

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

September 17, 2008

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

**CALL TO ORDER**

6:01 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 Rose	Information Technology Director Steve Chapin
Assistant City Manager Sam Chambers	Library Director Kathy Pennell
Assistant City Manager Maryann Ustick	Parks and Recreation Director Mike Henley
City Attorney Carie Torrence	Planning and Zoning Director Frank Fiori
City Clerk Karen L. Storms	Police Chief Joseph Forti
Economic Development Director Mike Majewski	Public Works Director Dr. Qiong Liu
Finance Director Phil Stoeckinger	Utilities Director David Bereskin
Fire Chief Al Gillespie	Senior Assistant to the City Manager Kenny Young
General Services and Communications Director Brenda Fischer	Assistant to the City Manager Michelle Bailey-Hedgepeth
Human Resources Director Joyce Lira	Planning and Zoning Manager Marc Jordan
	Assistant City Clerk Anita Sheldon

**VERIFICATION**

Karen L. Storms, CMC  
City Clerk

**INVOCATION**

Reverend Fouston Jordan  
Rivers of Living Water

**PLEDGE OF ALLEGIANCE**

Councilman Robert L. Eliason

**PUBLIC FORUM**

**Kim Leavitt, Recreation Supervisor for the Parks and Recreation Department,** reminded everyone about the BalloonaPalooza festival, September 19 to September 21, 2008 at Craig Ranch Regional Park, and stated the hours and some of the festivities.

**PRESENTATION**

- ★ **PRESENTATION OF AWARD PLAQUES TO CITY EMPLOYEE OF THE MONTH WINNERS FOR THE 1<sup>ST</sup> QUARTER OF FISCAL YEAR 2008-2009.**

ACTION: PRESENTATION OF PLAQUES TO THE FOLLOWING EMPLOYEE OF THE MONTH WINNERS: JO ANN LAWRENCE, PLANNING AND ZONING DEPARTMENT FOR THE MONTH OF JULY; JEFF BARR, CITY ATTORNEY'S OFFICE FOR THE MONTH OF AUGUST; AND MARIA HATHAWAY, PARKS AND RECREATION DEPARTMENT FOR THE MONTH OF SEPTEMBER

**PROCLAMATION**

- ★ **PROCLAMATION RECOGNIZING THE WEEK OF SEPTEMBER 17 TO SEPTEMBER 23, 2008 AS CONSTITUTION WEEK, MARKING THE 221<sup>ST</sup> ANNIVERSARY OF THE DRAFTING OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA BY THE CONSTITUTIONAL CONVENTION.**

ACTION: PROCLAMATION MADE

## AGENDA

### 1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF SEPTEMBER 17, 2008.

ACTION: APPROVED AS AMENDED; ITEM NO. 27 TABLED TO OCTOBER 1, 2008;  
ITEM NO. 36 WITHDRAWN

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

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

### 2. UN-77-08 (AMERIGAS); AN APPLICATION SUBMITTED BY DAVID VANCE ON BEHALF OF AMERIGAS LP, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW THE STORAGE OF HAZARDOUS MATERIALS (30,000 GALLON PROPANE STORAGE TANK) IN CONJUNCTION WITH A PROPANE STORAGE AND REFUELING FACILITY ON PROPERTY LOCATED AT 4430 MCGUIRE STREET.

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Frank Fiori stated the Planning Commission recommended approval of the application with Staff's recommendations.

Councilwoman Buck asked about safety measures to protect neighbors of the storage facility. **David Vance, Amerigas, 3434 Kier Road, Suite 3, North Las Vegas** stated there were more safety measures than were required. They were especially cautious because a nearby company had had a serious accident.

Mayor Montandon said to his knowledge, the large storage tanks were generally safer than smaller tanks. Mr. Vance agreed.

Councilwoman Smith asked if there were amendments or anticipated amendments to zoning regarding where such hazardous materials storage tanks could be safely stored. Fire Chief Al Gillespie stated there was a period of a few months for public comment and input from Council to be considered before the 2006 International Fire Code was adopted.

Mayor Pro Tempore Robinson confirmed with Chief Gillespie the closest homes to the storage facility were 600 feet away. Chief Gillespie could not guarantee there would not be damage to homes in the event of an accident.

