

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

August 6, 2008

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

CALL TO ORDER

6:51 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

WELCOME

Mayor Michael L. Montandon

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	Planning and Zoning Director Frank Fiori
Assistant City Manager Sam Chambers	Police Chief Joseph Forti
Assistant City Manager Maryann Ustick	Public Works Director Dr. Qiong Liu
City Attorney Carie Torrence	Redevelopment Manager Larry Bender
City Clerk Karen L. Storms	Utilities Director David Bereskin
Economic Development Director Mike Majewski	Assistant to the City Manager Michelle Bailey-Hedgepeth
General Services and Communications Director Brenda Fischer	Planning and Zoning Manager Marc Jordan
Human Resources Director Joyce Lira	Assistant City Clerk Anita Sheldon
Parks and Recreation Director Mike Henley	Deputy City Clerk Marie Purcell

VERIFICATION

Karen L. Storms, CMC
City Clerk

INVOCATION

Byron Goynes

PLEDGE OF ALLEGIANCE

Mayor Pro Tempore William E. Robinson

PUBLIC FORUM

There was no public participation.

AGENDA

1. **APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF AUGUST 6, 2008.**

ACTION: APPROVED AS AMENDED; ITEM NO. 5 CONTINUED TO AUGUST 20, 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

City Manager Rose stated Item No. 62 would be heard next.

ORDINANCES

FINAL ACTION

62. **ORDINANCE NO. 2464; 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 4.67+ ACRES THEREIN FROM A C-2, GENERAL COMMERCIAL DISTRICT TO A C-3, GENERAL SERVICE COMMERCIAL DISTRICT (ZN-12-08, BROADACRES OPEN AIR MARKET), FOR PROPERTY LOCATED AT 2960 NORTH LAS VEGAS BOULEVARD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED JULY 16, 2008)**

Ordinance No. 2464 as introduced by the City Manager:

ORDINANCE NO. 2464; 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 4.67+ ACRES THEREIN FROM A C-2, GENERAL COMMERCIAL DISTRICT TO A C-3, GENERAL SERVICE COMMERCIAL DISTRICT (ZN-12-08, BROADACRES OPEN AIR MARKET), FOR PROPERTY LOCATED AT 2960 NORTH LAS VEGAS BOULEVARD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED JULY 16, 2008)

Planning and Zoning Director Frank Fiori stated the Planning Commission recommended approval of the item.

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

Ordinances for Final Action continued after Item No. 55.

PUBLIC HEARINGS - 6:15 P.M.

- 4. UN-53-08 (FIRST SPANISH BAPTIST CHURCH); AN APPLICATION SUBMITTED BY JUAN SCLAFANI, ON BEHALF OF FIRST SPANISH BAPTIST CHURCH, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN R-E RANCH ESTATES DISTRICT TO ALLOW A SCHOOL ON PROPERTY LOCATED AT 3770 WEST WASHBURN ROAD. (CONTINUED JULY 2, 2008)**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Fiori stated Staff and the Planning Commission recommended approval of the Special Use Permit for the school.

Bob Gronauer, Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, Las Vegas was present on behalf of the applicant, along with Mark McGinty of S and H Architects and Pastor Juan Sclafani. Mr. Gronauer stated though the school had not acquired the necessary City permit, it had been operating for two and a half years. A neighborhood meeting between the church and its neighbors was held to address some of the neighbors' complaints. Many of the issues had been resolved as a result. The

time of the Sunday evening church services had been adjusted, the outside lighting had been adjusted, and the fence was now locked when the church was not in use so there was no loitering or use of the parking lot when the facility was closed. The applicant agreed to have a traffic study performed. It was a licensed, private school for church members only. There were approximately 100 students.

Samuel Landa, 368 Rancho Del Norte Drive, North Las Vegas stated he was a graduate of the academy. He said attending the school helped him make it through difficult times in his life and guided him for the future. He was now in college and intended to go on to medical school to be a pediatrician. He did not feel he would have been as successful had he not attended the school.

Ulises Rodas, 217 Honey Locust Drive, North Las Vegas stated as a parent, he was strongly in favor of the school. The school kept the children involved in positive activities and guided them to successful futures.

Elizabeth and Juan Sclafani, 5207 Willis Street, North Las Vegas agreed with the people who spoke in favor of the school.

Ken Donathan, 1078 North Sloan Avenue, Las Vegas said he was a member of the church and the school was excellent.

Juan Sclafani, Jr., 5207 Willis Street, North Las Vegas was a graduate of the academy, was in college and planned to go to law school. He currently worked at the academy. The school set a standard of excellence and produced citizens who were an asset to the community.

Mayor Pro Tempore Robinson said he thought there was a misconception. He emphasized it was not Council's intent to close the school. The intent was for the church and school to work with the surrounding community regarding complaints from community.

Jorge Sanchez, 2205 Peach Hill Avenue, Las Vegas stated the ministry and school were extremely important to the parents and students. He, too, had graduated from the school and was attending college.

John Strawn, 1461 Watercreek Drive, North Las Vegas stated he was not a member of the church, but he supported the church and school because of the exceptional contributions to the community and because he observed the property was kept in excellent condition.

Daniel Trofholz, 3040 East Charleston Boulevard, Las Vegas thanked Council for their service and attention to detail in decisions affecting the City. He stated he had been a teacher in several states for over 20 years and had never seen a finer school. The

academy had operated for over 15 years at a different location, with an excellent track record. Many of the students attended the school from kindergarten through twelfth grade graduation. Therefore, the teachers were very familiar with each student's individual needs. The parental involvement was exceptionally strong. The standards for the educational and spiritual development of the students were extremely high and the school produced graduates who went on to be great assets to the community.

Pablo Navarro, 4205 Park Court, Las Vegas was also a teacher for almost 20 years and spoke about how strongly the school inspired its students. In his experience it was dramatically superior to the public schools in which he had taught because the school required significant support from staff and parents for the children's academic and spiritual excellence. The standards were extremely high.

Susan Allen, 3715 Fisher Avenue, North Las Vegas said residents were never notified about the church or the school. Although she believed in the value of the church and school, she felt it should never have been allowed in a preservation area. Residents did not want noise, traffic and schools encroaching upon the preservation area. She referred to Resolution No. 2016, dated May 20, 1998, which stated the Ranch Estates preservation area was to be maintained in its existing state unless a change was determined to be of benefit to the residents. While the church and school benefitted many people, it did not benefit the residents of the immediate community, who were not in favor of it. Ms. Allen stated she lived directly behind the school. The neighborhood was intended to be rural, but with all the development that had been allowed, it was not.

Monique Buchanan, 3820 Fisher Avenue, North Las Vegas said she bought her home three years ago, because it was in the preserve. There was now a school which had been in operation without the proper permit for two and a half years. She did not think the school should be allowed to continue as it should not have been in that location at all. It created noise and brought down property value. She pointed out each child was equivalent to a car to transport them to and from the school. It was a very small community that had streets with two lanes and no curbs or sidewalks. She felt the additional traffic created a hazard to a licensed day care in the neighborhood. In addition, the lights of the church were on late at night. There were already two elementary schools in the neighborhood. She felt the residents had the right to choose what was allowed in the preserve.

Denise Johnson, 3713 Fisher Avenue, North Las Vegas also lived in the neighborhood. She displayed a map of the preservation area. It was the only preservation area in the City. Though she also acknowledged the value of the church and school, it was not supposed to be in its current location, and it was not properly licensed. The two year allowance to become licensed had expired. She also felt the school did not directly benefit the residents, who she said had discretion to decide what was allowed in the preservation area. She also stated the residents were not informed about this Public Hearing.

Walter J. Stoklosa, 3802 Fisher Avenue, North Las Vegas stated the church was not at the site when he bought his home. He stated there were eight or nine schools within a

three mile radius. The church and school created an overload of traffic in the refuge. The parishioners and students were not members of the community.

Walter D. Stoklosa, 3909 and 3915 Hammer Lane, North Las Vegas owned two homes in the neighborhood. While he did not disapprove of the school, he felt it was not the right location for it. He also mentioned the school did not have the required permit.

Glenn Hosey, 3821 Fisher Avenue, North Las Vegas approved of the church, but felt the school brought too much traffic to the neighborhood. All the roads around the school were two lane roads. There were two other schools in the neighborhood, a police substation, a fire department, a park and potential for another school, as the Clark County School District owned some of the land. The traffic overwhelmed the neighborhood. Mr. Hosey submitted a letter from another resident who agreed, but was unable to attend the meeting.

