

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

April 2, 2008

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

**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 E. Rose  
Assistant City Manager Sam Chambers  
Assistant City Manager Maryann Ustick  
City Attorney Carie Torrence  
City Clerk Karen L. Storms  
Public Information Officer Juliet Casey-Geary  
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  
Municipal Court Judge Warren VanLandschoot  
Parks and Recreation Director Mike Henley  
Acting Planning and Zoning Director Frank Fiori  
Police Chief Joseph Forti  
Public Works Director Dr. Qiong Liu  
Utilities Director David Bereskin  
Senior Assistant to the City Manager Kenny Young  
Assistant to the City Manager Michelle Bailey-Hedgepeth  
Deputy City Attorney Nicholas Vaskov  
Assistant City Clerk Anita Sheldon  
Municipal Court Clerk Debbie Miller

**WELCOME**

Mayor Michael L. Montandon

**VERIFICATION**

Karen L. Storms, CMC  
City Clerk

**INVOCATION**

Dr. Percell Church, Jr.  
Zion Ministries

**PLEDGE OF ALLEGIANCE**

Eric Lawrence - Boy Scout Troop 555  
Members of Tiger Cub Pack 430

**PUBLIC FORUM**

**David Sprague, 1300 East Evans Avenue, North Las Vegas**, requested information he needed for a court appearance and was referred to Senior Assistant to the City Manager Kenny Young.

**Don Sparkman, 1411 Silent Sunset Avenue, North Las Vegas** stated some zone changes were not posted on affected properties.

**Lou Rhimer, (no address given)**, complained about late notice of agenda items that were withdrawn, and requested expansion of distance notification for zone changes.

**PRESENTATION**

- ★ **PRESENTATION OF THE CITY OF NORTH LAS VEGAS EAGLE AWARD TO POLICE OFFICER JACOB RAY FOR HIS OUTSTANDING ACHIEVEMENT AND HEROIC ACT IN THE LINE OF DUTY.**

ACTION: PRESENTATION MADE

**PROCLAMATION**

- ★ **PRESENTATION TO THE CITY'S NEIGHBORHOOD SERVICES DEPARTMENT, PROCLAIMING APRIL 2008 AS GRAFFITI AWARENESS MONTH.**

ACTION: PRESENTATION MADE

**AGENDA**

**1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF APRIL 2, 2008.**

ACTION: APPROVED AS AMENDED; ITEM NOS. 19 AND 32 WITHDRAWN; ITEM NOS. 33, 34 AND 35 CONTINUED TO APRIL 16, 2008

MOTION: Councilwoman Smith

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

**CONSENT AGENDA**

**3. APPROVAL OF AN APPLICATION FOR BEER/WINE OFF-SALE BUSINESS LICENSE AND REQUEST FOR APPROVAL OF NONOPERATIONAL STATUS OF THE BUSINESS THROUGH OCTOBER 14, 2008 FOR FRESH & EASY NEIGHBORHOOD MARKET INC., DBA FRESH & EASY NEIGHBORHOOD MARKET, 1920 NORTH LAS VEGAS BOULEVARD, NORTH LAS VEGAS, NEVADA, 89030.**

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

**4. APPROVAL OF AN APPLICATION FOR BEER/WINE OFF-SALE BUSINESS LICENSE FOR BSB VENTURE INC., DBA LAKE MEAD ARCO, 300 WEST LAKE MEAD BOULEVARD, NORTH LAS VEGAS, NEVADA, 89030. THIS IS A CHANGE OF OWNERSHIP FOR AN EXISTING LOCATION.**

ACTION: APPROVED

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

5. **APPROVAL OF AN APPLICATION FOR RESTRICTED GAMING BUSINESS LICENSE FOR SILVER STATE GAMING, INC., DBAT GILES CHEVRON, 2816 WEST CRAIG ROAD, NORTH LAS VEGAS, NEVADA, 89030 PENDING VERIFICATION OF STATE GAMING COMMISSION APPROVAL AND PAYMENT OF FEES.**

ACTION: APPROVED

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

6. **APPROVAL OF AN APPLICATION FOR RESTRICTED GAMING BUSINESS LICENSE FOR SILVER STATE GAMING, INC., DBAT CHEYENNE CHEVRON, 1450 WEST CHEYENNE AVENUE, NORTH LAS VEGAS, NEVADA, 89030 PENDING VERIFICATION OF STATE GAMING COMMISSION APPROVAL AND PAYMENT OF FEES.**

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 A DAY NURSERY BUSINESS LICENSE FOR MARELYN E. SHAPIRO, DBA LITTLE FARM CHILDCARE, 4009 SAN DIEGO STREET, NORTH LAS VEGAS, NEVADA, 89030 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

8. **APPROVAL OF AN APPLICATION FOR A SPECIAL EVENT BEER PERMIT FOR  
A TIME IN HISTORY INCORPORATED FOR AN EVENT TO BE HELD AT THE  
CHEYENNE SPORTS COMPLEX ON APRIL 27, 2008 PENDING APPROVAL OF  
THE TEMPORARY/SPECIAL EVENT PERMIT TO MEEHAN AND ASSOCIATES  
FOR A CINCO DE MAYO HISPANIC FESTIVAL.**

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. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL  
IMPROVEMENT COST PARTICIPATION AGREEMENT FROM S.L.  
INVESTMENTS, INC. FOR THEIR SHARE OF THE COST OF LIGHTING  
INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT  
WASHBURN ROAD & LOSEE ROAD IN THE AMOUNT OF 0.1% OF THE TOTAL  
COST OR \$603; CRAIG ROAD & BRUCE STREET IN THE AMOUNT OF 0.2% OF  
THE TOTAL COST OR \$325; CRAIG ROAD & LOSEE ROAD IN THE AMOUNT  
OF 0.5% OF THE TOTAL COST OR \$2,559; ALEXANDER ROAD & LOSEE  
ROAD IN THE AMOUNT OF 0.4% OF THE TOTAL COST OR \$1,238; AND CRAIG  
ROAD & BERG STREET IN THE AMOUNT OF 0.3% OF THE TOTAL COST OR**