Councilwoman Buck stated the facility was already in existence, but future facilities should be located farther away from other buildings.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. UNLESS EXPRESSLY, AUTHORIZED THROUGH A VARIANCE, WAIVER OR ANOTHER METHOD, DEVELOPMENT SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES.
2. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE COMMERCIAL DEVELOPMENT STANDARDS AND DESIGN GUIDELINES INCLUDING BUT NOT LIMITED TO THE FOLLOWING;
  - A. A MINIMUM 20 FOOT LANDSCAPE BUFFER MEASURED FROM THE PROPERTY LINE PROVIDED ALONG MCGUIRE STREET.
  - B. A DECORATIVE WALL AND OR FENCE FOR SCREENING SHALL BE PROVIDED ALONG MCGUIRE STREET.
  - C. ALL REFUSE COLLECTION AREAS SHALL BE SCREENED FROM VIEW OF RIGHTS-OF-WAY AND INTEGRATED INTO THE SITE.
3. A HAZARDOUS MATERIALS INVENTORY STATEMENT IS REQUIRED. IN THE INVENTORY, PLEASE INDICATE THE EXPECTED MAXIMUM QUANTITY OF PROPANE TO BE STORED OR USED. ALSO, PLEASE INDICATE HOW IT WILL BE STORED. FURTHER, PLEASE PROVIDE SUPPORTING MSDS.
4. AN AUTOMATIC FIRE EXTINGUISHING SYSTEM, IN ACCORDANCE WITH THE APPLICABLE NATIONAL FIRE PROTECTION ASSOCIATION STANDARDS AND THE OPERATIONAL NEEDS OF THE FIRE DEPARTMENT AS SPECIFIED BY THE FIRE CHIEF, SHALL BE PROVIDED FOR ALL PROPANE TANKS EXCEEDING 4,000 GALLON CAPACITY.

5. A FIRE SAFETY ANALYSIS IN ACCORDANCE WITH SOUND ENGINEERING PRINCIPLES IS TO BE APPROVED BY THE NORTH LAS VEGAS FIRE DEPARTMENT PRIOR TO PLACING THE PROPANE TANK ON SITE. THE ANALYSIS IS TO BE PREPARED BY A THIRD PARTY NEVADA LICENSED FIRE PROTECTION ENGINEER, SELECTED BY THE APPLICANT AND APPROVED BY THE FIRE DEPARTMENT. THE ANALYSIS SHALL ENSURE COMPLIANCE WITH NFPA 58, THE UNIFORM FIRE CODE, AND SHALL CONSIDER ADDITIONAL SAFETY MEASURES INCLUDING PROJECTILE PROTECTION OF THE TANK FROM OTHER PROPANE CYLINDERS AND TANKS (MOUNTED OR STATIONARY) ON SITE OR ON NEIGHBORING PARCELS. THE APPLICANT MUST INCORPORATE ALL RECOMMENDATIONS ENUMERATED IN THE APPROVED FIRE SAFETY ANALYSIS INTO THE SITE LAYOUT OF THE PROPOSED PROJECT.

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

3. **UN-67-08 (PROJECT HOTEL); AN APPLICATION SUBMITTED BY LASER DEVELOPMENT ON BEHALF OF CASINO HOLDING GROUP LLC, ET AL, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN O-L OPEN LAND DISTRICT (PROPOSED C-2 GENERAL COMMERCIAL DISTRICT) TO ALLOW A HOTEL ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND LINN LANE. (ASSOCIATED ITEM NO. 38, ORDINANCE NO. 2481)**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Fiori stated the Planning Commission recommended approval of the application, with conditions. At the recommendation of the Public Works Department, additional changes were included in some of the conditions.

**Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas** was present on behalf of the applicant. He emphasized the application was for a hotel in which there was no casino. He expressed concern about Condition No. 5, which prohibited extended stay accommodations, because extended stay was not defined. It was anticipated reservations of several weeks were possible, due to the location of nearby attractions. Planning and

Zoning Director Fiori and Finance Director Phil Stoeckinger explained a stay in excess of 30 days could be considered an apartment rental, at which point room taxes could not be collected.

**Major Clayton Chappell, Nevada National Guard, 2460 Fairview Drive, Carson City,** said the National Guard was concerned about the potential impact the National Guard and development of the surrounding area could have on each other. He wanted to go on record that the National Guard carried out simulated training activities near and adjacent to its property. Mayor Montandon stated the National Guard's activities were disclosed to developers.

Councilwoman Buck asked for clarification of how Condition No. 13 affected Centennial Parkway. Public Works Director Dr. Qiong Liu explained a half street dedication was required.

Councilwoman Smith confirmed with the applicant the language that limited rentals to less than 30 days was acceptable.

Mayor Montandon closed the Public Hearing.

**ACTION: APPROVED SUBJECT TO THE FOLLOWING AMENDED CONDITIONS:**

1. UNLESS EXPRESSLY AUTHORIZED THROUGH A VARIANCE, WAIVER OR ANOTHER METHOD, DEVELOPMENT SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES.
2. THAT UN-67-08 IS SITE SPECIFIC AND NON TRANSFERRABLE.
3. THAT UN-67-08 SHALL BE NULL AND VOID IF ZN-21-08 AND VAC-09-08 ARE NOT APPROVED BY THE CITY COUNCIL.
4. THAT THE PROPOSED DEVELOPMENT SHALL COMPLY WITH ALL COMMERCIAL DESIGN STANDARDS AND GUIDELINES CONTAINED WITHIN TITLE 17.24.200.
5. RENTAL OF ANY ROOMS SHALL NOT EXCEED THIRTY CONTINUOUS DAYS.
6. APPROVAL OF A TRAFFIC STUDY IS REQUIRED PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENT PLANS.
7. APPROVAL OF A DRAINAGE STUDY IS REQUIRED PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENT PLANS.

8. NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) CONCURRENCE WITH THE RESULTS OF THE DRAINAGE STUDY IS REQUIRED PRIOR TO APPROVAL OF THE CIVIL IMPROVEMENT PLANS.
9. NORTH BELT ROAD SHALL BE CHANGED TO CENTENNIAL PARKWAY.
10. THE CIVIL IMPROVEMENT PLANS FOR THE PROJECT SHALL INCLUDE SCHEDULE 40 PVC FIBER OPTIC CONDUIT ALONG CENTENNIAL PARKWAY.
11. CENTENNIAL PARKWAY (NORTH BELT ROAD ON THE SITE PLAN) IS AN OFFSET ALIGNMENT THAT WILL REQUIRE AN ADDITIONAL TEN-FOOT (10.0') DEDICATION ALONG THE NORTHERLY PROPERTY LINE.
12. THE PROPERTY OWNER IS REQUIRED TO ACQUIRE ROADWAY EASEMENTS OR RIGHT-OF-WAY DEDICATIONS TO PROVIDE 32' OF PAVED ACCESS FROM THIS SITE TO TWO EXISTING PUBLIC PAVED ROADS.
13. DEDICATION AND CONSTRUCTION OF THE FOLLOWING STREETS AND/OR HALF STREETS IS REQUIRED PER THE *MASTER PLAN OF STREETS AND HIGHWAYS* AND *CITY OF NORTH LAS VEGAS MUNICIPAL CODE* SECTION 16.24.100.B OR AS OTHERWISE APPROVED BY THE DIRECTOR OF PUBLIC WORKS:
  - A. CENTENNIAL PARKWAY
  - B. CASTLEBERRY LANE
  - C. ASSOCIATED SPANDRELS
14. PUBLIC STREETS SHALL BE CONSTRUCTED TO TERMINATE IN A CIRCLE OR OTHER TURNING PATTERN (CUL-DE-SAC) WHICH PROVIDES FOR AN ADEQUATE TURNING AREA FOR VEHICULAR TRAFFIC AT ITS TERMINUS, IN ACCORDANCE WITH THE CLARK COUNTY AREA STANDARD DRAWINGS.
15. THE PUBLIC STREET GEOMETRICS, WIDTH OF OVER-PAVE AND THICKNESS OF THE PAVEMENT SECTIONS WILL BE DETERMINED BY THE DEPARTMENT OF PUBLIC WORKS.

16. CASTLEBERRY LANE SHALL BE CONSTRUCTED WITH A NINE FOOT (9') OVERPAVE.
17. THE DEVELOPER IS REQUIRED TO CONSTRUCT A RAISED MEDIAN WITHIN CENTENNIAL PARKWAY. THE MEDIAN SHALL BE CONSTRUCTED PER *CLARK COUNTY AREA UNIFORM STANDARD DRAWING* NUMBERS 218 AND 219 "A" TYPE ISLAND CURB.
18. MEDIAN LANDSCAPE AND IRRIGATION PLANS MUST BE SUBMITTED TO THE PARKS DEPARTMENT FOR THE LANDSCAPING REQUIRED WITHIN THE CENTENNIAL PARKWAY MEDIAN. THE DEVELOPER'S LANDSCAPE ARCHITECT SHOULD CONTACT JOHN JONES, LANDSCAPE ARCHITECT WITH THE PARKS AND RECREATION DEPARTMENT AT 633-1611, FOR LANDSCAPING REQUIREMENTS PRIOR TO DESIGNING THE LANDSCAPE PLAN(S) FOR THE MEDIAN. FINAL APPROVAL OF THE CIVIL IMPROVEMENT PLANS WILL NOT BE ACQUIRED PRIOR TO PARKS APPROVAL OF THE LANDSCAPING PLANS.
19. THE SIZE AND NUMBER OF DRIVEWAYS AND THEIR LOCATIONS ARE SUBJECT TO REVIEW AND APPROVAL BY THE CITY OF NORTH LAS VEGAS TRAFFIC ENGINEER AND MUST MEET THE STANDARDS SET FORTH IN *NORTH LAS VEGAS MUNICIPAL CODE* SECTION 17.24.130. CONFORMANCE MAY REQUIRE MODIFICATIONS TO THE SITE.
20. COMMERCIAL DRIVEWAYS ARE TO BE CONSTRUCTED IN ACCORDANCE WITH *CLARK COUNTY AREA UNIFORM STANDARD DRAWING* NUMBERS 222A AND 225, WITH MINIMUM WIDTHS OF 32 FEET AS MEASURED FROM LIP OF GUTTER TO LIP OF GUTTER.
21. APPROPRIATE SUBDIVISION AND/OR PARCEL MAPPING IS REQUIRED TO COMPLETE THIS PROJECT. ALL MAPPING SHALL BE IN COMPLIANCE WITH NRS CHAPTER 278 AND THE *CITY OF NORTH LAS VEGAS MUNICIPAL CODE*, AND ASSOCIATED MASTER PLANS IN EFFECT AT THE TIME OF SUBDIVISION AND/OR PARCEL MAP APPROVAL. CONFORMANCE MAY REQUIRE MODIFICATIONS TO THE SITE.
22. THE PROPERTY OWNER IS REQUIRED TO GRANT A ROADWAY EASEMENT FOR COMMERCIAL DRIVEWAY(S).