Mayor Montandon stated he had many more cards from people who supported the school. Mr. Gronauer had a petition signed by 163 people who supported the school. Mr. Gronauer stated the school was licensed by the state as an exempt private school, but the question before Council was a land use issue. It was a request for a Special Use Permit which had inadvertently been overlooked previously. The church was on the corner of Washburn Road and Allen Lane and was surrounded by 80 foot rights of way, which acted as buffers. Because it was on a major corner, Mr. Gronauer felt the traffic did not affect the internal residential area. Mr. Sclafani was willing to continue the item to allow more time to communicate and work with the neighbors.

Mayor Montandon stated churches, schools, municipal facilities and parks had always been approved as compatible uses in a Ranch Estates preservation area. He supported the school.

Pastor Sclafani said the church closing time on Sunday nights was changed from 11:00 P.M. to 9:00 P.M., and a light bulb that disturbed a neighbor was removed. The only other night the church was open was Wednesday until 9:00 P.M. Daytime hours were 7:30 A.M. to 3:00 P.M. Tuesday through Friday. He added some of the church members did live in the neighborhood.

Councilwoman Buck thought much of the school traffic was actually from the other two schools in the neighborhood and should be addressed with the Clark County School District. Councilwoman Buck stated she understood the residents' feelings. However, she did not believe the omission of the applicable City permit was intentional. She felt students of the school received an exceptional faith-based academic education. She supported the school, but wanted the facility to be considerate of its neighbors.

Mayor Pro Tempore Robinson believed the residents had been notified when the church was proposed. He encouraged the facility to respect its neighbors and attempt to come to

a happy medium for everyone. The residents of the neighborhood expected to have a sanctuary when they bought their homes. He supported the school and encouraged additional neighborhood meetings for the residents and the school to work together.

Councilwoman Smith also supported the school, although she understood the residents' frustration. She believed the neighbors were not even aware of the school until there was a fire inspection. She believed most of the disturbances were due to the elementary schools in the neighborhood. She did not believe there was evidence that this school was responsible for the problems. Therefore, she did not think closing the school solved the problems.

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, THIS DEVELOPMENT SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES.
2. THE DEVELOPMENT SHALL COMPLY WITH THE CONDITIONS OF APPROVAL FOR UN-17-03.
3. MAXIMUM NUMBER OF STUDENTS SHALL BE DETERMINED BY THE CODE ANALYSIS REVIEWED AND APPROVED BY THE BUILDING DEPARTMENT AND THE FIRE DEPARTMENT.
4. THE APPLICANT SHALL SUBMIT A TRAFFIC STUDY UPDATE FOR REVIEW AND APPROVAL.
5. BUILDING PLANS, INCLUDING A COMPLETE CODE ANALYSIS SHALL BE SUBMITTED TO THE PERMIT APPLICATION CENTER FOR THE CITY OF NORTH LAS VEGAS DEMONSTRATING COMPLIANCE WITH A GROUP E OCCUPANCY CLASSIFICATION.

MOTION: Councilwoman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

Mayor Montandon called a recess at 7:53 P.M. The meeting reconvened at 8:00 P.M.

City Manager Rose stated Items No. 2 and 3 would be heard together.

2. **AMP-05-08 (PARK HIGHLANDS); AN APPLICATION SUBMITTED BY BCO GAMING LLC, ON BEHALF OF NOVEMBER 2005 LAND INVESTORS, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS TO REALIGN COLLETTE STREET AND SEVERANCE LANE ON PROPERTY LOCATED NORTH OF THE 215 BELTWAY AND WEST OF LOSEE ROAD. (CONTINUED JULY 2, 2008) (ASSOCIATED ITEMS NO. 3, GED-02-08, NO. 56, ORDINANCE NO. 2457, NO. 57, ORDINANCE NO. 2458, NO 58, ORDINANCE NO. 2459, NO. 59, ORDINANCE NO. 2460, NO. 60, ORDINANCE NO. 2461 AND NO. 61, ORDINANCE NO. 2462)**

ACTION: CONTINUED TO NOVEMBER 5, 2008

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

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

NAYS: Councilman Eliason

ABSTAIN: None

3. **GED-02-08 (PARK HIGHLANDS); AN APPLICATION SUBMITTED BY BCO GAMING LLC, ON BEHALF OF NOVEMBER 2005 LAND INVESTORS, LLC, PROPERTY OWNER, FOR A PETITION TO ALLOW A GAMING ENTERPRISE DISTRICT IN A PROPOSED PUD/MPC PLANNED UNIT DEVELOPMENT DISTRICT/MASTER PLANNED COMMUNITY ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF LOSEE ROAD AND THE 215 BELTWAY. (CONTINUED JULY 2, 2008) (ASSOCIATED ITEMS NO. 2, AMP-05-08, NO. 56, ORDINANCE NO. 2457, NO. 57, ORDINANCE NO. 2458, NO. 58, ORDINANCE NO. 2459, NO. 59, ORDINANCE NO. 2460, NO. 60, ORDINANCE NO. 2461 AND NO. 61, ORDINANCE NO. 2462)**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Fiori explained the Items referred to the Park Highlands master planned community. Collette Street and Severance Lane needed to be realigned as a result of previously approved changes in boundaries. The applicant requested zone changes for undeveloped land which was zoned as General Commercial, as well as land within the master planned community, which required the adjustment of boundaries to establish a new Gaming Enterprise District (GED). Staff and the Planning Commission

recommended approval.

Bob Gronauer, Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, Las Vegas represented the Olympia Group and Boyd Gaming. He stated Park Highlands was the largest master planned community in the City of North Las Vegas. He explained the Olympia Group teamed up with Boyd Gaming to move an already-approved gaming site from Centennial Parkway and Lamb Boulevard to a new location on the corner of Losee Road and the 215 Beltway. The request was not for an additional casino; rather it was to move an approved casino site from a residential neighborhood to a Master Planned Community. The applicants held neighborhood meetings, meetings with homeowners' associations and mailed notices to provide information to residents. All the feedback the applicants received at the neighborhood meetings and again at the Planning Commission Meeting was positive. However, at this time it came to light that some residents incorrectly thought the request was for an additional casino. Mr. Gronauer requested a continuance so the applicants had time to inform the residents who had concerns. Mayor Montandon agreed with the need for a continuance as the City performed further assessments of the impacts of a casino in the community. However, he wanted to give the residents in attendance and Councilmembers the opportunity to speak.

Terri Washburn, 6034 Cape Clairmont Court, North Las Vegas said she had been asked to sign a petition, but there were no other attempts to inform her or obtain her opinion. She asked Council to require the developers to put in infrastructure. She mentioned the City's high sewer fees. Mayor Montandon stated the sewer fees were high because they were not controlled by the City. Ms. Washburn felt the casino should contribute to the fees. She wanted a family atmosphere, and said Boyd Gaming provided family activities. She supported a casino for local residents.

Kelly Cooper, (no address given) submitted a petition opposing casino growth in neighborhoods, signed by 5,800 community members. The signatures were gathered with the help of Northwest Residents for Responsible Growth. Ms. Cooper pointed out no elected official in the City's recent history had obtained 5,800 votes. Ms. Cooper and the people she represented via the petition did not want North Las Vegas to become a casino corridor, and said Council had previously stated that would not happen. She wanted the community to be family friendly and not casino oriented.

Councilwoman Smith mentioned she had been outside a store and someone approached her to ask her to sign a petition against casinos. The person had told her she should sign it whether or not she was a North Las Vegas resident. Ms. Cooper said to her knowledge, the signatures were obtained were from neighborhood residents at their homes and local stores, and had been acquired ethically.

Stan Washington, 4299 Lucas Avenue, Las Vegas stated he spoke before Council when the item was continued. He wanted the City to help promote the arts and a community

college, not casinos. He also stated he had not been contacted to discuss the casino even though he had requested a meeting. Mayor Montandon said the City supported the arts, but that was not the topic of the discussion.

Paul Versailles, 3224 Black Jade Avenue, North Las Vegas supported the relocation of the casino from a residential neighborhood to a commercial area. If the change in location was approved, the new location was larger, which gave the casino the opportunity to add more restaurants, theaters and other family oriented attractions. In addition, the community benefitted from the tax revenues and additional employment opportunities. Mr. Versailles said he was disappointed there was another delay. The casino was already approved and the only question was the location.

