

**NOTICE AND AGENDA
CITY OF NORTH LAS VEGAS
REGULAR CITY COUNCIL MEETING**

October 7, 2009

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

WELCOME

The North Las Vegas City Council welcomes each of you to its City Council Meeting. If you wish to speak, please complete one of the blue cards which are located at the back of the room. Please give the card to the City Clerk. When the Mayor calls upon you to speak, we request that you limit your comments to no more than five minutes, and that you avoid repetition. **Please keep in mind the rules of decorum by addressing the Council as a whole and not individual members and limiting your comments to issues regarding City government.** As a courtesy to others, we ask that cellular phones and pagers be turned off during the meeting.

The North Las Vegas City Council Chamber is accessible to all persons. For reasonable accommodations to those with disability impairments, please contact the ADA Coordinator at (702) 633-1510 or TDD (800) 326-6868 at least seventy- two (72) hours in advance of the meeting. For general questions regarding this agenda, please contact the City Clerk's Office at (702) 633-1030.

All agenda items are action items except those listed for discussion only and Public Forum issues.

VERIFICATION

Verification the Agenda and Meeting Notice was properly posted on the bulletin board at City Hall, the bulletin board at the Public Safety Building, the bulletin boards at the North Las Vegas Public Library, the Aliante Library, and the Alexander Library in compliance with N.R.S. 241, "The Open Meeting Law."

INVOCATION

Major Robert Lloyd
Salvation Army

PLEDGE OF ALLEGIANCE

Mayor Pro Tempore William E. Robinson

PUBLIC FORUM

This is the first of two portions of the meeting devoted to the Public. After completing and submitting a blue card, please come forward upon recognition by the Mayor and feel free to speak on any topic or item not listed on the agenda. Usually items received under this heading will be referred to the City Manager for action at a later date. Items listed on the agenda will be heard after introduction by the City Manager. In consideration of other citizens, we ask that you please limit your comments to five minutes and that repetition be avoided. The Mayor may, at her discretion, hold the cards until the second Public Forum at the end of the meeting.

PRESENTATION

Presentation of an award to Phil Stoeckinger, Finance Director, for the Comprehensive Annual Financial Report for fiscal year ending June 30, 2008.

AGENDA

1. Approval of the Regular City Council Meeting Agenda of October 7, 2009.

CONSENT AGENDA

2. [Approval of Special City Council Meeting Minutes of September 2, 2009.](#)
3. [Approval of Regular City Council Meeting Minutes of September 2, 2009.](#)
4. [Approval of Special City Council Meeting Minutes of September 16, 2009.](#)
5. [Approval of Regular City Council Meeting Minutes of September 16, 2009.](#)
6. [Request for non-operational status of the Full Liquor Off-Sale, Restricted Gaming Liquor, and Restricted Gaming business licenses for Carraways, LLC., dba Gabby's Saloon, 2303 East Lake Mead Boulevard, North Las Vegas, Nevada, 89030 through February 28, 2010.](#)
7. [Approval of an application for Jennifer M. Mattox as key employee for the Beer-Wine-Spirit-Based Products Off-Sale business license for Fresh & Easy Neighborhood Market Inc., dba Fresh & Easy Neighborhood Market, 6305 Simmons Street, North Las Vegas, Nevada, 89031.](#)
8. [Approval of Final Acceptance of the North Las Vegas Gowan Outfall - Lone Mountain Branch Project, Bid Number 1297, for maintenance and authorization to file the Notice of Completion.](#)
9. [Approval of Final Acceptance of the North Las Vegas Justice Facility - Criminal Attorney's Office Remodel, Bid Number 1322, for maintenance and authorization to file the Notice of Completion.](#)

10. Approval of the First Supplemental Interlocal Contract (No. 586a) with the Regional Transportation Commission of Southern Nevada for the Offsite Improvements Adjacent to Regional Flood Control District Detention Basin Projects, Fiscal Year 2008-2009, which reduces the interlocal value to the amount of \$583,000 due to limited availability of funds provided by the Regional Transportation Commission of Southern Nevada.

11. Approval of the Second Supplemental Interlocal Contract (No. 509b) with the Regional Transportation Commission of Southern Nevada for the Offsite Improvements Adjacent to Regional Flood Control District Detention Basin Projects, Fiscal Year 2005-2006, which reduces the interlocal value to the amount of \$193,000 due to limited availability of funds provided by the Regional Transportation Commission of Southern Nevada.

12. Approval of the Fourth Supplemental Interlocal Contract (No. 562d) with the Regional Transportation Commission of Southern Nevada for the Offsite Improvements Adjacent to Regional Flood Control District Detention Basin Projects, Fiscal Year 2007-2008, which reduces the interlocal value to the amount of \$1,201,000 due to the limited availability of funds provided by the Regional Transportation Commission of Southern Nevada.