23. THE PROPERTY OWNER IS REQUIRED TO SIGN A RESTRICTIVE COVENANT FOR UTILITIES.
24. THE PROPERTY OWNER IS REQUIRED TO GRANT A PUBLIC PEDESTRIAN ACCESS EASEMENT FOR SIDEWALK LOCATED WITHIN A COMMON ELEMENT, OR ON PRIVATE PROPERTY, WHEN THAT SIDEWALK IS PROVIDING PUBLIC ACCESS ADJACENT TO THE RIGHT-OF-WAY.
25. A REVOCABLE ENCROACHMENT PERMIT FOR LANDSCAPING WITHIN THE PUBLIC RIGHT OF WAY IS REQUIRED.
26. ALL KNOWN GEOLOGIC HAZARDS SHALL BE SHOWN ON THE SITE PLAN AND THE CIVIL IMPROVEMENT PLANS. SUBSEQUENT IDENTIFICATION OF ADDITIONAL HAZARDS MAY SUBSTANTIALLY ALTER THE ORIGINAL SITE PLAN.
27. ALL NEVADA POWER COMPANY EASEMENTS, APPURTENANCES, LINES AND POLES MUST BE SHOWN AND SHALL BE LOCATED ENTIRELY WITHIN THE PERIMETER LANDSCAPE AREA OF THIS DEVELOPMENT. DISTRIBUTION LINES, EXISTING OR PROPOSED, SHALL BE PLACED UNDERGROUND.
28. PRIOR TO THE INSTALLATION OF ANY SUBGRADE STREET IMPROVEMENTS, ALL REQUIRED UNDERGROUND UTILITIES (I.E. TELEPHONE, POWER, WATER, ETC.) LOCATED WITHIN PUBLIC RIGHTS-OF-WAY, SHALL BE EXTENDED A MINIMUM OF TEN (10) FEET BEYOND THE PROJECT BOUNDARY.
29. ALL OFF-SITE IMPROVEMENTS MUST BE COMPLETED PRIOR TO FINAL INSPECTION OF THE FIRST BUILDING.
30. FIRE ACCESS LANES SHALL BE DESIGNED PER THE FIRE CODE.
31. FIRE ACCESS LANES SHALL BE MARKED TO PROHIBIT PARKING PER THE FIRE CODE.
32. THE SANITARY SEWER FOR THE SUBJECT PROJECT SHALL BE ROUTED SOUTH ON SLOAN LANE AND CONNECT INTO THE EXISTING CLARK COUNTY SANITARY SEWER, UNLESS OTHERWISE DIRECTED BY THE DIRECTOR OF UTILITIES.

33. THE DEVELOPER SHALL PROVIDE A METER AND BACKFLOW PREVENTION PER BUILDING PER CITY OF NORTH LAS VEGAS MUNICIPAL WATER SERVICES DISTRICT SERVICE RULES AND REGULATIONS.
34. THE TRASH ENCLOSURE GATE SHALL BE HUNG APPROXIMATELY 8" FROM THE GROUND TO ALLOW FOR VISIBILITY INTO THE ENCLOSURE AREA.
35. THERE SHALL BE A DIRECTORY SIGN POSTED AT THE ENTRANCE, AND WAY FINDING SIGNS THROUGHOUT THE PROPERTY.
36. DUE TO THE FACT THAT THERE ARE MULTIPLE BUILDINGS SPREAD THROUGHOUT THE PROPERTY, SECURITY LIGHTING AND CAMERAS SHALL BE REQUIRED.
37. THE BUILDINGS FACING CENTENNIAL PARKWAY SHALL NOT EXCEED THREE (3) STORIES OR FORTY-SIX (46) FEET IN BUILDING HEIGHT.
38. THERE SHALL BE 36" BOX TREES PLANTED AT LEAST TWENTY (20) FEET ON CENTER ALONG CENTENNIAL PARKWAY TO PROVIDE A SCREEN TO NEIGHBORING PROPERTIES.
39. THE APPLICANT SHALL SIGN A WRITTEN NOTICE DECLARING KNOWLEDGE OF THE EXISTENCE OF THE NEVADA NATIONAL GUARD AND ITS TRAINING ACTIVITIES, WHEREIN THE DEVELOPMENT MAY BE SUBJECT TO, BUT NOT LIMITED TO, NOISE, LIGHT, DUST LASER EMISSIONS AND ODORS CREATED BY MILITARY TRAINING AND RELATED ACTIVITIES. THE NOTICE SHALL BE RECORDED AGAINST THE PROPERTY ON A FORM APPROVED BY THE DIRECTOR OF PLANNING AND ZONING.