Carol Beyer, 540 Roberta Alecia Avenue, North Las Vegas agreed with Mr. Versailles. She said she had received phone calls at home from people telling her to vote against casinos. She did not think people understood the casino was already approved, the question was not whether or not to add another one. She agreed the new, larger location allowed the casino to offer many amenities that were attractive to local residents.

Gary Manuel, 3229 Black Jade Avenue, North Las Vegas supported the relocation of the casino because he felt the new location positively impacted the community in many ways. The developers helped improve the community. He also thought people were under the impression a new casino was being considered, instead of the relocation of an approved casino. The new location was better and was closer to freeways.

John Beyer, 540 Roberta Alecia Avenue, North Las Vegas, agreed with the last three speakers.

Gay Schoaff, 5022 Midnight Breeze Street, North Las Vegas was in favor of the change in location as well as the additional jobs and revenues it brought to the City. She complained she received numerous phone calls from people who did not want the casino.

Lisa Mayo-DeRiso, 8322 Jeeves Circle, Las Vegas stated she was a co-founder of Northwest Residents for Responsible Growth. She was also a business developer. She hoped the City's economy became diversified and did not rely so much on gaming. In 1997 the casinos in existence were grand-fathered in. Since then, there were seven additional proposed casinos, two of which had not gone forward. She hoped the City researched not only the fiscal impacts but also the social impacts of casinos. She thought the acreage for the casino could be better utilized for other purposes. She felt the City had land that could be used for "green" industries, which eventually paid for themselves and did not negatively impact citizens. She felt there were already enough casinos and requested the City research other uses for the land as well as the social costs of gaming. Ms. Mayo-DeRiso also stated she had not been contacted to talk about the issues and felt she had insight and research data to share.

Several other people in attendance stated they were in favor of the applications. Mayor Montandon said he appreciated the public participation. He directed Staff to perform broad analyses of economic and social impacts, saturation levels and business diversity.

Councilwoman Buck requested a 90-day continuance to allow adequate time for comprehensive studies. She added Council had asked for the studies previously. Councilwoman Buck also wanted an assessment of the costs and demands on City resources, such as the Police and Fire Departments and infrastructure.

Mayor Pro Tempore Robinson encouraged people who were against the applications to participate at the next meeting. Mr. Gronauer offered to gather contact information from residents who wished to discuss the issues with the applicants.

Mayor Montandon noted the studies would be done by sources not affiliated with the City. Mayor Montandon stated all of the associated items were also continued for 90 days. He said he supported the continuance because he wanted to see the results of the studies to ascertain the impacts on the City.

Mayor Montandon closed the Public Hearing.

ACTION: CONTINUED TO NOVEMBER 5, 2008

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

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

NAYS: Councilman Eliason

ABSTAIN: None

5. **AMP-06-08 (SPEEDWAY AMENDMENT); AN APPLICATION SUBMITTED BY NEVADA POWER COMPANY FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, TRANSMISSION LINE AND SUBSTATION PLAN, TO IDENTIFY FUTURE INFRASTRUCTURE TO MEET ELECTRICAL DEMANDS ON PROPOSED AREA BOUNDED BY HOLLYWOOD BOULEVARD TO THE EAST, CENTENNIAL PARKWAY TO THE NORTH, LINN LANE TO THE WEST AND ANN ROAD TO THE SOUTH. (ASSOCIATED ITEM NO. 55, ORDINANCE NO. 2475)**

ACTION: CONTINUED TO AUGUST 20, 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

6. APPROVAL OF SPECIAL CITY COUNCIL MEETING MINUTES OF MAY 20, 2008.

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 REGULAR CITY COUNCIL MEETING MINUTES OF MAY 21, 2008.

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 SPECIAL CITY COUNCIL MEETING MINUTES OF MAY 27, 2008.

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. APPROVAL OF SPECIAL CITY COUNCIL MEETING MINUTES OF JUNE 4, 2008.

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

10. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF JUNE 4, 2008.

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 OF AN APPLICATION FOR ROBERT DEAN BELMONT AS KEY EMPLOYEE FOR THE FULL LIQUOR ON-SALE BUSINESS LICENSE FOR BRIAD RESTAURANT GROUP, L.L.C., DBA TGI FRIDAY'S, 7300 ALIANTE PARKWAY, NORTH LAS VEGAS, NEVADA, 89084.

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. APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR LARRY LAMONT BONNER AND MYISHA NAKECH BONNER, DBA CHERUBIMS FAMILY CHILD CARE, 6544 CHEBEC STREET, NORTH LAS VEGAS, NEVADA, 89084 PENDING VERIFICATION OF SOUTHERN NEVADA HEALTH DISTRICT APPROVAL.

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

13. APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR MIESHA L. EARLEY, DBA LADY BUGS CHILDCARE, 839 ASTRO COURT, 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

14. APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR KARLA M. GUTIERREZ, DBA THE TREEHOUSE CHILD CARE, 2309 DALTON RIDGE COURT, NORTH LAS VEGAS, NEVADA, 89031 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

15. APPROVAL OF AN APPLICATION FOR A COMMERCIAL NURSERY BUSINESS LICENSE FOR KIDS CAMPUS, LLC, DBA KIDS CAMPUS LEARNING CENTER, 3901 NORTH MARTIN L. KING BOULEVARD, NORTH LAS VEGAS, NEVADA, 89032 PENDING VERIFICATION OF 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

16. APPROVAL OF AN APPLICATION FOR A COMMERCIAL NURSERY BUSINESS LICENSE FOR KIDS CAMPUS, LLC, DBA KIDS CAMPUS LEARNING CENTER III, 5730 SIMMONS STREET, NORTH LAS VEGAS, NEVADA, 89031 PENDING VERIFICATION OF 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

17. APPROVAL OF AN APPLICATION FOR A COMMERCIAL NURSERY BUSINESS LICENSE FOR MARCIA G. FREDRICKSON, DBA MARCIA'S CHILD CARE CENTER, 2016 EAST CAREY AVENUE, NORTH LAS VEGAS, NEVADA, 89030 PENDING VERIFICATION OF 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

18. APPROVAL OF AN APPLICATION FOR A COMMERCIAL NURSERY BUSINESS LICENSE FOR MINI-SKOOL EARLY LEARNING CENTERS INC., DBA MINI-SKOOL EARLY LEARNING CENTER, 720 RANCHO DEL NORTE, NORTH LAS VEGAS, NEVADA, 89031 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

19. APPROVAL OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT FROM B & H CONSTRUCTION FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT CAREY AVENUE & MARTIN L. KING BOULEVARD IN THE AMOUNT OF 1% OF THE TOTAL COST OR \$3,316 FOR THE NORTH LAS VEGAS JUSTICE COURT EXPANSION LOCATED ON THE NORTHEAST CORNER OF CAREY AVENUE & MARTIN L. KING BOULEVARD.

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

20. **APPROVAL OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT FROM ORIGIN PROPERTIES FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT CHEYENNE AVENUE & ALLEN LANE IN THE AMOUNT OF 1.5% OF THE TOTAL COST OR \$2,298; AND GOWAN ROAD & MARTIN L. KING BOULEVARD IN THE AMOUNT OF 1% OF THE TOTAL COST OR \$3,280 FOR THE COLTON/ALLEN RESIDENTIAL SUBDIVISION LOCATED ON THE NORTHWEST CORNER OF COLTON AVENUE & ALLEN LANE.**

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

21. **ACCEPTANCE OF THE AS-BUILT CHANGE ORDER AND FINAL ACCEPTANCE OF THE ARTERIAL INCIDENT AND EVENT MANAGEMENT SYSTEM PROJECT, BID NUMBER 1201 FOR MAINTENANCE AND AUTHORIZE THE FILING OF THE NOTICE OF COMPLETION. (CNLV CONTRACT NO. C-6183)**

ACTION: 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

22. **FINAL ACCEPTANCE OF THE ALEXANDER ROAD IMPROVEMENTS PROJECT, BID NUMBER 1293 FOR MAINTENANCE AND AUTHORIZE THE FILING OF THE NOTICE OF COMPLETION. (CNLV CONTRACT NO. C-6687)**