13. Approval of the Interlocal Contract for Mutual Aid in Law Enforcement with the Las Vegas Metropolitan Police Department to provide cooperative mutual aid and assistance in law enforcement.

14. An appeal submitted by Mark Sturdivant, on behalf of the applicant, of the Planning Commission's decision to deny **VN-10-09** (La Madre / Lawrence); an application submitted by Richmond American Homes NV, Inc., property owner, for a variance in an R-1 Single-Family Residential District to allow a five foot corner side yard setback where 10 feet is the minimum corner side yard setback required on property located at 4916 Sevier Desert Street. **(Set Public Hearing for October 21, 2009) (Associated Items No. 15, Appeal of VN-11-09, No. 16, Appeal of VN-12-09, No. 17, Appeal of VN-13-09 and No. 18, Appeal of VN-14-09)**

15. An appeal submitted by Mark Sturdivant, on behalf of the applicant, of the Planning Commission's decision to deny **VN-11-09** (La Madre / Lawrence); an application submitted by Richmond American Homes NV, Inc., property owner, for a variance in an R-1 Single-Family Residential District to allow a five foot corner side yard setback where 10 feet is the minimum corner side yard setback required on property located at 4932 Sevier Desert Street. **(Set Public Hearing for October 21, 2009) (Associated Items No. 14, Appeal of VN-10-09, No. 16, Appeal of VN-12-09, No. 17, Appeal of VN-13-09 and No. 18, Appeal of VN-14-09)**

16. An appeal submitted by Mark Sturdivant, on behalf of the applicant, of the Planning Commission's decision to deny **VN-12-09** (La Madre / Lawrence); an application submitted by Richmond American Homes NV, Inc., property owner, for a variance in an R-1 Single-Family Residential District to allow an eight foot corner side yard setback where 10 feet is the minimum corner side yard setback required on property located at 1804 Magdalena Ridge Avenue. **(Set Public Hearing for October 21, 2009) (Associated Items No. 14, Appeal of VN-10-09, No. 15, Appeal of VN-11-09, No. 17, Appeal of VN-13-09 and No. 18, Appeal of VN-14-09)**

17. An appeal submitted by Mark Sturdivant, on behalf of the applicant, of the Planning Commission's decision to deny **VN-13-09** (La Madre / Lawrence); an application submitted by Richmond American Homes NV, Inc., property owner, for a variance in an R-1 Single-Family Residential District to allow a six foot corner side yard setback where 10 feet is the minimum corner side yard setback required on property located at 4828 Sevier Desert Street. **(Set Public Hearing for October 21, 2009) (Associated Items No. 14, Appeal of VN-10-09, No. 15, Appeal of VN-11-09, No. 16, Appeal of VN-12-09 and No. 18, Appeal of VN-14-09)**

18. An appeal submitted by Mark Sturdivant, on behalf of the applicant, of the Planning Commission's decision to deny **VN-14-09** (La Madre / Lawrence); an application submitted by Richmond American Homes NV, Inc., property owner, for a variance in an R-1 Single-Family Residential District to allow an eight foot corner side yard setback where 10 feet is the minimum corner side yard setback required on property located at 4940 Sevier Desert Street. **(Set Public Hearing for October 21, 2009) (Associated Items No. 14, Appeal of VN-10-09, No. 15, Appeal of VN-11-09, No. 16, Appeal of VN-12-09 and No. 17, Appeal of VN-13-09)**

BUSINESS

19. (1) Approval of the purchase of real property, Clark County Assessor's Parcel Number 139-17-301-011, from the O'Donnell Family Trust - 92, in the amount of \$77,354 to be funded by the Regional Transportation Commission of Southern Nevada and the Clark County Regional Flood Control District for the acquisition of right-of-way and a permanent drainage easement as part of the Simmons Street/Gowan Outfall Improvement Project; (2) and authorization for the City Manager to execute any purchase and sale or other documents in a form approved by the City Attorney's Office.

20. Approval of a Settlement Agreement of condemnation litigation with the Housing Authority of the City of North Las Vegas and the U.S. Department of Housing and Urban Development in the amount of \$1,500,000, funded by the Regional Transportation Commission of Southern Nevada for the partial acquisition of real property located at the southwest corner of Tonopah Avenue and North 5th Street in connection with the North 5th Street Corridor Project Phase 1A.

21. Approval of an Interlocal Contract (No. 609) with the Regional Transportation Commission of Southern Nevada in an amount not to exceed \$5,000,000, funded by the Regional Transportation Commission of Southern Nevada for the North 5th Street, Owens Avenue to Cheyenne Avenue Project, CIP No. 10179 which will establish terms for the reimbursement of City funds used to advance the construction of Phase 1B, between Owens Avenue and Lake Mead Boulevard.

