

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

October 21, 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**

Dr. Percell Church, Jr.  
Zion Ministries

### **PLEDGE OF ALLEGIANCE**

Councilman Robert L. Eliason

### **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.

### **AGENDA**

1. Approval of the Regular City Council Meeting Agenda of October 21, 2009.

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

2. [An appeal submitted by Kummer, Kaempfer, Bonner, Renshaw & Ferrario, on behalf of the applicant, of the Planning Commission's decision to deny \*\*AMP-10-08\*\* \(Goldfield II\); an application submitted by Taney Engineering on behalf of William Lyon Homes, Inc., and Archana Patel, property owners, for an Amendment to the Comprehensive Plan, Land Use Element, to change the current designation of Single Family Low \(up to 6 dwelling units/acre\) to Neighborhood Commercial on property located at the northwest corner of Lone Mountain Road and North 5th Street. \(Continued December 17, 2008, January 21, February 4, June 3, June 17 and August 19, 2009\) \(Associated Item No. 3, Appeal of ZN-25-08\)](#)

3. An appeal submitted by Kummer, Kaempfer, Bonner, Renshaw & Ferrario, on behalf of the applicant, of the Planning Commission's decision to deny **ZN-25-08** (Goldfield II); an application submitted by Taney Engineering, on behalf of William Lyon Homes, Inc., and Archana Patel, property owners, for a reclassification of property from R-E Ranch Estates District and R-1 Single Family Residential District to C-1 Neighborhood Commercial District on property located at the northwest corner of Lone Mountain Road and North 5th Street. **(Continued December 17, 2008, January 21, February 4, June 3, June 17 and August 19, 2009) (Associated Item No. 2, Appeal of AMP-10-08)**
  
4. 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. **(Associated Items No. 5, Appeal of VN-11-09, No. 6, Appeal of VN-12-09, No. 7, Appeal of VN-13-09 and No. 8, Appeal of VN-14-09)**
  
5. 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. **(Associated Items No. 4, Appeal of VN-10-09, No. 6, Appeal of VN-12-09, No. 7, Appeal of VN-13-09 and No. 8, Appeal of VN-14-09)**
  
6. 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. **(Associated Items No. 4, Appeal of VN-10-09, No. 5, Appeal of VN-11-09, No. 7, Appeal of VN-13-09 and No. 8, Appeal of VN-14-09)**

7. 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. (Associated Items No. 4, Appeal of VN-10-09, No. 5, Appeal of VN-11-09, No. 6, Appeal of VN-12-09 and No. 8, Appeal of VN-14-09)
  
8. 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. (Associated Items No. 4, Appeal of VN-10-09, No. 5, Appeal of VN-11-09, No. 6, Appeal of VN-12-09 and No. 7, Appeal of VN-13-09)

### **CONSENT AGENDA**

9. Approval of an application for a Day Nursery business license for Roberta Gaytan, dba Tender Heart Child Care, 4512 Sea Dream Avenue, North Las Vegas, Nevada, 89031 pending verification of Southern Nevada Health District approval, current health card issued by the Southern Nevada Health District, and required departmental approvals.
  
10. Approval of an application for Beer-Wine-Spirit-Based Products On-Sale business license for Wingstop Restaurants Inc., dba Wingstop Restaurants Inc. #979, 2777 West Craig Road, Suite 107, North Las Vegas, Nevada, 89032 pending verification of required departmental approvals.
  
11. Approval of Amendment No. 1 to the Cooperative Agreement with the State of Nevada Department of Transportation for the Las Vegas Boulevard, Civic Center Drive, Carey Avenue Intersection Improvements, Highway Agreement No. PR-110-08-063, CIP No. 10201, which will extend the termination date to December 31, 2010.

12. Acceptance of continuance of an existing grant from the Nevada Office of the Attorney General, under the Violence Against Women Act Grant Program, in the amount of \$63,619 to provide victim advocacy services by the City Attorney's Office.
13. Acceptance of a grant award in the amount of \$300,000 from the U.S. Department of Justice, Office of Community Oriented Policing Services, under the 2009 COPS Technology Grant Program to assist in replacing the computer-aided dispatch system, records management system and mobile data computing server, identified as the Public Safety Information Systems Technology Refresh Project in the Capital Improvement Plan 2008-2012.
14. Acceptance of a grant award from the State of Nevada, Office of Traffic Safety, under the FY2010 Traffic Safety Program, Watch Out for Pedestrians Safety Program, in the amount of \$35,721 requiring a local match in the amount of \$11,906 which will enable the Police Department to continue the Watch Out for Pedestrians Safety Program.
15. Acceptance of a grant award from the State of Nevada, Office of Traffic Safety, under the FY2010 Traffic Safety Program, Joining Forces Project, in the amount of \$81,425 requiring a local match in the amount of \$27,142, for participation in statewide, multi-jurisdictional traffic enforcement events focusing on reducing fatalities and serious injury crashes in Nevada, enforcing of safety belt and child safety seat laws, and reducing impaired driving through Selective Traffic Enforcement Programs, Saturation Patrols, and DUI checkpoints.
16. Approval of an agreement with Dyntek in the amount of \$135,500.92, retroactive from July 22, 2009, for the annual maintenance and technical support for Cisco hardware and software in the Information Technology Department.
17. Approval of the Annual Maintenance and Technical Support Agreement with Comworx, Inc. in the amount of \$66,975 for the Voice Over Internet Protocol telephone system.