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

23. APPROVAL OF THE FIRST SUPPLEMENTAL INTERLOCAL CONTRACT WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA WHICH WILL DECREASE FUNDING TO AN AMOUNT NOT TO EXCEED \$200,000 FOR THE OFFSITE IMPROVEMENTS ADJACENT TO REGIONAL FLOOD CONTROL DISTRICT DETENTION BASIN PROJECTS, FISCAL YEAR 2005-2006 PROJECT. (CNLV CONTRACT NO. C-6206)

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 THE SECOND SUPPLEMENTAL INTERLOCAL CONTRACT WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA WHICH WILL INCREASE FUNDING TO AN AMOUNT NOT TO EXCEED \$1,300,000 FOR THE OFFSITE IMPROVEMENTS ADJACENT TO REGIONAL FLOOD CONTROL DISTRICT DETENTION BASIN PROJECTS, FISCAL YEAR 2007-2008 PROJECT. (CNLV CONTRACT NO. C-6686)

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 THE THIRD SUPPLEMENTAL INTERLOCAL CONTRACT WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA WHICH WILL INCREASE FUNDING TO AN AMOUNT NOT TO EXCEED \$1,330,000 FOR THE OFFSITE IMPROVEMENTS ADJACENT TO REGIONAL FLOOD CONTROL DISTRICT DETENTION BASIN PROJECTS, FISCAL YEAR 2007-2008 PROJECT. (CNLV CONTRACT NO. C-6686)

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 SUPPLEMENTAL INTERLOCAL CONTRACT WITH THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT WHICH WILL INCREASE FUNDING TO AN AMOUNT NOT TO EXCEED \$759,141 FOR DESIGN ENGINEERING AND A SECTION 14 ENVIRONMENTAL ASSESSMENT FOR THE COLTON CHANNEL PROJECT. (CNLV CONTRACT NO. C-6665)

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. APPROVAL OF AN INTERLOCAL AGREEMENT WITH THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT, CLARK COUNTY, CITY OF LAS VEGAS AND THE CLARK COUNTY DEPARTMENT OF AIR QUALITY AND ENVIRONMENTAL MANAGEMENT IN AN AMOUNT NOT TO EXCEED \$40,000 FUNDED BY THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT TO MANAGE STORMWATER INSPECTIONS OF CONSTRUCTION SITES WITHIN THE LAS VEGAS VALLEY OF CLARK COUNTY, NEVADA (EXCLUDING THE CORPORATE BOUNDARIES OF HENDERSON).

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

BUSINESS

28. **APPROVAL OF AN AGREEMENT WITH LIONEL, SAWYER & COLLINS IN AN AMOUNT NOT TO EXCEED \$78,000 FOR LOCAL CONSULTANT LOBBYIST FOR LEGISLATIVE CONSULTATION DURING THE 2008-2009 INTERIM AND REGULAR SESSION OF THE NEVADA STATE LEGISLATURE. (CNLV CONTRACT NO. C-6860)**

Mayor Pro Tempore Robinson asked why two consultants were needed, one for Item No. 28 and one for Item No. 29. City Manager Rose explained there were many Bills considered during the Legislative Session and the City needed to devote more time and presence than the last session. There was a need for two consultants because with the large number of Bills, one person might not be as strong on some of the topics as another person might be.

ACTION: APPROVED

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

29. **APPROVAL OF AN AGREEMENT WITH FOSTER CONSULTING IN AN AMOUNT NOT TO EXCEED \$72,000 FOR LOCAL CONSULTANT LOBBYIST FOR LEGISLATIVE CONSULTATION DURING THE 2008-2009 INTERIM AND REGULAR SESSION OF THE NEVADA STATE LEGISLATURE. (CNLV CONTRACT NO. C-6869)**

ACTION: APPROVED

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

30. DISCUSSION, POSSIBLE AMENDMENTS AND APPROVAL OF CITY MANAGER GREGORY E. ROSE'S CONTRACT AS A RESULT OF THE ANNUAL PERFORMANCE REVIEW. (CNLV CONTRACT NO. C-5526)

City Manager Rose stated the theme of North Las Vegas as a great city had been developed last year. The program had been redesigned and while the City had made great progress in providing and developing services, there was still much to be done. City Manager Rose said he had been the City Manager for five years. At the commencement of his service he had committed to focus on three areas: establishing a clear vision for the City, providing strong leadership to the organization and the community, and monitoring the City's performance. He had consistently focused on those areas. He noted this was the last time he was before the City Council in its current form for his review. Mayor Pro Tempore Robinson asked if City Manager Rose intended to request a salary increase. City Manager Rose replied due to the current economy, he did not intend to request a merit increase, nor would he accept one if offered. City Manager Rose explained the City's performance measure was conducted in house and was paid by a grant.

City Manager Rose requested language in his contract be corrected to reflect decisions made by Council on the prior amendment to the contract. He proposed his future performance reviews take place semi-annually instead of annually, as his was the only evaluation performed annually, and he asked for Council's assessment of his performance.

Councilwoman Buck praised City Manager Rose and said he was far superior to the City's previous City Managers. He was highly respected throughout the entire Las Vegas Valley. He had lowered the City's tax rate, helped the government run more efficiently, and was a superb leader. He was an excellent moderator who possessed superior skills in bringing people together for satisfactory resolutions of disagreements. She felt due to the City Manager, the City was financially sound and was lead by an excellent team which he had assembled. He was honest and hardworking. She knew he often worked on weekends. She supported approval of the City Manager's requests.

Mayor Montandon stated he shared Councilwoman Buck's sentiments and stated City Manager Rose was an excellent City Manager. However, as this was the last time this Council had the opportunity to evaluate the City Manager, he thought the next review should be in one year in order for the new City Councilmembers to have the opportunity to see how excellent his performance was.

Mayor Pro Tempore Robinson did not support semi-annual performance reviews. He stated he was not completely satisfied with issues in Wards One and Two. City Manager Rose and Mayor Montandon asked what the issues were, but Mayor Pro Tempore Robinson insisted the reasons were known.

Councilwoman Smith thought the City was fortunate to have City Manager Rose's services. He had skillfully guided the use of the City's finances and the City was financially sound. He set an excellent example of leadership and hard work. He was a strong leader who afforded the City stability. She felt the new Council should have the opportunity to review City Manager Rose's accomplishments, and then they could decide whether or not to perform semi-annual reviews thereafter.

Councilman Eliason agreed with Mayor Pro Tempore Robinson. He did not approve of semi-annual reviews and was not satisfied with issues in Wards One and Two. For example, he said the complaints about the swap meet had come up before, yet the conditions still existed. City Manager Rose responded significant funding and resources had been allocated to the problem areas and indeed significant progress had been made, as was supported by citizens' surveys. The problems at the swap meet were addressed, street sweeping and clean-up of the area had been increased, but the nature of the business conducted at the swap meet made it a recurring problem. Efforts would be increased. Part of the problem was only one side of the swap meet area was within the City's jurisdiction. City Manager Rose stated while more efforts were needed, during his service he had made recommendations to assign a great deal of the City's funding to Economic Development and the Redevelopment Agency for the troubled areas. Also due to his recommendations, services had improved, the City had revenues in reserves and there was a vision for the downtown area. Mayor Montandon pointed out prior to City Manager Rose's recommendations, there was no money allotted to any of those areas. City Manager Rose stated no employee's review should be based solely on one factor. He had a multitude of issues and residents to attend to, but he could only carry out Council's direction. He followed the exact specifications of City Council decisions and could not take direction from individual Councilmembers if it conflicted with Council's direction.

Councilwoman Smith agreed the overwhelming majority of City funds were allocated to Wards One and Two. However, she felt the Councilmembers should consider the needs and best interests of the entire City and not just their own individual wards. Many of the needs were overwhelming and did not have quick solutions. Some problems took years to eradicate. The City could only do so much, people had to help on an individual and community level to stop doing things such as leaving trash in the streets.

City Attorney Torrence explained if she reviewed the contract as to the correct language, Council could direct the Mayor to sign the contract without it having to go before Council again.

ACTION: APPROVED; AUTHORIZED MAYOR TO SIGN CONTRACT IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE

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

31. SPR-17-07 (DIAMOND CREEK ESTATES); AN APPLICATION SUBMITTED BY AMERICAN PREMIERE HOMES ON BEHALF OF DIAMOND CREEK ESTATES, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A PREVIOUSLY APPROVED SITE PLAN REVIEW IN AN R-4 HIGH DENSITY RESIDENTIAL DISTRICT CONSISTING OF 470 MULTI-FAMILY UNITS ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF NORTH 5TH STREET AND ROME BOULEVARD.