**\$1,573 FOR THE CARL'S JR. @ CRAIG & LOSEE, LOCATED ON THE NORTHEAST CORNER OF CRAIG ROAD & LOSEE ROAD.**

ACTION: PAYMENT 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

10. **APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH FIFTH & CENTENNIAL ASSOCIATES, LLC FOR A PORTION OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT DEER SPRINGS WAY & NORTH 5<sup>TH</sup> STREET IN THE AMOUNT OF 3.6% OF THE TOTAL COST OR \$24,967; CENTENNIAL PARKWAY & NORTH 5<sup>TH</sup> STREET IN THE AMOUNT OF 7.5% OF THE TOTAL COST OR \$59,816; TROPICAL PARKWAY & NORTH 5<sup>TH</sup> STREET IN THE AMOUNT OF 1.3% OF THE TOTAL COST OR \$3,025; BELTWAY EB & NORTH 5<sup>TH</sup> STREET IN THE AMOUNT OF 1.3% OF THE TOTAL COST OR \$8,236; BELTWAY WB & NORTH 5<sup>TH</sup> STREET IN THE AMOUNT OF 3.8% OF THE TOTAL COST OR \$24,074; DEER SPRINGS WAY & NORTH 5<sup>TH</sup> STREET - SOUTH LEG/DUAL LEFT IN THE AMOUNT OF 3% OF THE TOTAL COST OR \$3,600; DEER SPRINGS WAY & NORTH 5<sup>TH</sup> STREET - EAST LEG/DUAL LEFT IN THE AMOUNT OF 2.7% OF THE TOTAL COST OR \$3,240; CENTENNIAL PARKWAY & NORTH 5<sup>TH</sup> STREET - SOUTH LEG/DUAL LEFT IN THE AMOUNT OF 4.3% OF THE TOTAL COST OR \$5,160; CENTENNIAL PARKWAY & NORTH 5<sup>TH</sup> STREET - WEST LEG/DUAL LEFT IN THE AMOUNT OF 26.3% OF THE TOTAL COST OR \$31,560; TROPICAL PARKWAY & NORTH 5<sup>TH</sup> STREET - NORTH LEG/DUAL LEFT IN THE AMOUNT OF 2.7% OF THE TOTAL COST OR \$3,240; TROPICAL PARKWAY & NORTH 5<sup>TH</sup> STREET - WEST LEG/DUAL LEFT IN THE AMOUNT OF 2.7% OF THE TOTAL COST OR \$3,240; BELTWAY WB & NORTH 5<sup>TH</sup> STREET - SOUTH LEG/DUAL LEFT IN THE AMOUNT OF 10.3% OF THE TOTAL COST OR \$12,360; AND BELTWAY WB & NORTH 5<sup>TH</sup> STREET - EAST LEG/DUAL LEFT IN THE AMOUNT OF 9.6% OF THE TOTAL COST OR \$11,520 FOR THE PICERNE @ NORTH 5<sup>TH</sup> & CENTENNIAL PROJECT LOCATED ON THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY & NORTH 5<sup>TH</sup> STREET. (CNLV CONTRCT NO. C-6778)**

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 TO AUGMENT THE FY07-08 MUNICIPAL GOLF COURSE FUND IN THE AMOUNT OF \$250,000 FROM THE GENERAL FUND CONTINGENCY ACCOUNT FOR THE CONTINUED OPERATION OF THE GOLF COURSE.**

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. ACCEPTANCE OF A HOMELAND SECURITY GRANT AWARD PROVIDED THROUGH THE STATE DIVISION OF EMERGENCY MANAGEMENT IN THE AMOUNT OF \$42,353.70, FOR EMERGENCY MANAGEMENT EXERCISES.**

ACTION: GRANT AWARD 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

**13. AUTHORIZE PAYMENT TO HANSEN INFORMATION TECHNOLOGIES, INC. IN THE AMOUNT OF \$236,195.28 FOR THE ANNUAL SOFTWARE SERVICE AND MAINTENANCE FEES FOR HANSEN SOFTWARE.**

ACTION: PAYMENT 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

**14. APPROVAL OF THE CLEAN WATER COALITION'S BUDGET AUGMENTATION RESOLUTION 2008-01 PURSUANT TO THE CLEAN WATER COALITION INTERLOCAL AGREEMENT WITH THE CITY OF LAS VEGAS, CITY OF HENDERSON AND THE CLARK COUNTY WATER RECLAMATION DISTRICT.**

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. UN-23-08 (DEER SPRINGS TOWN CENTER TAVERN); AN APPLICATION SUBMITTED BY DEER SPRINGS TOWN CENTER, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF DEER SPRINGS WAY AND NORTH 5<sup>TH</sup> STREET. (SET PUBLIC HEARING FOR MAY 7, 2008)**

ACTION: PUBLIC HEARING SET FOR MAY 7, 2008

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

**16. UN-101-04 (MARCELLO'S TAVERN); AN APPLICATION SUBMITTED BY CARL D. MARCELLO ON BEHALF OF THE CLARK COUNTY DEPARTMENT OF AVIATION & MARCELLO AIRPORT CENTER, LLC, PROPERTY OWNERS, FOR AN EXTENSION OF TIME FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A RESTAURANT/TAVERN ON**