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**

**FINAL ACTION**

38. **ORDINANCE NO. 2481; 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 11.9± ACRES THEREIN FROM AN O-L, OPEN LAND DISTRICT TO A C-2, GENERAL COMMERCIAL DISTRICT (ZN-21-08, PROJECT HOTEL), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND LINN LANE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 3, UN-67-08)**

Ordinance No. 2481 as introduced by the City Manager:

ORDINANCE NO. 2481; 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 11.9± ACRES THEREIN FROM AN O-L, OPEN LAND DISTRICT TO A C-2, GENERAL COMMERCIAL DISTRICT (ZN-21-08, PROJECT HOTEL), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND LINN LANE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 3, UN-67-08)

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

**PUBLIC HEARINGS (con't)**

4. **VAC-08-08 (CENTENNIAL VILLAGE PHASE II); AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF CENTENNIAL VILLAGE, LLC, PROPERTY OWNER, TO VACATE AN INGRESS/EGRESS DRIVEWAY LOCATED SOUTH OF ROME BOULEVARD AND APPROXIMATELY 320 FEET EAST OF LOSEE ROAD.**

Mayor Montandon opened the Public Hearing.

Public Works Director Liu stated Staff recommended approval of the application.

Mayor Montandon closed the Public Hearing.

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

### **CONSENT AGENDA**

Regarding Items 10 and 11, Councilwoman Buck stated the business was already in existence and the action was for a name change and change of owner. She did not approve of the business, but it was grand-fathered in until 2019.

#### **5. APPROVAL OF SPECIAL CITY COUNCIL MEETING MINUTES OF AUGUST 6, 2008.**

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

#### **6. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF AUGUST 6, 2008.**

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

#### **7. RATIFICATION OF STAFF APPROVAL OF THE RESTRICTED GAMING**

**BUSINESS LICENSE FOR UNITED COIN MACHINE CO., DBAT CIRCLE K STORE #3370, 425 WEST CENTENNIAL PARKWAY, NORTH LAS VEGAS, NEVADA, 89031.**

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

**8. APPROVAL OF AN APPLICATION FOR FULL LIQUOR ON-SALE BUSINESS LICENSE FOR CAMACHO'S CANTINA ALIANTE, LLC, DBA CAMACHO'S CANTINA, 7300 ALIANTE PARKWAY, NORTH LAS VEGAS, NEVADA, 89084 PENDING VERIFICATION OF SOUTHERN NEVADA HEALTH DISTRICT APPROVAL AND REQUIRED DEPARTMENT APPROVALS.**

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

**9. APPROVAL OF AN APPLICATION FOR BEER-WINE-SPIRIT-BASED PRODUCTS OFF-SALE BUSINESS LICENSE FOR ALIANTE GAMING, LLC, DBA ALIANTE STATION CASINO + HOTEL, 7300 ALIANTE PARKWAY, NORTH LAS VEGAS, NEVADA, 89084 PENDING VERIFICATION OF STATE GAMING COMMISSION APPROVAL, SOUTHERN NEVADA HEALTH DISTRICT APPROVAL AND REQUIRED DEPARTMENT APPROVALS.**

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

**10. APPROVAL OF AN APPLICATION FOR SEXUALLY ORIENTED, FULL LIQUOR ON-SALE AND FULL LIQUOR OFF-SALE BUSINESS LICENSES FOR CHICAS BONITAS, INC., DBA CHICAS BONITAS, 1818 NORTH LAS VEGAS BOULEVARD, NORTH LAS VEGAS, NEVADA, 89030. THIS IS A REQUEST FOR A CHANGE OF OWNERSHIP FOR THE LOCATION.**

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

**11. APPROVAL OF AN APPLICATION FOR JAMES L. GISH AS KEY EMPLOYEE FOR THE SEXUALLY ORIENTED, FULL LIQUOR ON-SALE AND FULL LIQUOR OFF-SALE BUSINESS LICENSES FOR CHICAS BONITAS, INC., DBA CHICAS BONITAS, 1818 NORTH LAS VEGAS BOULEVARD, NORTH LAS VEGAS, NEVADA, 89030.**

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

**12. APPROVAL TO MOVE THE TRANSFER OF \$5,500,000 FROM THE MUNICIPAL FACILITIES FUND TO THE GENERAL FUND FROM FISCAL 2008 TO FISCAL 2009.**

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

**13. RATIFICATION OF THE PURCHASE OF PROPERTY, BOILER MACHINERY AND TERRORISM INSURANCE WITH TRAVELERS INSURANCE IN THE AMOUNT OF \$259,789 WHICH WILL PROTECT THE CITY FROM UNEXPECTED CATASTROPHIC FINANCIAL LOSS DUE TO DESTRUCTION OF ITS BUILDINGS.**

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

**14. APPROVAL OF AN INTERLOCAL CONTRACT WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA IN AN AMOUNT NOT TO EXCEED \$20,800 TO BE REIMBURSED BY THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA FOR THE OFF-STREET SHARED USE PATH MAINTENANCE, FISCAL YEAR 2007. (CNLV CONTRACT NO. C-6899)**

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

**15. APPROVAL OF AN INTERLOCAL CONTRACT WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA IN AN AMOUNT NOT TO EXCEED \$75,000 TO BE REIMBURSED BY THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA FOR ENTITY NON-PROJECT SPECIFIC EXPENSES, FY 2009. (CNLV CONTRACT NO. C-6900)**

