLACING THE SAME WITH NEW REGULATIONS GOVERNING THE SALE OF BEER, WINE AND LIQUOR, INCLUDING A NEW LICENSE CLASSIFICATION AND FEE STRUCTURE, (2) VARIOUS REVISIONS TO SECTION 001 OF CHAPTER 2 OF TITLE 5 RELATED TO DEFINITIONS; AND (3) OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR MARCH 19, 2008) (ASSOCIATED ITEMS NO. 41, ORDINANCE NO. 2428 AND NO. 43, ORDINANCE NO. 2430)**

Ordinance No. 2429 as introduced by the City Clerk:

ORDINANCE NO. 2429; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS: (1) REPEALING CHAPTER 26 OF TITLE 5 OF THE NORTH LAS VEGAS MUNICIPAL CODE REGULATING THE SALE OF BEER, WINE AND LIQUOR AND REPLACING THE SAME WITH NEW REGULATIONS GOVERNING THE SALE OF BEER, WINE AND LIQUOR, INCLUDING A NEW LICENSE CLASSIFICATION AND FEE STRUCTURE, (2) VARIOUS REVISIONS TO SECTION 001 OF CHAPTER 2 OF TITLE 5 RELATED TO DEFINITIONS; AND (3) OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR MARCH 19, 2008) (ASSOCIATED ITEMS NO. 41, ORDINANCE NO. 2428 AND NO. 43, ORDINANCE NO. 2430)

ACTION: FINAL ACTION SET FOR MARCH 19, 2008

43. **ORDINANCE NO. 2430; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-04-08) BY AMENDING TITLE 17 (SECTIONS 17.12.020, 17.20.100, 17.20.110, 17.20.120, 17.20.140, 17.20.230, AND 17.28.050) AND ADDING SECTION 17.24.105 REGARDING DEFINITIONS, TERMINOLOGY AND PROCEDURES FOR BOTH ON-SALE AND OFF-SALE LIQUOR USES AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR MARCH 19, 2008) (ASSOCIATED ITEMS NO. 41, ORDINANCE NO. 2428 AND NO. 42, ORDINANCE NO. 2429)**

Ordinance No. 2430 as introduced by the City Clerk:

ORDINANCE NO. 2430; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-04-08) BY AMENDING TITLE 17 (SECTIONS 17.12.020, 17.20.100, 17.20.110, 17.20.120, 17.20.140, 17.20.230, AND 17.28.050) AND ADDING SECTION 17.24.105 REGARDING DEFINITIONS, TERMINOLOGY AND PROCEDURES FOR BOTH ON-SALE AND OFF-SALE LIQUOR USES AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR MARCH 19, 2008) (ASSOCIATED ITEMS NO. 41, ORDINANCE NO. 2428 AND NO. 42, ORDINANCE NO. 2429)

ACTION: FINAL ACTION SET FOR MARCH 19, 2008

44. **ORDINANCE NO. 2431; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS: REPEALING CHAPTER 20 OF TITLE 5 OF THE NORTH LAS VEGAS MUNICIPAL CODE REGULATING GAMING ESTABLISHMENTS AND REPLACING THE SAME WITH NEW REGULATIONS GOVERNING GAMING ESTABLISHMENTS, INCLUDING AMENDED OR REVISED REGULATIONS GOVERNING NON-OPERATIONAL STATUS, LICENSE FEES, AND INVESTIGATION REQUIREMENTS AND OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR MARCH 19, 2008)**

Ordinance No. 2431 as introduced by the City Clerk:

ORDINANCE NO. 2431; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS: REPEALING CHAPTER 20 OF TITLE 5 OF THE NORTH LAS VEGAS MUNICIPAL CODE REGULATING GAMING ESTABLISHMENTS AND REPLACING THE SAME WITH NEW REGULATIONS GOVERNING GAMING ESTABLISHMENTS, INCLUDING AMENDED OR REVISED REGULATIONS GOVERNING NON-OPERATIONAL STATUS, LICENSE FEES, AND INVESTIGATION REQUIREMENTS AND OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR MARCH 19, 2008)

ACTION: FINAL ACTION SET FOR MARCH 19, 2008

45. **ORDINANCE NO. 2433; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS REPEALING ORDINANCES 1531, 1670 AND 2227 AND ESTABLISHING TERMS AND CONDITIONS OF EMPLOYMENT FOR ASSISTANT CITY MANAGERS, DEPARTMENT DIRECTORS AND ASSISTANT DEPARTMENT DIRECTORS AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR MARCH 19, 2008) (ASSOCIATED ITEM NO. 46, ORDINANCE NO. 2434)**

Ordinance No. 2433 as introduced by the City Clerk:

ORDINANCE NO. 2433; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS REPEALING ORDINANCES 1531, 1670 AND 2227 AND ESTABLISHING TERMS AND CONDITIONS OF EMPLOYMENT FOR ASSISTANT CITY MANAGERS, DEPARTMENT DIRECTORS AND ASSISTANT DEPARTMENT DIRECTORS AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR MARCH 19, 2008) (ASSOCIATED ITEM NO. 46, ORDINANCE NO. 2434)