**PROPERTY LOCATED AT 2580 NORTH RANCHO DRIVE. (SET PUBLIC HEARING FOR MAY 7, 2008)**

ACTION: PUBLIC HEARING SET FOR MAY 7, 2008

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**17. VAC-02-08 (CASHMAN RETAIL CENTER); AN APPLICATION SUBMITTED BY CASHMAN EQUIPMENT ON BEHALF OF JR TL LTD., PROPERTY OWNER, TO VACATE AN EXISTING PORTION OF DONOVAN WAY COMMENCING AT CRAIG ROAD AND PROCEEDING SOUTH APPROXIMATELY 1,650 FEET. (SET PUBLIC HEARING FOR MAY 7, 2008)**

ACTION: PUBLIC HEARING SET FOR MAY 7, 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

**BUSINESS**

**18. RATIFICATION OF THE APPOINTMENT OF JOSEPH FORTI AS POLICE CHIEF EFFECTIVE MARCH 26, 2008.**

ACTION: APPOINTMENT RATIFIED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

**19. 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. (TABLED MARCH 5, 2008)**

ACTION: WITHDRAWN

MOTION: Councilwoman Smith

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

Business continued after Item No. 2.

**PUBLIC HEARINGS - 6:15 P.M.**

2. **AN APPEAL SUBMITTED BY THE CITY OF NORTH LAS VEGAS OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE SPR-54-07 (ELDORADO APARTMENTS); AN APPLICATION SUBMITTED BY WP SOUTH ACQUISITIONS, LLC, ON BEHALF OF PARDEE HOMES OF NEVADA, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN O-L/DA OPEN LAND DEVELOPMENT AGREEMENT DISTRICT FOR A 364-UNIT MULTI-FAMILY DEVELOPMENT ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF REVERE STREET AND CENTENNIAL PARKWAY. (CONTINUED JANUARY 16 AND FEBRUARY 20, 2008)**

Acting Planning and Zoning Director Frank Fiori stated the Planning Commission had recommended approval of the application on November 28, 2007. Staff had met with the applicant regarding emergency access, and the applicant had agreed to have emergency access only from Revere Street, which was approved by the Fire Department and was reflected in amendment no. 28. Staff had no further objection to the proposed site plan review.

**Jennifer Lazovich, Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas,** clarified the request was not for an amendment to a master plan or a zone change or any sort of waivers. The application was only for a site plan review which complied with the Eldorado Development Code and the Municipal Code which were in effect when the Eldorado Development Agreement was initiated in 1988. The original development plan included single family homes, multi-family and commercial. She contended there was no legal basis for a denial of the application. The

original development plan was amended in 1994 and 1999, but the R-3 zoning had remained unchanged.

Ms. Lazovich displayed the portion of the map currently in question. She stated several meetings had been held with residents, who did not want apartments at the site. Ms. Lazovich detailed the concessions that had been made in order to make the proposed project more acceptable to the residents. There were height and elevation adjustments, and the project had been moved away from the street. There was only one access into the projected development.

Ms. Lazovich pointed out though the original development agreement was with Pardee Homes, Wood Partners was the developer of the current apartment project. One, two and three bedroom units were planned, with monthly rents ranging between \$950 to \$1,550. The company screened prospective tenants with credit checks, criminal background checks and rental history checks.

Ms. Lazovich stated denial of the site plan review constituted breaking the development agreement, which would lead Pardee Homes to follow with legal action. Ms. Lazovich felt Pardee Homes was a good community partner. Traffic studies had been performed with the multi-family developments in place. The conditions recommended by the Police Department were accepted and there were no objections from the Fire Department. Pardee had constructed the fire station in the development. Pardee had donated and sold parcels to the Clark County School District and supplied the utilities and infrastructure for the schools. It was confirmed with the School District that no additional land was needed for schools. In addition, Pardee Homes was willing to withdraw an application for apartments for a portion of the development. Ms. Lazovich stated Pardee Homes had lived up to their side of the commitments set forth in the Eldorado development agreement.

Councilwoman Smith asked City Attorney Carie Torrence about the City's legal obligations and options. City Attorney Torrence replied she had extensively reviewed the agreement and found no legal basis for denial of the application. Multi-family use for the parcel had been approved by the City in 1988, 1994 and 1999. Furthermore, if Pardee filed a lawsuit for breach of the development agreement, City Attorney Torrence felt certain that Pardee would prevail, apartments would be allowed, and the City would incur tremendous costs. The agreement was legally binding and fighting Pardee only delayed the inevitable conclusion that apartments would be built at the site. City Attorney Torrence found there were no unforeseen circumstances to justify negating the agreement. Pardee had complied with the Police Department's recommendations and had built a fire station. The Planning Commission, Planning Department and Public Works had recommended approval. Pardee had also reduced the number of multi-family units that was originally planned. The City had no legal discretion to deny the application.

Mayor Montandon stated the City Attorney had done extensive research at Council's

direction due to the concerns of the public. However, in light of the City Attorney's findings and the fact that breaking a contract affected Council's future ability to enter into contracts, the City had no alternative but to uphold its end of the agreement.

Mayor Pro Tempore Robinson felt the problem stemmed from the homeowners not being notified of the plans for apartments in the development at the time they purchased their homes. He understood the residents' concern because he was a former home owner in the development and to his recollection, Pardee mentioned a future park, but not apartments, to home buyers.

**Phillip Hogan, 809 Bear Mountain Avenue, North Las Vegas** said Pardee promised a park when he bought his home. He felt Pardee had lied. Mayor Montandon stated the homeowners possibly had grounds for a civil suit against Pardee, but that did not change the contract between Pardee and the City. The home owner's contract with the seller and the City's contract with the developer were two separate issues.

**David Rockmaker, 1402 Big Tree Avenue, North Las Vegas** felt City Council did not represent the wishes of the residents. Mayor Montandon reminded him City Council initiated the appeal of the application to determine whether there were grounds to break the agreement. Mr. Rockmaker continued the addition of apartments brought down residents' property value.