22. Approval of a Professional Services Agreement with Infrastructure Management Services, LLC, in an amount not to exceed \$131,250 from the Tax Override Fund to update the City's Pavement Information Management System.

23. Approval of a Quitclaim Deed for various Clark County Assessor's Parcel Numbers to North Valley Enterprises, LLC for several entry parcels generally located north of Elkhorn Road between Aviary Way and Clayton Street which were inadvertently transferred to the City.

24. [Rejection of the Bid Protest from Tand, Inc. for the Upper Las Vegas Wash Trail Phase I Project, Bid Number 1320.](#)
25. [Award of Bid Number 1320 and approval of a construction contract with Western States Contracting, Inc., in the amount of \\$3,581,660 from the Bureau of Land Management, for the Upper Las Vegas Wash Trail Phase I Project along Upper Las Vegas Wash, from Deer Springs Way to Craig Road.](#)
26. [Approval of the First Amendment and Total Restatement of Agency Agreement for the Procurement of Tangible Personal Property which reflects technical amendments to take advantage of the Department of Taxation's clarifications related to the City Hall project.](#)
27. [Approval of an Interlocal Agreement with Clark County and Cities of Las Vegas, Henderson and Mesquite in the amount of \\$1,139,638 which requires matching funds of \\$80,988 from the General Fund Contingency Account that will allow the City to be a subrecipient of funds made available from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance under the 2009 American Recovery and Reinvestment Act Edward Byrne Memorial Justice Assistance Grant Formula Program that will enable the City to acquire components for the new Computer-Aided Dispatch System / Records Management System / Mobile Data Computing System; and amend the Police Department's staffing pattern for the addition of a grant funded 50% position.](#)
28. [Approval of a Products and Software License Agreement with Motorola Inc., in the amount of \\$860,460 for the acquisition of various components of the Police Department's Computer-Aided Dispatch System/Records Management System/Mobile Data Computing Project.](#)
29. [Award of Bid Number 1347 and approval of a construction contract with Southern Nevada Paving, Inc., in the amount of \\$148,050 for the construction and landscaping of the parking lot at Stanley and Bruce Street.](#)

**ORDINANCE
INTRODUCTION ONLY**

30. [Ordinance No. 2515](#); 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 1.99± acres therein from an R-1, Single Family Residential District to a C-2, General Commercial District (ZN-03-09, NLV Ophthalmology Surgical Clinic and Center), for property located at 2934 Van Der Meer Street, and providing for other matters properly relating thereto. **(Set Final Action for October 21, 2009)**

**ORDINANCES
FINAL ACTION**

31. [Ordinance No. 2490](#); an ordinance related to zoning; amending Section 010 of Chapter 16 of Title 17 of the City of North Las Vegas Municipal Code by reclassifying approximately 26.0 +/- acres therein from an R-1, Single-Family Residential District and an R-E, Ranch Estates District to an MUD/MX-1, Mixed Use Development District/Neighborhood Center Mixed Use Subdistrict (ZN-26-08, North 5th and Washburn) consisting of 344 residential units and 81,600 square feet of commercial space for property generally located at the southwest corner of Washburn Road and North 5th Street, and providing for other matters properly relating thereto. **(Continued December 17, 2008, January 21, February 18, June 17, July 15 and September 2, 2009)**
32. [Ordinance No. 2514](#); an ordinance amending Title 17 of the Municipal Code of the City of North Las Vegas, relating to zoning (ZOA-06-09) by amending Title 17 to add an Apex Overlay District and provide for other matters properly related thereto.

APPOINTMENTS

33. [Appointment of an at-large citizen representative and alternate to the Clark County Community Development Advisory Committee for a one-year term ending September 5, 2010. \(Tabled September 2, 2009\)](#)

34. [Appointment of a City Council member to the Southern Nevada Enterprise Community Board for a three-year term ending October 6, 2012.](#)

COUNCIL ITEMS

CITY MANAGER'S REPORT

PUBLIC FORUM

This is the portion of the meeting devoted to the Public. After completing and submitting a blue card, please come forward upon recognition by the Mayor and feel free to speak on any topic. Usually items received under this heading will be referred to the City Manager for action at a later date. In consideration of other citizens, we ask that you please limit your comments to five minutes and that repetition be avoided.

ADJOURNMENT

The City Clerk keeps the official record of all proceedings of the City Council. In order to maintain a complete and accurate record of all proceedings, any photograph, map, chart, or other document used in any presentation to the Council should be submitted to the City Clerk. If materials are to be distributed to members of the City Council, please provide ten copies for distribution to the City Manager, Assistant City Managers, City Attorney, City Clerk, and Staff.