18. [UN-57-09 \(RACEWAY BUSINESS PARK\); an application submitted by Mitchell E. Wilson on behalf of Juma Holdings, LLC and Cross Creek Development, LLC, property owners, for a Special Use Permit in an M-2 General Industrial District to allow an "On-Sale" establishment with restricted gaming on property located at the southwest corner of El Campo Grande Avenue and Hollywood Boulevard. \(Set Public Hearing for November 18, 2009\)](#)

### **BUSINESS**

19. [WAV-05-09 \(ALCO LANDSCAPE FACILITY EXPANSION\); an application submitted by Fernando Arriaga, property owner, for a waiver in an M-2 General Industrial District to waive curb, gutter and sidewalk improvements as required by Title 16 on property located at 119 Water Avenue. \(Tabled September 2, 2009\)](#)
20. [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. \(Tabled October 7, 2009\)](#)
21. [Discussion and/or direction to Staff regarding structural changes to the Traffic and Parking Advisory Committee.](#)
22. [Approval to advance costs to OB Sports Golf Management in an amount not to exceed \\$175,000, from 275 fund balance to financially assist Aliante Golf Club during the two to three week closure for over-seeding and additional costs.](#)
23. [Approval of the submission of the Kiel Ranch Comprehensive Preservation and Development Plan Phase 1A in the estimated cost of \\$1.2 million to the Southern Nevada Public Land Management Act Round 11 Grant Nomination Process.](#)
24. [Approval of a Non-Refundable Contribution in Aid of Construction Agreement with NV Energy in the amount of \\$86,645 from General Obligation Bonds, using the competitive bidding exception per NRS 332 Local Government Purchasing Act, for electrical service at the new City Hall facility located at 2250 North Las Vegas Boulevard.](#)

25. Ratification of a local agreement with the Southern Nevada Health District to reimburse the City of North Las Vegas Fire Department for 22 wireless air cards at a rate of \$45 per card, in an amount not to exceed \$11,880 to support the deployment of the electronic patient reporting system for the period August 9, 2009 through August 8, 2010.
26. Authorization to issue a purchase order to Clark County Southern Nevada Area Communications Council in an amount not to exceed \$285,000, using the competitive bidding exception per NRS 332 Local Government Purchasing Act, for the annual operating fees for the Southern Nevada Area Communications Council Radio System for the Police Department.
27. Award of Bid Number 1343 and approval of a construction contract with Nev Cal Investors dba Fast Trac Electric, in the amount of \$1,135,263.65 from the Utilities Enterprise Fund to install electrical duct banks for the Water Reclamation Facility located at the northeast corner of Carey Avenue and Betty Lane and authorization for the City Manager to proceed with Alternative Bid Item 1, if deemed necessary, in the amount of \$20,768.55.
28. Award of Bid Number 1345 and approval of a construction contract with Michels Corporation in the amount of \$6,493,970 from the Utilities Enterprise Fund to install and construct an integrated system of sanitary sewer improvements which will intercept all wastewater flows generated within the City and convey the flows, by gravity, to the City's own Water Reclamation Facility for the Southeast Interceptor Project, Phase 2.
29. Authorization of payment to Southwest Gas in the amount of \$124,587.34 from the Utilities Enterprise Fund for the replacement/relocation of approximately 954 lineal feet of 2-inch polyethylene pipeline, including accessories located on Alto Road at Betty Lane and on Judson Avenue, west of Lamb Boulevard to Moonlite Drive related to the Southeast Interceptor Projects, Phase I and Phase II.
30. Authorization of the reappropriation of Water Reclamation Facility Construction Contingency Funds in the amount of \$7,500,000, previously awarded for the Water Reclamation Facility to be utilized on multiple projects affiliated with the Water Reclamation Facility.

**ORDINANCES**  
**FINAL ACTION**

31. [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. **(Continued October 7, 2009)**
  
32. [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.

**APPOINTMENTS**

33. [Appointment of two at-large citizen members to the Bus Stop Shelter Advisory Committee for one-year terms ending November 1, 2010.](#)
  
34. [Appointment of City Traffic Engineer Ismael Garza to the Southern Nevada Transportation Advisory Committee for a two-year term ending June 30, 2011.](#)
  
35. [Appointment of Dave Commons, member, and Kirk Medina, alternate, as the City of North Las Vegas representatives to the Clark County Sewage and Wastewater Advisory Committee for an indefinite term.](#)

**COUNCIL ITEMS**

## **CITY MANAGER'S REPORT**

### **PUBLIC FORUM**

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### **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.