**Ken Angell, 1408 Danielle Rebecca Avenue, North Las Vegas** felt high density housing increased crime rate. He asked if Section 8 housing was a possibility. He stated Boulder City had suspended high density development.

**Greg Belcher, 1319 Big Tree Avenue, North Las Vegas** felt the addition of apartments was not necessary. Mayor Montandon reiterated it was part of the standing agreement with Pardee Homes. Mr. Belcher reaffirmed the assertion that apartments brought down the property value of current homes.

**Alice Rapp, 1024 Copper Moon Lane, North Las Vegas** felt neighborhoods with apartment complexes had higher crime rates, which is why she had moved from her former neighborhood to the Eldorado development. Furthermore, when she bought her home in Eldorado, it was advertised as a master planned community of single family homes. She said she was also told by Pardee there would be a park and single family units in the area that was now to be developed as apartments. She felt the addition of approximately 1,400 apartment residents put additional strain on the City's resources which would lead to increased taxes.

**Matthew Schneider, 1413 Gentle Brook Street, North Las Vegas** stated Pardee Homes had been dishonest as the area had been represented as a future park and/or single family development.

**Ned Tobler, 827 Bent Spur Circle, North Las Vegas** also maintained Pardee had not

informed home buyers about the future apartments. He agreed the addition of apartments resulted in increased crime.

**Rod Smalls, 6544 Black Oaks Street, North Las Vegas** asked whether the City had ever broken a development agreement. City Attorney Torrence replied there were only a few master plan development agreements. All had the standard term of 25 years. The City had not breached any of the agreements. Mr. Smalls asked whether the City of Las Vegas had broken similar agreements. City Attorney Torrence said she had contacted numerous attorneys and to her knowledge no such agreements had ever been breached in Southern Nevada.

**Arlene Brown, 1418 Silent Sunset Avenue, North Las Vegas** had concerns about Section 8 housing. Mayor Montandon explained Section 8 was a federal government voucher program.

**Walter Plate, 5417 Bright Morning Street, North Las Vegas** said he recently relocated from New York City and felt apartments attracted transient people. He felt renters cared less about their dwellings than people who owned their homes.

**Sarah Humphreys, 608 Pacific Time Court, North Las Vegas** presented a petition signed by residents who were opposed to the apartments. Regarding the criminal background checks, she pointed out that parents applied for apartments, but their children were not subjected to background checks. She felt the addition of apartments negatively affected the City. She echoed those who contended home values would decline.

**Bob Mersereau, 4836 Crystal Sword Street, North Las Vegas** commented many homes were in foreclosure and it was a bad time to add apartments.

**Rodney Thompson, 6133 Star Point Court, North Las Vegas** felt the City had grown too quickly and now had the highest foreclosure rate in the country, and public services were inadequate for high density growth.

**James Koury, 1132 Crescent Moon Drive, North Las Vegas** said there were other options within the R-3 zoning besides apartment buildings, such as commercial buildings and single family homes. He expressed concern that people might not be able to afford the high rents and the standards would be lowered. He said the community felt let down by Pardee. He suggested the City purchase the land from Pardee.

**Dean Dennis, 1407 Silent Sunset Avenue, North Las Vegas** felt the addition of apartments was detrimental to the community and that Pardee Homes was guilty of misrepresentation. He agreed background checks only applied to the applicants of the apartments.

**Sally Breach, 6482 Full Moon Peak Court, North Las Vegas** agreed home buyers were

told by Pardee Homes the area was to be park space and single family homes. Surrounding neighborhoods had homeowners' associations and property taxes were high. The area schools were overcrowded and underachieving. She felt apartments should be located behind commercial development.

**Don Sparkman, 1411 Silent Sunset Avenue, North Las Vegas** felt there were grounds to deny the application because Pardee told home buyers apartments were not to be built in Eldorado.

**Jack Urtar, 6524 North Black Oaks Street, North Las Vegas** agreed the possibility of apartments was not disclosed. Rather, he was told more single family homes would be added.

**Philip Young, 1449 Drakewood Avenue, North Las Vegas** felt property values would drop for homes that backed up to apartment buildings. Additionally, he felt Pardee Homes was breaking the contract. He submitted paperwork stating Pardee Homes claimed single family homes were to be built on the site, and that the site was on a fault line.

**S. Liggett-Florence, 1016 Crescent Moon Drive, North Las Vegas** said she also thought more park space was going to be put in the area, not apartments.

**David Salmon, 6333 Bunch Grass Court, North Las Vegas** said he appreciated the fact that the City had contacted him regarding his concerns, however, he agreed with the other speakers.

**Steven Lauber, 5855 Valley Drive, No. 1068, North Las Vegas** felt the City should have Pardee re-evaluate their plans to conform with the City's Vision. He felt adding the apartments used too many resources, especially for the Police Department.

**Bob Borgersen, 7617 Island Rail Drive, North Las Vegas** felt Pardee Homes should heed the wishes of the residents. He felt adding more apartments to North Las Vegas was a detriment to the City.

**Richard Cherchio, 417 Horse Pointe Avenue, North Las Vegas** said Pardee had other options and high density housing brought a number of teenagers who tended to be disruptive.

**Ruth Brooks, 813 Choctaw Avenue, North Las Vegas** thought Pardee could donate the property to the City and other alternatives should be considered. She submitted a petition signed by home owners.

**Bonnie Stanley (no address given)** sympathized with Council for the difficult decision before them. She felt it was a bad location for apartments as there was no commercial development or public transportation in close proximity.

Several other residents expressed they agreed with those who had already spoken.

Mayor Pro Tempore Robinson reiterated he was a former home buyer in Eldorado and the possibility of there being apartments in the development was not disclosed.

