

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

July 16, 2008

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

CITY COUNCIL MEETING

CALL TO ORDER

6:02 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

ROLL CALL

COUNCIL PRESENT

Mayor Michael L. Montandon
Mayor Pro Tempore William E. Robinson
Councilwoman Stephanie S. Smith
Councilwoman Shari Buck
Councilman Robert L. Eliason

STAFF PRESENT

City Manager Gregory Rose	Human Resources Director Joyce Lira
Assistant City Manager Sam Chambers	Information Technology Director Steve Chapin
City Attorney Carie Torrence	Library Director Kathy Pennell
City Clerk Karen L. Storms	Acting Planning and Zoning Director Frank Fiori
Communications Director Brenda Fischer	Public Works Director Qiong Liu
Economic Development Director Mike Majewski	Utilities Director David Bereskin
Finance Director Phil Stoeckinger	Senior Assistant to the City Manager Kenny Young
Fire Chief Al Gillespie	Assistant City Clerk Anita Sheldon

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Karen L. Storms, CMC
City Clerk

INVOCATION

Aubrey Branch

PLEDGE OF ALLEGIANCE

Mayor Michael L. Montandon

PUBLIC FORUM

Chris Adams, 2929 E. Centennial Parkway, North Las Vegas commented about a condominium he purchased which had a dispute on the title.

AGENDA

1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF JULY 16, 2008.

ACTION: APPROVED AS AMENDED; ITEM NO. 15 WITHDRAWN; ITEM NO. 33 WITHDRAWN; ITEM NO. 34 CONTINUED TO SEPTEMBER 17, 2008; ITEM NO. 36 CONTINUED TO AUGUST 6, 2008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

7. APPROVAL OF AN APPLICATION FOR RESTRICTED GAMING LIQUOR, FULL LIQUOR OFF-SALE AND RESTRICTED GAMING BUSINESS LICENSES FOR CARROWAYS, LLC., DBA GABBY'S SALOON, 2303 EAST LAKE MEAD BOULEVARD, NORTH LAS VEGAS, NEVADA, 89030 PENDING VERIFICATION OF STATE GAMING COMMISSION APPROVAL AND WORKERS' COMPENSATION COVERAGE. THIS IS A CHANGE OF OWNERSHIP FOR THE BUSINESS.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

8. APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR JOWANNA C. MCGHEE, DBA SUNSHINE ON BIG MOUNTAIN DAY CARE, 2832 BIG MOUNTAIN AVENUE, NORTH LAS VEGAS, NEVADA, 89081 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

9. APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR REBECA C. MEDRANO, DBA REBECA'S CHILD CARE, 5620 DEER RUN COURT, 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

10. APPROVAL OF THE SECOND SUPPLEMENTAL INTERLOCAL CONTRACT WITH THE REGIONAL TRANSPORTATION COMMISSION FOR THE ARTERIAL INCIDENT & EVENT MANAGEMENT SYSTEM PROJECT WHICH WILL PROVIDE ADDITIONAL FUNDING FOR UNDERGROUND UTILITY WORK THAT WAS NOT ORIGINALLY ANTICIPATED.

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 THE THIRD SUPPLEMENTAL INTERLOCAL CONTRACT WITH THE REGIONAL TRANSPORTATION COMMISSION FOR THE ANN ROAD - DECATUR BOULEVARD TO CAMINO AL NORTE PROJECT WHICH WILL REDUCE THE FUNDING TO MATCH ACTUAL EXPENDITURES PRIOR TO COMPLETING THE FINAL ACCOUNTING PAPERWORK.**

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. **CONSIDERATION TO ACCEPT AN APPLICATION FROM AGL NETWORKS, LLC FOR A NON-EXCLUSIVE RIGHT AND PRIVILEGE TO CONSTRUCT, MAINTAIN, AND/OR OPERATE TELECOMMUNICATION FACILITIES WITHIN THE BOUNDARIES OF THE CITY FOR THE PURPOSE OF PROVIDING SUBSCRIPTION AND NON-SUBSCRIPTION TELECOMMUNICATIONS SERVICES.**

ACTION: APPLICATION ACCEPTED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

13. **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. (SET PUBLIC HEARING FOR AUGUST 6, 2008)**