Planning and Zoning Director Fiori stated the applicant needed more time to complete offsite improvements that were required by the City. Staff and the Planning Commission recommended approval.

ACTION: ONE YEAR EXTENSION OF TIME APPROVED

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

32. APPROVAL OF AN APPLICATION FOR BEER-WINE-SPIRIT-BASED PRODUCTS ON-SALE BUSINESS LICENSE FOR GALAXY THEATERS, LLC, DBA GALAXY CANNERY, 2121 EAST CRAIG ROAD, NORTH LAS VEGAS, NEVADA, 89030 PENDING VERIFICATION OF SOUTHERN NEVADA HEALTH DISTRICT APPROVAL.

Councilwoman Buck asked about the circumstances under which alcohol would be sold at the theater. Rita Carr, representative of the theater, explained there were extra security and staff. Proof of age was checked at the box office and again at the door of the movie theaters. Patrons who purchased alcohol were given wrist bands. At present, alcohol was sold during Monday Night Football. The current application expanded the sale of alcohol to other specific theaters. Ray Cohen, also representing the theater, said the application was for the sale of alcohol for a limited number of theaters. Alcohol was purchased in a separate area where proof of age was required and a wrist band was given. Mayor

Montandon specified alcohol could only be sold for theaters where there was a 21 and over age limit. Councilwoman Buck asked if this was a precedent. Mr. Cohen said there were theaters in Carson City and Laughlin where alcohol was sold. In Laughlin there were no restrictions. Mr. Cohen said in the Galaxy Cannery Theater, only beer and wine were sold and there was a limit of three drinks per person.

Councilwoman Smith stated she was strongly against approval of the application. The Cannery Casino was family-oriented. Mr. Cohen explained the purchase of alcohol was limited to a separate area. Once alcohol was purchased, patrons had to go directly into the two adult-only theaters. The entire area was roped off. Councilwoman Smith worried about people becoming impaired and then driving. She did not think it was a compatible use for a family movie theater.

ACTION: APPROVED FOR ADULTS ONLY

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmember Eliason

NAYS: Councilmembers Smith and Buck

ABSTAIN: None

33. APPROVAL OF AN APPLICATION FOR RITA CARR AS KEY EMPLOYEE FOR THE BEER-WINE-SPIRIT-BASED PRODUCTS ON-SALE BUSINESS LICENSE FOR GALAXY THEATERS, LLC, DBA GALAXY CANNERY, 2121 EAST CRAIG ROAD, NORTH LAS VEGAS, NEVADA, 89030.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmember Eliason

NAYS: Councilmembers Smith and Buck

ABSTAIN: None

34. DENIAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR JUST A TOUCH OF LOVE INC., DBA JUST A TOUCH OF LOVE CHILD CARE, 6063 SALSBURY COVE DRIVE, NORTH LAS VEGAS, NEVADA, 89081.

Business License Manager Lana Hammond explained the applicant had an extensive criminal record, which made her ineligible for a day nursery business license.

The applicant, Shonna McKnight, stated her offenses, many of which were dismissed, were at least ten years ago. One charge was denied, some were dismissed, and there were some which were only fines. She had no violations since, and was now a foster mother

and a mentor mom who worked with youth in the community. Her day care was for teenaged mothers. The children were cared for at the day nursery and the mothers were taken to work or school.

Mayor Montandon explained whenever there was a criminal record, Council had to evaluate the situation. For one of the offenses, the applicant served nine months in jail. Ms. McKnight stated the charge was later dismissed.

Mayor Montandon explained under state law, Ms. McKnight could either be licensed as a foster parent or a day nursery, not both. Ms. McKnight confirmed she intended to move forward with the day nursery business.

Councilwoman Smith said she believed in second chances. She asked Ms. McKnight what inspired her to change. Ms. McKnight said she was young when the offenses occurred, now she was older, she had two sons and was now a minister. Most of the offenses were a result of one offense, and she had changed. Councilwoman Smith suggested Ms. McKnight might want to change the name of the day care.

Mayor Pro Tempore Robinson noted Ms. McKnight had not had any offenses during the last ten years, she had no charges in Nevada and she was licensed as a foster mother. Therefore, he supported approval of her day care license. Councilman Eliason suggested a one year review as a condition of the approval.

Councilwoman Buck asked if it was appropriate to add another condition requiring Ms. McKnight to disclose her criminal background to parents who used the day care. City Attorney Torrence said that was not advised as the City could not enforce whether she adhered to the condition.

ACTION: LICENSE APPROVED WITH REVIEW IN ONE YEAR

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: Councilwoman Buck

ABSTAIN: None

35. AWARD OF BID NUMBER 1309 AND APPROVAL OF A CONSTRUCTION CONTRACT WITH HARDY CONSTRUCTION, INC., IN THE AMOUNT OF \$3,259,559 FOR THE PETITTI PARK RENOVATION IMPROVEMENTS PROJECT. (CNLV CONTRACT NO. C-6861)

ACTION: BID AWARDED; CONTRACT 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

36. APPROVAL OF A FACILITIES RELOCATION AGREEMENT WITH NEVADA POWER COMPANY IN THE AMOUNT OF \$356,227 FOR THE NORTH 5TH STREET PHASE I IMPROVEMENTS PROJECT. (CNLV CONTRACT NO. C-6864)

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

37. ACCEPTANCE OF PETITION FOR ANNEXATION (ANNEXATION NO. 143) SUBMITTED BY MENDENHALL FAMILY TRUST, APEX 53.03 LLC, 5 ALIVE LLC, DOUGLAS R. & DAWN MARIE SINCLAIR, LYNN LOUIS & CYNTHIA A. HUTCHINS, OTH-2003 APEX INDUSTRIAL #28, OTH-2003 APEX INDUSTRIAL #29, NOSNIKRAP APEX TRUST AND MELDRUM FAMILY TRUST TO ANNEX VARIOUS CLARK COUNTY ASSESSOR'S PARCEL NUMBERS IN THE APEX INDUSTRIAL PARK, PHASE 7, GENERALLY LOCATED SOUTHWEST OF THE U.S. HIGHWAY 93/GRAND VALLEY PARKWAY INTERSECTION. (ASSOCIATED ITEM NO. 51, ORDINANCE NO. 2471)

ACTION: PETITIONS ACCEPTED

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

38. ACCEPTANCE OF PETITIONS FOR ANNEXATION (ANNEXATION NO. 144) SUBMITTED BY HEIDISUE LLC, TO ANNEX CLARK COUNTY ASSESSOR'S PARCEL NUMBER 123-34-101-003 GENERALLY LOCATED ALONG THE SOUTH SIDE OF ANN ROAD, EAST OF SLOAN LANE. (ASSOCIATED ITEM NO. 52, ORDINANCE NO. 2472)

ACTION: PETITIONS ACCEPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

39. AWARD OF BID NUMBER 1312 AND APPROVAL OF A CONSTRUCTION CONTRACT WITH SOUTHWEST IRON WORKS, LLC, IN THE AMOUNT OF \$206,846 FOR THE 20TH YEAR TRAFFIC CAPACITY & SAFETY IMPROVEMENTS WHICH CONSISTS OF MODIFYING THE EXISTING MEDIAN ISLANDS ON THE NORTH AND SOUTH LEGS OF DECATUR BOULEVARD AND CRAIG ROAD TO ACCOMMODATE DUAL LEFT TURN LANES. (CNLV CONTRACT NO. C-6865)

Councilwoman Smith left Chambers at 9:30 P.M.

ACTION: BID AWARDED; CONTRACT APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSENT: Councilwoman Smith

ABSTAIN: None

Councilwoman Smith returned to Chambers at 9:31 P.M.

40. APPROVAL OF A PROFESSIONAL ARCHITECTURAL SERVICES AGREEMENT WITH DEKKER/PERICH/ SABATINI, LTD., IN THE AMOUNT OF \$1,320,033 FROM GENERAL OBLIGATION BONDS FOR DESIGN OF THE DOWNTOWN AREA COMMAND. (CNLV CONTRACT NO. C-6866)

ACTION: APPROVED

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

41. APPROVAL OF THE FIRST AMENDMENT TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH POGGEMEYER DESIGN GROUP, INC. FOR PROJECT SUBMITTAL REVIEW AND ACCEPTANCE WHICH WILL INCREASE THE NOT-TO-EXCEED AMOUNT TO \$500,000 FOR CONTINUED SERVICE FOR THE REMAINDER OF 2008. (CNLV CONTRACT NO. C-6608)

Councilwoman Buck disclosed her daughter worked for Poggemeyer Design Group, but that did not affect her vote or her daughter's job.