Councilwoman Smith stated she agreed with the homeowners who had spoken. She had been a home owner in Eldorado and also felt Pardee had not given full disclosure. However, the vote before Council was not for a zone change. Council was bound by law to comply with the existing contract regardless of personal feelings or opinions. The City's legal counsel advised it was unlawful to break the contract. Though she did not personally agree the addition of apartments was the best result, it was clear the City would lose the lawsuit at great cost, and Councilmembers could also be personally sued if they went against the advice of the City's own counsel. The citizens' issue was with Pardee Homes.

Councilwoman Buck also lived in the area and sympathized with the homeowners.

Ms. Lazovich emphasized Pardee had complied with all conditions, and had agreed to reduce the number of apartments and add some single family homes instead. She also noted the future apartment complex had a single owner with a vested interest in maintaining high standards.

Councilman Eliason confirmed with Ms. Lazovich that all the park space agreed upon had been incorporated into the development. Councilman Eliason stated he also agreed with the residents, however, the City had a contract and it had to be upheld. Councilwoman Buck said the question of park space needed to be reviewed because the matter was not sufficiently resolved. She asked whether Pardee would provide security at the apartment complex. Ms. Lazovich consulted with a representative of Wood Partners and stated there was a courtesy patrol when the rental management office was closed, in addition to the screening of the applicants. Councilman Eliason stated the City of North Las Vegas had to accept Section 8 vouchers issued in Las Vegas and Clark County as well as North Las Vegas. Mayor Pro Tempore Robinson noted the City could not discriminate against potential renters. Councilwoman Smith clarified the apartment complex could choose not to accept Section 8 vouchers, and Ms. Lazovich agreed to a condition that stipulated they would not accept Section 8 vouchers.

**ACTION:** PLANNING COMMISSION DECISION UPHELD; SPR-54-07 APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. THAT, UNLESS OTHERWISE APPROVED THROUGH A VARIANCE, WAIVER OR OTHER APPROVED METHOD, THIS DEVELOPMENT SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES.
2. PROVIDE A MINIMUM 25 FOOT PERIMETER LANDSCAPE

BUFFER ALONG ALL RIGHT-OF-WAY.

3. A MINIMUM OF 80 SQUARE FEET OF PATIO AND 40 SQUARE FEET OF BALCONY AREA SHALL BE PROVIDED FOR EACH UNIT.
4. CLEARLY MARKED WALKWAYS CONNECTING ALL RESIDENCES TO RECREATION AREAS AND PERIMETER RIGHT-OF-WAY SHALL BE PROVIDED.
5. THE OUTSIDE-FACING ELEVATIONS OF THE SINGLE-STORY GARAGE BUILDINGS AND ACCESSORY STRUCTURES SHALL INCLUDE ARCHITECTURAL DETAILS SUCH THAT THEY MATCH THE ELEVATIONS OF THE CLUB HOUSE INCLUDING, BUT NOT LIMITED TO, POP-OUTS AND FALSE OR REAL WINDOWS.
6. THE DEVELOPER AND HIS ENGINEER MUST COORDINATE WITH CNLV ENGINEERING SERVICES THE PROPOSED DRIVEWAY CROSSING OF THE CENTENNIAL PARKWAY CHANNEL EAST. CONTACT DAN LE, SENIOR ENGINEER AT 633-1932.
7. APPROVAL OF A DRAINAGE STUDY IS REQUIRED PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENT PLANS.
8. CCRFCD CONCURRENCE WITH THE RESULTS OF THE DRAINAGE STUDY IS REQUIRED PRIOR TO APPROVAL OF THE CIVIL IMPROVEMENT PLANS.
9. ALL LOCAL FACILITIES AND STREET CENTERLINE GRADES MUST BE CONSTRUCTED IN CONFORMANCE WITH THE CITY OF NORTH LAS VEGAS' *NORTH NEIGHBORHOOD FLOOD CONTROL MASTER PLAN*, OR AS OTHERWISE APPROVED BY THE DIRECTOR OF PUBLIC WORKS OR HIS DESIGNEE.
10. A QUEUING ANALYSIS IS REQUIRED.
11. THE CIVIL IMPROVEMENT PLANS FOR THE PROJECT SHALL INCLUDE SCHEDULE 40 PVC FIBER OPTIC CONDUIT ALONG CENTENNIAL PARKWAY AND REVERE STREET.
12. THE PROPERTY OWNER IS REQUIRED TO GRANT A ROADWAY EASEMENT FOR COMMERCIAL DRIVEWAY(S).
13. THE PROPERTY OWNER IS REQUIRED TO SIGN A RESTRICTIVE COVENANT FOR UTILITIES.

14. IF THE PROPERTY IS SUBDIVIDED IN THE FUTURE, THE APPLICANT MUST SUBMIT A COMMERCIAL SUBDIVISION MAP.
15. THE PROPERTY OWNER IS REQUIRED TO GRANT A PUBLIC PEDESTRIAN ACCESS EASEMENT FOR SIDEWALK LOCATED WITHIN A COMMON ELEMENT, OR ON PRIVATE PROPERTY, WHEN THAT SIDEWALK IS PROVIDING PUBLIC ACCESS ADJACENT TO THE RIGHT-OF-WAY.
16. A REVOCABLE ENCROACHMENT PERMIT FOR LANDSCAPING WITHIN THE PUBLIC RIGHT OF WAY IS REQUIRED.
17. ALL OFF-SITE IMPROVEMENTS MUST BE SUBSTANTIALLY COMPLETE PRIOR TO FINAL INSPECTION OF THE FIRST BUILDING.
18. 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.
19. BUILDING NUMBERING SHALL BE IN ACCORDANCE WITH THE NORTH LAS VEGAS STREET NAMING AND ADDRESS ASSIGNMENT STANDARDS.
20. THE PROPERTY OWNER IS REQUIRED TO GRANT A TEMPORARY CONSTRUCTION EASEMENT FOR THE CONSTRUCTION OF THE CENTENNIAL PARKWAY EAST CHANNEL WITHIN 30 DAYS OF APPROVAL OF THIS ITEM.
21. 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 SITE PLAN.
22. THE PUBLIC STREET GEOMETRICS, WIDTH OF OVER-PAVE AND THICKNESS OF THE PAVEMENT SECTIONS WILL BE DETERMINED BY THE DEPARTMENT OF PUBLIC WORKS.
23. 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.