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

**16. APPROVAL OF AN INTERLOCAL CONTRACT WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA IN AN AMOUNT NOT TO EXCEED \$1,000,000 TO BE REIMBURSED BY THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA FOR THE OFFSITE IMPROVEMENTS ADJACENT TO REGIONAL FLOOD CONTROL DISTRICT DETENTION BASIN PROJECTS, FISCAL YEAR 2008-2009 WITHIN THE FEDERAL AID URBAN BOUNDARIES OF THE LAS VEGAS VALLEY. (CNLV CONTRACT NO. C-6901)**

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

17. **APPROVAL OF AN INTERLOCAL CONTRACT FOR FISCAL YEAR 2008-2009 WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA FOR THE TRAFFIC CAPACITY AND SAFETY IMPROVEMENTS PROJECTS, WHICH REQUIRES THE ITEMS COVERED IN SECTION II - PROJECT COSTS NOT TO EXCEED A TOTAL OF \$5,250,000, TO BE COMPLETED PRIOR TO JULY 1, 2011. (CNLV CONTRACT NO. C-6902)**

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

18. **APPROVAL OF THE FIRST SUPPLEMENTAL INTERLOCAL CONTRACT WITH THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT FOR THE CENTENNIAL PARKWAY CHANNEL EAST PROJECT WHICH WILL REDUCE THE INTERLOCAL AMOUNT TO \$21,135,000. (CNLV CONTRACT NO. C-6777)**

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

19. **FINAL ACCEPTANCE OF THE MAJOR STREET REHABILITATION FY06-07 PROJECT, BID NUMBER 1283 FOR MAINTENANCE AND AUTHORIZE FILING OF THE NOTICE OF COMPLETION. (CNLV CONTRACT NO. C-6621)**

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

**20. RATIFICATION OF LOCAL CONTRACT AGREEMENTS WITH TEAMSTERS LOCAL 14 FOR THE PERIOD JULY 1, 2008 THROUGH JUNE 30, 2011. (CNLV CONTRACT NO. C-6898)**

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

**21. APPROVAL OF AN INFORMATION TECHNOLOGY ANNUAL LICENSE AND MAINTENANCE AGREEMENT WITH NOVELL IN THE AMOUNT OF \$186,149.70 FOR SOFTWARE MAINTENANCE RENEWAL. (CNLV CONTRACT NO. C-4211)**

ACTION: APPROVED

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

**22. APPROVAL OF AN INTERLOCAL AGREEMENT WITH CLARK COUNTY, THE CITIES OF LAS VEGAS, HENDERSON AND BOULDER CITY FOR SHARED FUNDING OF REGIONAL HOMELESS COORDINATION, INCLEMENT WEATHER WINTER AND SUMMER SHELTER, HOMELESS MANAGEMENT INFORMATION SYSTEM AND HOMELESS STREET AND SHELTER COUNT IN THE AMOUNT OF \$117,587.25 TO BE ALLOCATED FROM THE GENERAL FUND. (CNLV CONTRACT NO. C-6896)**

ACTION: APPROVED

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

23. **AN APPEAL SUBMITTED BY DEBORAH DEPOMPEI, ON BEHALF OF THE APPLICANT OF THE PLANNING COMMISSION'S DECISION TO DENY UN-59-08 (TURN-KEY TELECOM, LLC); AN APPLICATION SUBMITTED BY TURN-KEY TELECOM, ON BEHALF OF INTERNATIONAL SMELTING COMPANY, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN R-E RANCH ESTATES DISTRICT TO ALLOW A 100-FOOT TOWER AND TELECOMMUNICATION FACILITY; AND TO ALLOW THE TOWER TO BE LOCATED 48 FEET NORTH AND 51 FEET EAST OF RESIDENTIALLY ZONED PROPERTY WHERE 200 FEET IS THE MINIMUM REQUIRED ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF ELAINE STREET AND WITTIG AVENUE. (SET PUBLIC HEARING FOR OCTOBER 1, 2008)**

ACTION: PUBLIC HEARING SET FOR OCTOBER 1, 2008

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

24. **VAC-02-08 (CASHMAN RETAIL CENTER); AN APPLICATION SUBMITTED BY CASHMAN EQUIPMENT ON BEHALF OF JR TL LTD., PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED VACATION OF DONOVAN WAY COMMENCING AT CRAIG ROAD AND PROCEEDING SOUTH APPROXIMATELY 1,650 FEET. (SET PUBLIC HEARING FOR OCTOBER 15, 2008)**

ACTION: PUBLIC HEARING SET FOR OCTOBER 15, 2008

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

25. **VAC-10-08 (ARCHITECTURAL PRECAST, INC.); AN APPLICATION SUBMITTED BY KIRK ERICKSON ON BEHALF OF ARCHITECTURAL PRECAST, INC., PROPERTY OWNER, TO VACATE A PORTION OF ANN ROAD BETWEEN AUTO STREET AND PUEBLA STREET AND A PORTION OF PUEBLA STREET COMMENCING AT ANN ROAD AND PROCEEDING NORTH APPROXIMATELY 131 FEET. (SET PUBLIC HEARING FOR OCTOBER 15, 2008)**