ACTION: APPROVED

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

42. APPROVAL OF THE SELECTION OF WHITING-TURNER CONTRACTING COMPANY AS THE CONSTRUCTION MANAGER AT RISK FOR THE NEW CITY HALL PROJECT AND AUTHORIZATION FOR THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT TO PROVIDE PRECONSTRUCTION SERVICES IN AN AMOUNT NOT TO EXCEED \$1,479,208.

Councilwoman Buck emphasized the desire to provide jobs for local residents. Paul Schmidt, vice president of Whiting-Turner Contracting said it was a local firm with 60 local salaried employees. They hired 40 to 120 local union employees and contracted with qualified local subcontractors.

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

43. APPROVAL OF THE 2008 LICENSE AND MAINTENANCE AGREEMENT WITH THE ELDORADO NEIGHBORHOOD SECOND HOMEOWNERS ASSOCIATION CLARIFYING RESPONSIBILITIES OF EACH ENTITY FOR THE PURPOSE OF STREET/MEDIAN ISLAND LANDSCAPING MAINTENANCE FUNCTIONS ALONG CAMINO ELDORADO, FROM TROPICAL PARKWAY TO CENTENNIAL PARKWAY. (CNLV CONTRACT NO. C-6867)

Parks and Recreation Director Mike Henley stated an amendment was needed to clarify that the Second Homeowners Association was not responsible for an area which was actually the responsibility of the First Homeowners Association.

ACTION: APPROVED AS AMENDED; AMENDMENT TO READ AS FOLLOWS:

APPROVAL OF THE 2008 LICENSE AND MAINTENANCE AGREEMENT WITH THE ELDORADO NEIGHBORHOOD SECOND HOMEOWNERS ASSOCIATION CLARIFYING RESPONSIBILITIES OF EACH ENTITY FOR THE PURPOSE OF STREET/MEDIAN ISLAND LANDSCAPING MAINTENANCE FUNCTIONS ALONG CAMINO ELDORADO, FROM 100 FEET NORTH OF DOVER GLEN DRIVE (EAST SIDE OF ROAD) AND 100 FEET SOUTH OF SINGING BIRD LANE INTERSECTION (WEST SIDE OF ROAD).

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

44. APPROVAL FOR THE SPECIAL EVENTS SECTION OF THE PARKS AND RECREATION DEPARTMENT TO SELL BEER AND WINE AT THE 2008 CITY-SPONSORED BALLOONAPALOOZA EVENT TO BE HELD SEPTEMBER 19-21, 2008 AT CRAIG RANCH REGIONAL PARK.

ACTION: APPROVED

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

45. APPROVAL TO ACCEPT A GRANT FROM THE STATE HISTORIC PRESERVATION OFFICE IN THE AMOUNT OF \$68,000; AND APPROVAL OF THE FUNDING AGREEMENT MEMORIALIZING THE TERMS OF THE GRANT WHICH WILL BE USED TO HIRE A STRUCTURAL ENGINEER TO PROVIDE SERVICES RELATED TO THE RESTORATION OF THE ADOBE STRUCTURE AT KIEL RANCH. (CNLV CONTRACT NO. C-6870)

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

46. RATIFICATION OF A GRANT APPLICATION SUBMITTED TO THE DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAM, BUREAU OF JUSTICE ASSISTANCE, UNDER THE FY2008 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT IN THE AMOUNT OF \$56,106 WHICH WILL BE USED FOR ACQUIRING VOICE STRESS ANALYSIS EQUIPMENT, "BAIT CAR" ELECTRONIC EQUIPMENT AND AN INVENTORY MANAGEMENT SYSTEM FOR THE POLICE DEPARTMENT.

ACTION: RATIFIED

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

47. ACCEPTANCE OF A GRANT AWARD FROM THE STATE OF NEVADA DEPARTMENT OF PUBLIC SAFETY, OFFICE OF TRAFFIC SAFETY, JOINING FORCES INCENTIVE AWARD 07, IN THE AMOUNT OF \$10,000, WHICH WILL BE USED TO PURCHASE GPS DEVICES FOR POLICE MOTORCYCLES.

ACTION: GRANT AWARD ACCEPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

48. APPROVAL OF A SEWER REFUNDING AGREEMENT WITH KG FOAM/ALEXANDER BELMONT, LLC IN AN AMOUNT NOT TO EXCEED \$12,620 FOR THE INSTALLATION OF 631 LINEAL FEET OF 8" SANITARY SEWER MAIN IN A 20 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE NORTHEASTERN PROPERTY LINE OF APN 139-12-103-003, ADJACENT TO ALEXANDER ROAD. (CNLV CONTRACT NO. C-6868)

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

49. AUTHORIZATION OF THE ALLOCATION OF HOME INVESTMENT PARTNERSHIPS FUNDS IN THE AMOUNT OF \$1,000,000 FOR THE CONTINUED ADMINISTRATION OF THE HOMEBUYER ASSISTANCE PROGRAM.

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

50. RESOLUTION NO. 2405; A RESOLUTION CREATING THE MCCOOL AIRFIELD ADVISORY COMMITTEE.

ACTION: PASSED AND ADOPTED AS AMENDED; AMENDED TO READ AS FOLLOWS:

SECTION 2. MEMBERSHIP AND TERM OF THE COMMITTEE: THE COMMITTEE SHALL BE COMPRISED OF SEVEN MEMBERS APPOINTED BY THE CITY COUNCIL. THREE COMMITTEE MEMBERS SHALL BE RESIDENTS OF THE AREA NEAR THE PARK; THREE COMMITTEE MEMBERS SHALL BE FLYERS; AND ONE COMMITTEE MEMBER SHALL BE A MEMBER OF THE PARKS AND RECREATION ADVISORY BOARD. MEMBERS SHALL SERVE FOR A TERM OF THREE YEARS.

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

ORDINANCES
INTRODUCTION ONLY

51. ORDINANCE NO. 2471 (ANNEXATION NO. 143); AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF NORTH LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO, AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES, AND REGULATIONS IN FORCE IN SAID CITY; OFFERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR AUGUST 20, 2008) (ASSOCIATED ITEM NO. 37, PETITION FOR ANNEXATION NO. 143)

Ordinance No. 2471 as introduced by the City Clerk:

ORDINANCE NO. 2471 (ANNEXATION NO. 143); AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF NORTH LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO, AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY

DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES, AND REGULATIONS IN FORCE IN SAID CITY; OFFERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR AUGUST 20, 2008) (ASSOCIATED ITEM NO. 37, PETITION FOR ANNEXATION NO. 143)

ACTION: FINAL ACTION SET FOR AUGUST 20, 2008

52. **ORDINANCE NO. 2472 (ANNEXATION NO. 144); AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF NORTH LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO, AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES, AND REGULATIONS IN FORCE IN SAID CITY; OFFERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR AUGUST 20, 2008) (ASSOCIATED ITEM NO. 38, PETITION FOR ANNEXATION NO. 144)**

Ordinance No. 2472 as introduced by the City Clerk:

ORDINANCE NO. 2472 (ANNEXATION NO. 144); AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF NORTH LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO, AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES, AND REGULATIONS IN FORCE IN SAID CITY; OFFERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR AUGUST 20, 2008) (ASSOCIATED ITEM NO. 38, PETITION FOR ANNEXATION NO. 144)

ACTION: FINAL ACTION SET FOR AUGUST 20, 2008

53. **ORDINANCE NO. 2473; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 2237, WHICH RECLASSIFIED COMMERCIAL LOFTS (ZN-97-05) TO A PUD, PLANNED UNIT DEVELOPMENT, TO ALLOW THE REMOVAL OF THE RESIDENTIAL COMPONENT FROM THE EXISTING PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND BY RENUMBERING, REMOVING, AMENDING, AND ADDING CONDITIONS, AS SET FORTH BELOW; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR AUGUST 20, 2008)**