24. THAT THE FOLLOWING LIST OF MINIMUM AMENITIES SHALL BE PROVIDED:

- A. CIRCUITOUS LIGHTED PATHS AND FITNESS COURSE;
- B. A MINIMUM OF TWENTY 24-INCH BOX TREES PER ACRE;
- C. AT LEAST 2 DIFFERING, AGE-APPROPRIATE, COVERED PLAY STRUCTURES FOR CHILDREN WITH EPDM RESILIENT FALL PROTECTION OVER A NON-POROUS SURFACE (2 PLAY STRUCTURES TOTAL). SHADE STRUCTURES SHALL ALSO BE PROVIDED ADJACENT TO PLAY STRUCTURE LOCATIONS FOR SUPERVISION PURPOSES AND MAY ALSO INCLUDE PICNIC/BARBECUE FACILITIES (AS DESCRIBED IN #G BELOW);
- D. A MINIMUM OF 1,600 SQUARE FEET OF TOTAL SWIMMING POOL AREA, WITH ACCOMPANYING DECKING, RESTROOMS, DRINKING FOUNTAINS, AND SHADED PICNIC/BARBECUE FACILITIES (AS DESCRIBED IN #G BELOW);
- E. A MINIMUM OF ONE FITNESS FACILITY;
- F. A MINIMUM OF ONE CLUBHOUSE/RECREATION BUILDING WITH NO MORE THAN 25% OF THE FLOOR AREA (INCLUDED IN THE OPEN SPACE CALCULATION) DEDICATED FOR USES OTHER THAN COMMON RECREATION AND INCIDENTAL SUPPORT FACILITIES;
- G. SHADED GROUP PICNIC AREAS AT A MINIMUM OF SEVEN DIFFERENT LOCATIONS (INCLUDING THOSE AT DESIGNATED POOL AREAS AND ADJACENT TO CHILDREN'S PLAY AREAS), WHICH INCLUDE LIGHTING, PICNIC TABLE(S), BARBECUE GRILLS, AND TRASH RECEPTACLE(S);
- H. ONE GRASS VOLLEYBALL COURT OR OTHER COMPARABLE COURT FACILITY, AS APPROVED BY PARKS AND RECREATION DEPARTMENT STAFF;
- I. AT LEAST ONE LARGE OPEN SPACE AREA FOR GROUP/ORGANIZED PLAY;
- J. BENCHES SPACED ALONG PATHWAYS;
- K. BICYCLE RACKS AT A MINIMUM OF 1 LOCATION;
- L. ALL OPEN SPACE AREAS AND AMENITIES SHALL BE ADA ACCESSIBLE AND DEVELOPED IN COMPLIANCE WITH THE CNLV 2004 PARK DESIGN STANDARDS; AND

M. DETAILS OF AMENITIES TO BE PROVIDED.

25. FIRE DEPARTMENT ACCESS ROADS SHALL BE MARKED TO PROHIBIT PARKING IN ACCORDANCE WITH THE FIRE CODE.
26. FIRE ACCESS LANES SHALL BE LOCATED IN ACCORDANCE WITH THE FIRE CODE.
27. FIRE ACCESS LANES SHALL BE DESIGNED IN ACCORDANCE WITH THE FIRE CODE.
28. A SECONDARY ACCESS POINT COMPLYING WITH THE FIRE CODE SHALL BE PROVIDED FOR EMERGENCY ACCESS. THE ACCESS SHALL BE FOR EMERGENCY VEHICLES ONLY AND SHALL CONNECT THE PROJECT TO REVERE STREET.
29. PARDEE AGREES TO AMEND THE DEVELOPMENT PLAN IDENTIFIED AS EXHIBIT K TO THE ELDORADO DEVELOPMENT AGREEMENT TO REMOVE THE R-3 ZONING ENTITLEMENT FROM THE 21 ACRE PARCEL LOCATED ADJACENT TO REVERE STREET AND IMMEDIATELY NORTH OF THE PARCEL IDENTIFIED IN SPR-54-07. THE 21 ACRE PARCEL IS SHOWN WITH HATCH MARKS ON THE ATTACHED PROPOSED REVISION TO EXHIBIT K. PARDEE AGREES TO SUBMIT THE PROPOSED REVISION TO EXHIBIT K WITHIN 60 DAYS. NO OTHER CHANGES WILL BE MADE TO THE DEVELOPMENT PLAN OR DEVELOPMENT AGREEMENT.
30. PARDEE AGREES TO WITHDRAW SPR-11-08.
31. APARTMENT PROJECT WILL NOT ACCEPT SECTION 8 VOUCHERS.

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

The meeting recessed at 8:40 P.M. and reconvened at 8:46 P.M.

**BUSINESS (con't)**

**20. DISCUSSION AND POSSIBLE ACTION REGARDING AN APPEAL OF CHILD**

**CARE WORK CARD DENIAL. (TABLED MARCH 19, 2008)**

Police Lieutenant Justin Roberts stated the applicant's criminal history resulted in the denial of her work card application. The applicant was not present. Council directed Lieutenant Roberts to contact the applicant and tabled the item one more time.