ACTION: PUBLIC HEARING SET FOR OCTOBER 15, 2008

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

26. **VAC-11-08 (ALLORA AT DAVYN RIDGE); AN APPLICATION SUBMITTED BY RYLAND HOMES NEVADA LLC, PROPERTY OWNER, FOR A VACATION IN AN R-2 TWO FAMILY RESIDENTIAL DISTRICT TO VACATE SIDE LOT LINES EASEMENTS FOR LOTS 23 THROUGH 30 AND LOTS 51 THROUGH 102 OF A RESIDENTIAL SUBDIVISION ON PROPERTY LOCATED AT THE NORTHWEST AND SOUTHWEST CORNERS OF BLAKE CANYON DRIVE AND JAMISON PARK LANE. (SET PUBLIC HEARING FOR OCTOBER 15, 2008)**

ACTION: PUBLIC HEARING SET FOR OCTOBER 15, 2008

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

### **BUSINESS**

27. **AUTHORIZATION TO THE CITY ATTORNEY TO RETAIN THE LAW FIRM OF MARQUIS & AURBACH, IN AN AMOUNT BETWEEN \$100,000 - \$124,000 TO INITIATE AND PROSECUTE A CONSTRUCTION DEFECT CASE AGAINST MAYA LLC, DBA AVANTE HOMES AND HH RES, LLC FOR STREET AND UTILITY LINE REPAIRS.**

ACTION: TABLED TO OCTOBER 1, 2008

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

**28. APPROVAL OF AN ENVIRONMENTAL CONSULTING SERVICES AGREEMENT WITH LOGAN SIMPSON DESIGN, INC. IN THE AMOUNT OF \$75,000 FOR ASSISTANCE IN RESOLVING ENVIRONMENTAL ISSUES WITH THE BUREAU OF LAND MANAGEMENT ON LANDS IDENTIFIED AS THE CONSERVATION TRANSFER AREA (PHASE III). (CNLV CONTRACT NO. C-6903)**

Mayor Pro Tempore Robinson felt the cost was too high for something that might not lead to a positive outcome for the City.

ACTION: APPROVED

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

**29. APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH THE CLARK COUNTY SCHOOL DISTRICT FOR A PEDESTRIAN BRIDGE TO BE LOCATED ON THE SOUTHEAST PORTION OF THE REYNALDO MARTINEZ ELEMENTARY SCHOOL SITE AT 350 JUDSON AVENUE AS PART OF THE NORTH 5TH STREET PROJECT, PHASE 1 IMPROVEMENTS. (CNLV CONTRACT NO. C-6897)**

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

30. **AUTHORIZATION TO ISSUE A PURCHASE ORDER TO H&E EQUIPMENT IN THE AMOUNT OF \$297,600, USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332 LOCAL GOVERNMENT PURCHASING ACT FOR THE PURCHASE OF TWO REPLACEMENT STREET SWEEPERS TO BE UTILIZED IN THE PUBLIC WORKS DEPARTMENT, STREET MAINTENANCE DIVISION.**

ACTION: PURCHASE ORDER 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

31. **ACCEPTANCE OF A GRANT AWARD FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, UNDER THE FY2008 GANG RESISTANCE EDUCATION AND TRAINING PROGRAM IN THE AMOUNT OF \$68,681, REQUIRING A CASH MATCH IN THE AMOUNT OF \$37,436 FROM THE GENERAL FUND CONTINGENCY ACCOUNT, TO PROVIDE EDUCATION ON THE POSITIVE ASPECTS OF GANG AVOIDANCE TO MIDDLE SCHOOL STUDENTS BY THE POLICE DEPARTMENT.**

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

32. **APPROVAL OF AN AGREEMENT WITH THE LAS VEGAS VALLEY WATER DISTRICT AND SOUTHERN NEVADA WATER AUTHORITY REGARDING RETAIL WATER SERVICE TO GARNET VALLEY. (CNLV CONTRACT NO. C-6905)**

ACTION: APPROVED

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

**33. AUTHORIZATION TO THE CITY MANAGER TO FINALIZE NEGOTIATIONS AND AUTHORIZATION TO THE MAYOR TO EXECUTE A LEASE WITH THE UNITED STATES OF AMERICA, ACTING BY AND THROUGH THE SECRETARY OF THE AIR FORCE, FOR APPROXIMATELY 40 ACRES, IDENTIFIED AS APN 14016401007, FOR A TERM OF FIFTY YEARS AT A COST OF \$25,000,000 FOR THE LOCATION AND CONSTRUCTION OF THE WATER RECLAMATION FACILITY. (CNLV CONTRACT NO. C-6906)**

Mayor Pro Tempore Robinson asked City Manager Rose to provide him with the balance of the Water Utility Fund when he calculated the information.