Ordinance No. 2473 as introduced by the City Clerk:

ORDINANCE NO. 2473; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 2237, WHICH RECLASSIFIED COMMERCIAL LOFTS (ZN-97-05) TO A PUD, PLANNED UNIT DEVELOPMENT, TO ALLOW THE REMOVAL OF THE RESIDENTIAL COMPONENT FROM THE EXISTING PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND BY RENUMBERING, REMOVING, AMENDING, AND ADDING CONDITIONS, AS SET FORTH BELOW; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR AUGUST 20, 2008)

ACTION: FINAL ACTION SET FOR AUGUST 20, 2008

54. **ORDINANCE NO. 2474; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-07-08) BY AMENDING TITLE 17 (SECTIONS 17.20.210.F.3, 17.24.020.C AND 17.24.140.E.2) AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR AUGUST 20, 2008)**

Ordinance No. 2474 as introduced by the City Clerk:

ORDINANCE NO. 2474; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-07-08) BY AMENDING TITLE 17 (SECTIONS 17.20.210.F.3, 17.24.020.C AND 17.24.140.E.2) AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR AUGUST 20, 2008)

ACTION: FINAL ACTION SET FOR AUGUST 20, 2008

55. **ORDINANCE NO. 2475; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-06-08) BY AMENDING TITLE 17 (SECTIONS 17.20.010.B, 17.20.020.B, 17.20.030.B, 17.20.040.B, 17.20.050.B, 17.20.060.B, 17.20.070.B, 17.20.080.B, 17.20.085.B, 17.20.090.B, 17.20.100.B, 17.20.110.B, 17.20.120.B, AND 17.20.130.B) REGARDING THE PLACEMENT OF ELECTRICAL POWER TRANSMISSION POLES AND LINES, AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR AUGUST 20, 2008) (ASSOCIATED ITEM NO. 5, AMP-06-08)**

Ordinance No. 2475 as introduced by the City Clerk:

ORDINANCE NO. 2475; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-06-08) BY AMENDING TITLE 17 (SECTIONS 17.20.010.B, 17.20.020.B, 17.20.030.B, 17.20.040.B, 17.20.050.B, 17.20.060.B, 17.20.070.B, 17.20.080.B, 17.20.085.B, 17.20.090.B, 17.20.100.B, 17.20.110.B, 17.20.120.B, AND 17.20.130.B) REGARDING THE PLACEMENT OF ELECTRICAL POWER TRANSMISSION POLES AND LINES, AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR AUGUST 20, 2008) (ASSOCIATED ITEM NO. 5, AMP-06-08)

ACTION: FINAL ACTION SET FOR AUGUST 20, 2008

ORDINANCES
FINAL ACTION (con't)

56. **ORDINANCE NO. 2457; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE AND ORDINANCE NO. 2356 BY RECLASSIFYING APPROXIMATELY 68.4 ACRES OF THE 2,074 ACRE EAST PARCEL OF THE PARK HIGHLANDS MASTER PLANNED COMMUNITY FROM RZ 13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY AND C-2/MPC GENERAL COMMERCIAL DISTRICT/MASTER PLANNED COMMUNITY TO PUD/MPC PLANNED UNIT DEVELOPMENT DISTRICT/MASTER PLANNED COMMUNITY CONSISTENT WITH THE MAY 3, 2006 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF**

NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI INC., ORDINANCE NO. 2356 AND ORDINANCE NO. 2446 FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE 215 BELTWAY AND LOSEE ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED JULY 2, 2008) (ASSOCIATED ITEMS NO. 2, AMP-05-08, NO. 3, GED-02-08, NO. 57, ORDINANCE NO. 2458, NO. 58, ORDINANCE NO. 2459, NO. 59, ORDINANCE NO. 2460, NO. 60, ORDINANCE NO. 2461 AND NO. 61, ORDINANCE NO. 2462)

ACTION: CONTINUED TO NOVEMBER 5, 2008

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

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

NAYS: Councilman Eliason

ABSTAIN: None

57. **ORDINANCE NO. 2458; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE AND ORDINANCE NO. 2356 BY RECLASSIFYING APPROXIMATELY 51.8 ACRES OF THE 2,074 ACRE EAST PARCEL OF THE PARK HIGHLANDS MASTER PLANNED COMMUNITY FROM RZ 13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY, PSP/MPC PUBLIC/SEMI-PUBLIC DISTRICT/MASTER PLANNED COMMUNITY AND MUZ/MPC MIXED USE ZONE DISTRICT/MASTER PLANNED COMMUNITY TO C-2/MPC GENERAL COMMERCIAL DISTRICT/MASTER PLANNED COMMUNITY CONSISTENT WITH THE MAY 3, 2006 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI INC., ORDINANCE NO. 2356 AND ORDINANCE NO. 2446 FOR PROPERTY GENERALLY LOCATED WEST OF LOSEE ROAD AND APPROXIMATELY 1,850 FEET NORTH OF THE 215 BELTWAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED JULY 2, 2008) (ASSOCIATED ITEMS NO. 2, AMP-05-08, NO. 3, GED-02-08, NO. 56, ORDINANCE NO. 2457, NO. 58, ORDINANCE NO. 2459, NO. 59, ORDINANCE NO. 2460, NO. 60, ORDINANCE NO. 2461 AND NO. 61, ORDINANCE NO. 2462)**

ACTION: CONTINUED TO NOVEMBER 5, 2008

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

58. ORDINANCE NO. 2459; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE AND ORDINANCE NO. 2356 BY RECLASSIFYING APPROXIMATELY 3.7 ACRES OF THE 2,074 ACRE EAST PARCEL OF THE PARK HIGHLANDS MASTER PLANNED COMMUNITY FROM RZ 13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY AND MUZ/MPC MIXED USE ZONE DISTRICT/MASTER PLANNED COMMUNITY TO PSP/MPC PUBLIC/SEMI-PUBLIC DISTRICT/MASTER PLANNED COMMUNITY CONSISTENT WITH THE MAY 3, 2006 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI INC., ORDINANCE NO. 2356 AND ORDINANCE NO. 2446 FOR PROPERTY GENERALLY LOCATED NORTH OF THE 215 BELTWAY AND WEST OF LOSEE ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED JULY 2, 2008) (ASSOCIATED ITEMS NO. 2, AMP-05-08, NO. 3, GED-02-08, NO. 56, ORDINANCE NO. 2457, NO. 57, ORDINANCE NO. 2458, NO. 59, ORDINANCE NO. 2460, NO. 60, ORDINANCE NO. 2461 AND NO. 61, ORDINANCE NO. 2462)

ACTION: CONTINUED TO NOVEMBER 5, 2008

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

59. ORDINANCE NO. 2460; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE AND ORDINANCE NO. 2356 BY RECLASSIFYING APPROXIMATELY 4.3 ACRES OF THE 2,074 ACRE EAST PARCEL OF THE PARK HIGHLANDS MASTER PLANNED COMMUNITY FROM MUZ/MPC MIXED

USE ZONE DISTRICT/MASTER PLANNED COMMUNITY TO PSP/MPC PUBLIC/SEMI-PUBLIC DISTRICT/MASTER PLANNED COMMUNITY CONSISTENT WITH THE MAY 3, 2006 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI INC., ORDINANCE NO. 2356 AND ORDINANCE NO. 2446 FOR PROPERTY GENERALLY LOCATED NORTH OF THE 215 BELTWAY BETWEEN NORTH FIFTH STREET AND LOSEE ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED JULY 2, 2008) (ASSOCIATED ITEMS NO. 2, AMP-05-08, NO. 3, GED-02-08, NO. 56, ORDINANCE NO. 2457, NO. 57, ORDINANCE NO. 2458, NO. 58, ORDINANCE NO. 2459, NO. 60, ORDINANCE NO. 2461 AND NO. 61, ORDINANCE NO. 2462)