ACTION: FINAL ACTION SET FOR MARCH 19, 2008

46. **ORDINANCE NO. 2434; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS REPEALING ORDINANCES 1530 AND 2227 AND ESTABLISHING TERMS AND CONDITIONS OF EMPLOYMENT FOR APPOINTED AND CONFIDENTIAL EMPLOYEES AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR MARCH 19, 2008) (ASSOCIATED ITEM NO. 45, ORDINANCE NO. 2433)**

Ordinance No. 2434 as introduced by the City Clerk:

ORDINANCE NO. 2434; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS REPEALING ORDINANCES 1530 AND 2227 AND ESTABLISHING TERMS AND CONDITIONS OF EMPLOYMENT FOR APPOINTED AND CONFIDENTIAL EMPLOYEES AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR MARCH 19, 2008) (ASSOCIATED ITEM NO. 45, ORDINANCE NO. 2433)

ACTION: FINAL ACTION SET FOR MARCH 19, 2008

47. **ORDINANCE NO. 2435; 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 2.69 ± ACRES THEREIN FROM AN M-2, GENERAL INDUSTRIAL DISTRICT TO A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-07-08, N5 COMMERCIAL CENTER), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF NORTH 5TH STREET AND ALEXANDER ROAD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MARCH 19, 2008) (ASSOCIATED ITEM NO. 14, AMP-03-08)

Ordinance No. 2435 as introduced by the City Clerk:

ORDINANCE NO. 2435; 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 2.69 ± ACRES THEREIN FROM AN M-2, GENERAL INDUSTRIAL DISTRICT TO A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-07-08, N5 COMMERCIAL CENTER), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF NORTH 5TH STREET AND ALEXANDER ROAD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MARCH 19, 2008) (ASSOCIATED ITEM NO. 14, AMP-03-08)

ACTION: FINAL ACTION SET FOR MARCH 19, 2008

ORDINANCES
FINAL ACTION

48. **ORDINANCE NO. 2426; 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 135± ACRES THEREIN FROM AN R-1, SINGLE FAMILY RESIDENTIAL DISTRICT AND A C-2, GENERAL COMMERCIAL DISTRICT TO A PSP, PUBLIC/SEMI-PUBLIC DISTRICT (ZN-05-08, CITY OF NORTH LAS VEGAS), FOR PROPERTY LOCATED NORTH OF CRAIG ROAD AND APPROXIMATELY 1,434 FEET WEST OF COMMERCE STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2426 as introduced by the City Manager:

ORDINANCE NO. 2426; 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 135± ACRES THEREIN FROM AN R-1, SINGLE FAMILY RESIDENTIAL DISTRICT AND A C-2, GENERAL COMMERCIAL DISTRICT TO A PSP, PUBLIC/SEMI-PUBLIC DISTRICT (ZN-05-08, CITY OF NORTH LAS VEGAS), FOR PROPERTY LOCATED NORTH OF CRAIG ROAD AND APPROXIMATELY 1,434 FEET WEST OF COMMERCE STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Acting Planning and Zoning Director Frank Fiori explained that this was a rezoning request for Craig Ranch Golf Course. Staff recommended approval.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

49. ORDINANCE NO. 2427; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 2064, WHICH AMENDED SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING APPROXIMATELY 89.13± ACRES FROM M-2, GENERAL INDUSTRIAL TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-76-04, THE ALHAMBRA), FOR PROPERTY GENERALLY LOCATED AT THE INTERSECTION OF LAMB BOULEVARD AND ANN ROAD; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Ordinance No. 2427 as introduced by the City Manager:

ORDINANCE NO. 2427; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 2064, WHICH AMENDED SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING APPROXIMATELY 89.13± ACRES FROM M-2, GENERAL INDUSTRIAL TO PUD, PLANNED UNIT DEVELOPMENT

DISTRICT (ZN-76-04, THE ALHAMBRA), FOR PROPERTY GENERALLY LOCATED AT THE INTERSECTION OF LAMB

**BOULEVARD AND ANN ROAD; AND PROVIDING FOR OTHER
MATTERS PROPERLY RELATING THERETO.**

Acting Planning and Zoning Director Frank Fiori explained this was a proposal to have a previously approved tavern to be considered as a principally permitted use and to be allowed multiple future taverns as special uses under the Planned Unit Development. Acting Director Fiori stated that condition numbers 40 through 49 had been added and Staff recommended approval.

George Garcia, 1711 Whitney Mesa Drive, Suite 110, Las Vegas concurred with Planning Commission recommendations.

Councilwoman Smith questioned whether the tavern would be considered in the ratio or off ratio. Mr. Garcia stated this would be as part of the ratio.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

APPOINTMENTS

50. APPOINTMENT BY COUNCILMAN ELIASON OF A MEMBER TO THE PARKS AND RECREATION ADVISORY BOARD TO FILL AN UNEXPIRED TERM ENDING JUNE 30, 2009.

ACTION: COUNCILMAN ELIASON APPOINTED VICTOR CARON FOR A TERM TO EXPIRE JUNE 30, 2009

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

COUNCIL ITEMS

There were no additional items.

CITY MANAGER'S REPORT

There was no report.

PUBLIC FORUM

Dean Leavitt, 918 Dawn Valley Drive, North Las Vegas, member of the North Las Vegas Neighborhood Housing Services recognized the City Council commitment to the organization.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 7:30 P.M.

APPROVED: May 21, 2008

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

ATTEST:

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