ACTION: AUTHORIZED

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

**ORDINANCES  
INTRODUCTION ONLY**

**34. ORDINANCE NO. 2477; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS TO INTRODUCE INTO TITLE 8, SECTION 8.50, ENTITLED "STORMWATER REGULATIONS", OF TITLE 8 OF THE NORTH LAS VEGAS MUNICIPAL CODE TO CLARIFY THE CHAPTER; AND PROVIDING FOR OTHER MATTERS THEREOF. (SET FINAL ACTION FOR OCTOBER 1, 2008)**

Ordinance No. 2477 as introduced by the City Clerk:

ORDINANCE NO. 2477; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS TO INTRODUCE INTO TITLE 8, SECTION 8.50, ENTITLED "STORMWATER REGULATIONS", OF TITLE 8 OF THE

NORTH LAS VEGAS MUNICIPAL CODE TO CLARIFY THE CHAPTER; AND PROVIDING FOR OTHER MATTERS THEREOF. (SET FINAL ACTION FOR OCTOBER 1, 2008)

ACTION: FINAL ACTION SET FOR OCTOBER 1, 2008

35. **ORDINANCE NO. 2482; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 2392, WHICH AMENDED ORDINANCE NUMBER 2245, WHICH RECLASSIFIED MONTECITO PAVILIONS (ZN-05-06) TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, BY MODIFYING THE ASSOCIATED CONDITIONS 3 AND 29 OF APPROVAL OF PROPERTY AT THE SOUTHWEST CORNER OF LAMB BOULEVARD AND AZURE AVENUE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR OCTOBER 1, 2008)**

Ordinance No. 2482 as introduced by the City Clerk:

ORDINANCE NO. 2482; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 2392, WHICH AMENDED ORDINANCE NUMBER 2245, WHICH RECLASSIFIED MONTECITO PAVILIONS (ZN-05-06) TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, BY MODIFYING THE ASSOCIATED CONDITIONS 3 AND 29 OF APPROVAL OF PROPERTY AT THE SOUTHWEST CORNER OF LAMB BOULEVARD AND AZURE AVENUE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR OCTOBER 15, 2008)

ACTION: FINAL ACTION SET FOR OCTOBER 15, 2008

**ORDINANCES**  
**FINAL ACTION (con't)**

36. **ORDINANCE NO. 2456; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS, NEVADA TO AMEND ORDINANCE NOS. 2360 AND 2406 BEING CHAPTER 13.04 ENTITLED WATER SERVICE SYSTEM, UPDATING DEFINITIONS AND MAKING CHANGES TO METERING REQUIREMENTS, OF TITLE 13 OF THE NORTH LAS VEGAS MUNICIPAL CODE; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED JULY 16, 2008)**

ACTION: WITHDRAWN

MOTION: Councilman Eliason

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

**37. ORDINANCE NO. 2480; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-09-08) BY AMENDING TITLE 17 (SECTIONS 17.12.020, 17.20.060.C, 17.20.070.C, 17.20.080.C, AND 17.24.020.C) TO ADD "ACCESSORY CONVENIENCE USE", AND TO PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO.**

Ordinance No. 2480 as introduced by the City Manager:

ORDINANCE NO. 2480; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-09-08) BY AMENDING TITLE 17 (SECTIONS 17.12.020, 17.20.060.C, 17.20.070.C, 17.20.080.C, AND 17.24.020.C) TO ADD "ACCESSORY CONVENIENCE USE", AND TO PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO.

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

**COUNCIL ITEMS**

Councilman Eliason requested a time-frame for the construction of Ann Road between Lawrence Street and Losee Road. Mayor Montandon stated there was no current plan for construction of the area and asked Staff to provide a report of options. Public Works Director Liu reported Staff was in the process of obtaining cost estimates for temporary improvements.

Mayor Pro Tempore Robinson questioned when the traffic signals at the intersections of Washburn Road and Simmons Street and Washburn Road and Clayton Street would be activated.

Councilwoman Smith commended Staff on securing the site for the Water Reclamation Facility. City Manager Rose added Staff had worked very hard to secure the agreements and reduce the costs of the facility. He thanked all the staff members who had worked on the project, and recognized Utilities Director David Bereskin and Deputy City Attorney Jeff Barr. Mayor Montandon thanked Staff and the Air Force for the groundbreaking work on the facility.

Mayor Pro Tempore Robinson asked about the status of the Frehner site and asked if the City would recover the cost of the site. City Manager Rose explained he intended to bring the issue back to the City Council for a final decision on the site, and stated the City would not sell the property at a loss. Mayor Montandon pointed out the site should be kept until it was certain it was not needed.

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

City Manager Rose thanked the Mayor and Council for having the Employee of the Month awards presented at a Council meeting.

### **PUBLIC FORUM**

**Donnie Johnson, (no address given except Delmonico, North Las Vegas)**, was concerned about police actions in the Delmonico neighborhood and the facilities at the Detention Center.

**Katherine Joseph, 1309 Helen Avenue, North Las Vegas** agreed with Mr. Johnson.

City Manager Rose stated every allegation was investigated.

Regarding Ms. Joseph's previous request for a law banning low-rise pants, Mayor Montandon told her another City tried passing the law and it had been found unconstitutional.

**Felicia Pollard, 1221 Helen Avenue, North Las Vegas** stated she lived in the same neighborhood as Mr. Johnson and Ms. Joseph. She thanked the Police Department for posting an officer in the neighborhood in the mornings, as it had caused drivers to slow down.

**ADJOURNMENT**

**ACTION:** THE MEETING ADJOURNED AT 6:50 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: October 15, 2008**

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

**ATTEST:**

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