ACTION: CONTINUED TO NOVEMBER 5, 2008

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

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

NAYS: Councilman Eliason

ABSTAIN: None

60. ORDINANCE NO. 2461; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE AND ORDINANCE NO. 2403 BY RECLASSIFYING APPROXIMATELY 19.5 ACRES OF THE 2,074 ACRE EAST PARCEL OF THE PARK HIGHLANDS MASTER PLANNED COMMUNITY FROM RZ 6/MPC RESIDENTIAL ZONE UP TO 6 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY TO RZ 10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY CONSISTENT WITH THE MAY 3, 2006 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI INC., ORDINANCE NO. 2403 AND ORDINANCE NO. 2446 FOR PROPERTY GENERALLY LOCATED NORTH OF THE 215 BELTWAY BETWEEN NORTH FIFTH STREET AND LOSEE ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED JULY 2, 2008) (ASSOCIATED ITEMS NO. 2, AMP-05-08, NO. 3, GED-02-08, NO. 56, ORDINANCE NO. 2457, NO. 57, ORDINANCE NO. 2458, NO. 58, ORDINANCE NO. 2459, NO. 59, ORDINANCE NO. 2460 AND NO. 61, ORDINANCE NO. 2462)

ACTION: CONTINUED TO NOVEMBER 5, 2008

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

61. **ORDINANCE NO. 2462; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE AND ORDINANCE NO. 2356 BY RECLASSIFYING APPROXIMATELY 2.3 ACRES OF THE 2,074 ACRE EAST PARCEL OF THE PARK HIGHLANDS MASTER PLANNED COMMUNITY FROM RZ 13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY TO C-2/MPC GENERAL COMMERCIAL DISTRICT/MASTER PLANNED COMMUNITY CONSISTENT WITH THE MAY 3, 2006 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI INC., ORDINANCE NO. 2356 AND ORDINANCE NO. 2446 FOR PROPERTY GENERALLY LOCATED NORTH OF THE 215 BELTWAY AND APPROXIMATELY 950 FEET WEST OF LOSEE ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED JULY 2, 2008) (ASSOCIATED ITEMS NO. 2, AMP-05-08, NO. 3, GED-02-08, NO. 56, ORDINANCE NO. 2457, NO. 57, ORDINANCE NO. 2458, NO. 58, ORDINANCE NO. 2459, NO. 59, ORDINANCE NO. 2460 AND NO. 60, ORDINANCE NO. 2461)**

ACTION: CONTINUED TO NOVEMBER 5, 2008

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

63. **ORDINANCE NO. 2466; AN ORDINANCE REPEALING CHAPTER 42 OF TITLE 5 OF THE NORTH LAS VEGAS MUNICIPAL CODE ENTITLED "REGISTRATION OF CERTAIN EMPLOYEES" IDENTIFYING CERTAIN PERSONS REQUIRED TO**

OBTAIN WORK CARDS AND UNDERGO CRIMINAL BACKGROUND INVESTIGATION IN ORDER TO ENGAGE IN CERTAIN OCCUPATIONS AND TRADES AND ENACTING NEW REGULATIONS GOVERNING THE SAME ENTITLED "BACKGROUND INVESTIGATIONS/WORK CARDS REQUIRED FOR OPERATORS AND EMPLOYEES OF CERTAIN BUSINESSES", AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Ordinance No. 2466 as introduced by the City Manager:

ORDINANCE NO. 2466; AN ORDINANCE REPEALING CHAPTER 42 OF TITLE 5 OF THE NORTH LAS VEGAS MUNICIPAL CODE ENTITLED "REGISTRATION OF CERTAIN EMPLOYEES" IDENTIFYING CERTAIN PERSONS REQUIRED TO OBTAIN WORK CARDS AND UNDERGO CRIMINAL BACKGROUND INVESTIGATION IN ORDER TO ENGAGE IN CERTAIN OCCUPATIONS AND TRADES AND ENACTING NEW REGULATIONS GOVERNING THE SAME ENTITLED "BACKGROUND INVESTIGATIONS/WORK CARDS REQUIRED FOR OPERATORS AND EMPLOYEES OF CERTAIN BUSINESSES", AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Business License Manager Hammond stated the Item was a result of notification the City had received from the Department of Public Safety in November 2007 regarding changes in requirements for FBI background and fingerprint checks. The Ordinance also corrected inconsistencies in the work card requirements. In addition, work card requirements for employees and owners for on-premises alcohol locations were removed.

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

64. **ORDINANCE NO. 2467; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND PARDEE CONSTRUCTION COMPANY OF NEVADA RELATED TO THE MASTER PLANNED COMMUNITY KNOWN AS**

“ELDORADO” BY REMOVING THE R-3 MULTI-FAMILY ZONING FOR 21 ACRES LOCATED NEAR REVERE STREET AND CENTENNIAL PARKWAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Ordinance No. 2467 as introduced by the City Manager:

ORDINANCE NO. 2467; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND PARDEE CONSTRUCTION COMPANY OF NEVADA RELATED TO THE MASTER PLANNED COMMUNITY KNOWN AS “ELDORADO” BY REMOVING THE R-3 MULTI-FAMILY ZONING FOR 21 ACRES LOCATED NEAR REVERE STREET AND CENTENNIAL PARKWAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Planning and Zoning Director Fiori explained SPR-54-08 was approved by Council on April 2, 2008. As a condition of the approval, Pardee Construction Company was required to amend the development agreement and associated development plan, which Ordinance No. 2467 accomplished. Director Fiori stated approval of the Ordinance was recommended.

Phillip Young, (no address given), President of Eldorado Homeowners Association One, was unhappy about the changes to the original agreement from 1988 and did not approve of the way Pardee Construction had handled the situation. Mayor Montandon stated the amendment deleted some multi family residential zoning. Mr. Young objected to the fact that the plans kept changing and development was planned over a fault line.

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

65. **ORDINANCE NO. 2468; 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 41.48 ACRES THEREIN FROM AN O-L, OPEN LAND DISTRICT TO A PSP, PUBLIC/SEMI-PUBLIC DISTRICT (ZN-19-08, CITY OF NORTH LAS VEGAS) FOR**

PROPERTY LOCATED AT THE NORTHEAST CORNER OF CENTENNIAL PARKWAY AND STATZ STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Ordinance No. 2468 as introduced by the City Manager:

ORDINANCE NO. 2468; 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 41.48 ACRES THEREIN FROM AN O-L, OPEN LAND DISTRICT TO A PSP, PUBLIC/SEMI-PUBLIC DISTRICT (ZN-19-08, CITY OF NORTH LAS VEGAS) FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF CENTENNIAL PARKWAY AND STATZ STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

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

66. ORDINANCE NO. 2469; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 2388 MEADOWS HOSPITAL (ZN-34-97) A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A HOSPITAL, MEDICAL OFFICE BUILDINGS, SENIOR APARTMENTS, AND RELATED USES, AND BY RENUMBERING, AND AMENDING CONDITIONS, AS SET FORTH BELOW; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Ordinance No. 2469 as introduced by the City Manager:

ORDINANCE NO. 2469; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 2388 MEADOWS HOSPITAL (ZN-34-97) A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A HOSPITAL, MEDICAL OFFICE BUILDINGS, SENIOR APARTMENTS, AND RELATED USES, AND BY RENUMBERING, AND AMENDING CONDITIONS, AS SET FORTH BELOW; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Mayor Pro Tempore Robinson asked which of the items was to be built first, to which the applicant replied the medical office buildings.

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

67. **ORDINANCE NO. 2470 (ANNEXATION NO. 142); AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF NORTH LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO, AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES, AND REGULATIONS IN FORCE IN SAID CITY; OFFERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.**

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

APPOINTMENT

68. APPOINTMENT BY COUNCILWOMAN SMITH OF A TRUSTEE TO THE NORTH LAS VEGAS LIBRARY DISTRICT BOARD OF TRUSTEES TO FILL AN UNEXPIRED TERM ENDING JUNE 30, 2009.

ACTION: COUNCILWOMAN SMITH APPOINTED CATHY LYNCH

MOTION: Councilwoman Smith

SECOND: Councilwoman Buck

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

City Manager Gregory Rose thanked Staff for all their hard work.

PUBLIC FORUM

Terri Washburn, 6034 Cape Clairmont Court, North Las Vegas, was concerned about increased utility costs and the possible imposition of fees by Republic Services for the Sunset Landfill. Mayor Montandon said the City's contract with Republic Services was in effect for many years to come. The City of Henderson was in negotiation with Republic Services for remediation of a different landfill. Regarding the Sunset Landfill, Clark County had requested the Cities of Las Vegas and North Las Vegas to share in the cost of the liability, and the City was in the process of negotiating. Ms. Washburn also complained about the effects of the large amount of roadway and other construction.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 9:58 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: September 17, 2008

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

ATTEST:

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