ACTION: TABLED TO APRIL 16, 2008

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

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

NAYS: Councilwoman Buck

ABSTAIN: None

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

**FIRE DEPARTMENT**

1. Reclassify Fire Marshal CTE25 to Assistant Fire Chief ADD44.

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

**22. APPROVAL OF THE CONDEMNATION OF REAL PROPERTY NEEDED FOR THE NORTH 5<sup>TH</sup> 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 ELEVENTH NCS REALTY COMPANY AND 7-11, INC., CLARK COUNTY ASSESSOR'S PARCEL NUMBERS 139-23-401-002 AND 003 LOCATED AT THE NORTHEAST CORNER OF LAS VEGAS BOULEVARD AND NORTH 5<sup>TH</sup> STREET.**

ACTION: APPROVED

MOTION: Councilman Eliason

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

**23. APPROVAL OF A PROFESSIONAL ARCHITECTURAL SERVICES AGREEMENT WITH WELLES PUGSLEY ARCHITECTS, LLP IN THE AMOUNT OF \$212,337 FOR THE HOUSING AUTHORITY HEAD-START REMODELING PROJECT LOCATED IN AN EXISTING HUD BUILDING ADJACENT TO THE PROPERTY ACQUIRED FOR THE PROJECT ON TONOPAH AVENUE, EAST OF YALE STREET. CNLV CONTRACT NO. C-6771)**

ACTION: APPROVED

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

**24. APPROVAL OF AN INTERLOCAL COOPERATIVE AGREEMENT WITH THE CITY OF LAS VEGAS IN AN AMOUNT NOT TO EXCEED \$84,500 FROM RTC QUESTION 10 FUNDS, FOR THE ROADWAY IMPROVEMENT PROJECT AT DECATUR BOULEVARD AND CRAIG ROAD WHICH CONSISTS OF MODIFYING THE EXISTING MEDIAN ISLANDS ON THE NORTH AND SOUTH LEGS OF DECATUR BOULEVARD AT ITS INTERSECTION WITH CRAIG ROAD TO ACCOMMODATE DUAL LEFT TURN LANES. (CNLV CONTRACT NO C-6772)**

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. APPROVAL OF A PROFESSIONAL LANDSCAPE ARCHITECTURAL SERVICES AGREEMENT WITH MOORE IACOFANO GOLTSMAN, INC., IN THE AMOUNT**

**OF \$1,582,237 FOR THE CRAIG RANCH REGIONAL PARK - PHASE I PROJECT. (CNLV CONTRACT NO. C-6773)**

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

**26. APPROVAL OF THE FIRST AMENDMENT TO AGREEMENT TO USE LOCAL GOVERNMENT CONTRACT WITH INTERMOUNTAIN SLURRY SEAL, INC. IN THE AMOUNT OF \$250,000; AND AUTHORIZE ISSUANCE OF A PURCHASE ORDER IN THE AMOUNT OF \$250,000 FOR THE COMPLETION OF PAVEMENT MAINTENANCE ACTIVITIES ON CITY STREETS. (CNLV CONTRACT NO. C-6631)**

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

**27. AUTHORIZATION TO THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT WITH MEDTEC AMBULANCE CORPORATION IN AN AMOUNT NOT TO EXCEED \$530,000 FOR THE PURCHASE OF TWO NEW RESCUE APPARATUS FOR THE FIRE DEPARTMENT.**

ACTION: AUTHORIZED

MOTION: Councilwoman Smith

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

**28. AUTHORIZATION TO THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT WITH MEDTEC AMBULANCE CORPORATION IN AN AMOUNT NOT TO EXCEED \$265,000 FOR THE PURCHASE OF A NEW RESCUE APPARATUS FOR THE FIRE DEPARTMENT.**

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

**ORDINANCES  
INTRODUCTION ONLY**

**29. ORDINANCE NO. 2432; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING TITLE 15 OF THE NORTH LAS VEGAS MUNICIPAL CODE BY ADDING A NEW SECTION 15.04.015 TO THE INTERNATIONAL BUILDING CODE, 2006 EDITION, PROVIDING THE DETERMINATION OF WIND LOADS, PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR APRIL 16, 2008)**

Ordinance No. 2432 as introduced by the City Clerk:

AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING TITLE 15 OF THE NORTH LAS VEGAS MUNICIPAL CODE BY ADDING A NEW SECTION 15.04.015 TO THE INTERNATIONAL BUILDING CODE, 2006 EDITION, PROVIDING THE DETERMINATION OF WIND LOADS, PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR APRIL 16, 2008)

ACTION: FINAL ACTION SET FOR APRIL 16, 2008

**30. ORDINANCE NO. 2440; 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 4 + ACRES THEREIN FROM AN M-1 BUSINESS PARK INDUSTRIAL DISTRICT TO AN M-2, GENERAL INDUSTRIAL DISTRICT (ZN-09-08, HICKEY DEVELOPMENT), FOR PROPERTY LOCATED AT 3811-3842 DEVELOPMENT COURT, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR APRIL 16, 2008)**

Ordinance No. 2440 as introduced by the City Clerk:

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 4 + ACRES THEREIN FROM AN M-1 BUSINESS PARK INDUSTRIAL DISTRICT TO AN M-2, GENERAL INDUSTRIAL DISTRICT (ZN-09-08, HICKEY DEVELOPMENT), FOR PROPERTY LOCATED AT 3811-3842 DEVELOPMENT COURT, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR APRIL 16, 2008)

ACTION: FINAL ACTION SET FOR APRIL 16, 2008

31. **ORDINANCE NO. 2441; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS FOR RECLASSIFICATION OF PROPERTY FROM A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-04-08, STEVEN HORSFORD) CONSISTING OF A YOUTH AND ADULT VOCATIONAL EDUCATIONAL FACILITY WITH NUMEROUS COMMERCIAL ENTERPRISES INCLUDING BUT NOT LIMITED TO "ON-SALE" LIQUOR USES, CHILD CARE FACILITY AND A HOTEL, FOR PROPERTY LOCATED AT 710 WEST LAKE MEAD BOULEVARD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR APRIL 16, 2008)**

Ordinance 2441 as introduced by the City Clerk:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS FOR RECLASSIFICATION OF PROPERTY FROM A C-1,

NEIGHBORHOOD COMMERCIAL DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-04-08, STEVEN HORSFORD) CONSISTING OF A YOUTH AND ADULT VOCATIONAL EDUCATIONAL FACILITY WITH NUMEROUS COMMERCIAL ENTERPRISES INCLUDING BUT NOT LIMITED TO "ON-SALE" LIQUOR USES, CHILD CARE FACILITY AND A HOTEL, FOR PROPERTY LOCATED AT 710 WEST LAKE MEAD BOULEVARD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR APRIL 16, 2008)

ACTION: FINAL ACTION SET FOR APRIL 16, 2008

**ORDINANCES**  
**FINAL ACTION**

32. **ORDINANCE NO. 2422; 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 23.94+ ACRES THEREIN FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT (ZN-03-08, OPUS CONDOMINIUMS), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND VALLEY DRIVE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED FEBRUARY 20, 2008)**

ACTION: WITHDRAWN WITHOUT PREJUDICE

MOTION: Councilwoman Smith

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

33. **ORDINANCE NO. 2436; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-01-08); TO AMEND TITLE 17 (SECTION 17.20.040, 17.20.060 AND 17.24.215) TO CHANGE THE MINIMUM LOT AREA FOR HOMES WITHIN THE R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT; TO ALLOW SINGLE-**

**FAMILY HOMES AND CHANGE THE MINIMUM LOT AREA FOR HOMES WITHIN THE R-2, TWO-FAMILY RESIDENTIAL DISTRICT; AND TO APPLY AND AMEND THE SMALL LOT-DESIGN STANDARDS FOR SMALL-LOT HOMES WITHIN THE R-1 AND R-2 DISTRICTS USING THE RESIDENTIAL DESIGN INCENTIVE SYSTEM; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (ASSOCIATED ITEMS NO. 34, ORDINANCE NO. 2437 AND NO. 35, ORDINANCE NO. 2438)**

ACTION: CONTINUED TO APRIL 16, 2008

MOTION: Councilwoman Smith

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

34. **ORDINANCE NO. 2437; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-02-08) BY ADDING SECTION 17.24.225 IMPLEMENTING THE CRITERIA FOR DEVELOPMENTS USING THE RESIDENTIAL DESIGN INCENTIVE SYSTEM AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO. (ASSOCIATED ITEMS NO. 33, ORDINANCE NO. 2436 AND NO. 35, ORDINANCE NO. 2438)**

ACTION: CONTINUED TO APRIL 16, 2008

MOTION: Councilwoman Smith

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

35. **ORDINANCE NO. 2438; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-03-08) BY ADDING SECTION 17.28.067 IMPLEMENTING APPLICATION AND REVIEW PROCEDURES FOR DEVELOPMENTS USING THE RESIDENTIAL DESIGN INCENTIVE SYSTEM AND PROVIDE FOR OTHER**

**MATTERS PROPERLY RELATED THERETO. (ASSOCIATED ITEMS NO. 33, ORDINANCE NO. 2436 AND NO. 34, ORDINANCE NO. 2437)**

ACTION: CONTINUED TO APRIL 16, 2008

MOTION: Councilwoman Smith

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

**36. ORDINANCE NO. 2439; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-05-08); AMENDING SECTION 17.24.080 AND 17.28.050 IN REGARDS TO PROVISIONS FOR ADDITIONAL SECURITY MEASURES FOR COMMERCIAL AND INDUSTRIAL ZONED PROPERTIES, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

Ordinance No. 2439 as introduced by the City Manager:

AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-05-08); AMENDING SECTION 17.24.080 AND 17.28.050 IN REGARDS TO PROVISIONS FOR ADDITIONAL SECURITY MEASURES FOR COMMERCIAL AND INDUSTRIAL ZONED PROPERTIES, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Acting Planning and Zoning Director Fiori explained the proposed ordinance allowed business owners to apply for additional security measures via a special use permit. The Planning Commission recommended approval.

Councilwoman Smith expressed her concern that the sight of razor-wire in commercial areas gave the City a bad image. Mayor Montandon stated the issue was brought forth by owners of storage facilities. Councilwoman Smith felt they should look into other methods of additional security. Councilwoman Buck felt approval was appropriate as applicants had to go before Council with use permits. Approval was considered on an individual basis and was not guaranteed.

ACTION: PASSED AND ADOPTED AS AMENDED; DELETE COMMERCIAL ZONED PROPERTIES

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

### **APPOINTMENTS**

#### **37. APPOINTMENTS TO THE BALLOT QUESTION COMMITTEES.**

ACTION: TABLED TO APRIL 16, 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

### **COUNCIL ITEMS**

Councilwoman Buck requested an ordinance regarding Special Use Permits that gave Council the ability, following a hearing or show cause, to rescind or revoke a permit if conditions were not met.

Councilwoman Smith recommended language be included in development agreements stating false advertising and/or misrepresentation could negate the agreement.

Councilwoman Smith congratulated Chief Forti on his promotion.

### **CITY MANAGER'S REPORT**

There was no report.

### **PUBLIC FORUM**

**Rod Thompson, 6133 Starpoint Road, North Las Vegas**, congratulated City Manager Rose and Council for promoting from within and urged the City to apply for grants for a Police Volunteer Program.

**Dean Leavitt, 918 Dawn Valley Drive, North Las Vegas**, congratulated Chief Forti on his promotion, and City Council and the City Manager for promoting from within. He also urged residents to attend Planning Commission meetings to enable the Commission to make informed decisions.

**ADJOURNMENT**

ACTION: THE MEETING ADJOURNED AT 9:06 P.M.

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**Approved: June 4, 2008**

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

**Attest:**

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