ACTION: PUBLIC HEARING SET FOR AUGUST 6, 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

14. **VAC-06-08 (CRESTLINE LOOP / PALDI STEEL SVC); AN APPLICATION SUBMITTED BY R2 DEVELOPER SERVICES, ON BEHALF OF PALDI LLC, PROPERTY OWNER, TO VACATE A 20-FOOT WIDE PORTION OF PUBLIC RIGHT-OF-WAY (ALLEY) ON PROPERTY LOCATED SOUTH OF CRESTLINE LOOP AND APPROXIMATELY 100 FEET EAST OF LOSEE ROAD. (SET PUBLIC HEARING FOR AUGUST 20, 2008)**

ACTION: PUBLIC HEARING SET FOR 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

BUSINESS

15. **AWARD OF BID NUMBER 1312 AND APPROVAL OF A CONSTRUCTION CONTRACT FOR THE 20TH YEAR TRAFFIC CAPACITY & SAFETY IMPROVEMENTS TO SOUTHWEST IRON WORKS, LLC, IN THE AMOUNT OF \$206,846 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. (TABLED JULY 2, 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

16. APPROVAL OF AN INTERLOCAL CONTRACT WITH THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT IN THE AMOUNT OF \$1,995,000, FUNDED BY THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT FOR THE ANNUAL MAINTENANCE WORK PROGRAM, FY 2008-2009.

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

17. APPROVAL OF A CONTRACT WITH SILVER STATE CODE CONSULTING, INC., FOR EXPEDITED PLAN REVIEW TO PROVIDE SUPPORT SERVICE FOR THE BUILDING SAFETY DIVISION PLAN REVIEW STAFF.

Mayor Pro Tempore Robinson questioned the cost of the contract. City Manager Gregory Rose explained the cost was funded by the developers.

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. AWARD OF BID NUMBER 1307 AND APPROVAL OF A CONSTRUCTION CONTRACT WITH LAS VEGAS PAVING CORPORATION IN THE AMOUNT OF \$2,270,000 FOR THE MAJOR STREET REHABILITATION FY07-08.

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

19. APPROVAL OF THE AMENDED AND RESTATED LEASE AGREEMENT WITH CASEY REAL ESTATE HOLDINGS, LLC, DBA WEST GOWAN OFFICE PARK, IN THE AMOUNT OF \$252,708.60 FOR A BUILDING AND ASSOCIATED PARKING SPACES LOCATED AT 2277 WEST GOWAN ROAD FOR THE PUBLIC WORKS DEPARTMENT.

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. ACCEPTANCE OF PETITIONS FOR ANNEXATION (ANNEXATION NO. 142) SUBMITTED BY APEX HOLDING COMPANY, LLC AND U.S.A. TO ANNEX VARIOUS CLARK COUNTY ASSESSOR'S PARCEL NUMBERS IN THE APEX INDUSTRIAL PARK, PHASE 6, PARCELS 1 THROUGH 5, GENERALLY LOCATED NORTHWEST OF INTERSTATE ROUTE 15 AND THE UNION PACIFIC RAILROAD. (ASSOCIATED ITEM NO. 32, ORDINANCE NO. 2470)

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

**21. APPROVAL TO AMEND THE 2008-2009 STAFFING PATTERN AS FOLLOWS:
(ALL STAFFING PATTERN CHANGES WILL BE PROCESSED WHEN ADMINISTRATIVELY FEASIBLE)**

A. CITY MANAGER

1. Delegate responsibility to City Manager for approval of title changes and/or staffing patterns with cost neutral affect or no fiscal impact.

B. GENERAL SERVICES DEPARTMENT

1. Downgrade one General Services Director DD-55 to a new classification of Assistant Director of General Services and Communications ADD-42.
2. Title Change Only: Communications Director DD-55 to General Services and Communications Director DD-55.
3. Reclassify one Graphic Artist TMN-19 to one Graphic Operations Supervisor TMN-21.

C. UTILITIES DEPARTMENT

1. Reclassify one vacant Water Reclamation Plant Superintendent TME-22 to one Water Reclamation Facility Administrator ADD-41.

City Manager Gregory Rose explained that Staff requested that Item A1 be amended to read "delegate responsibility to City Manager for approval of title changes".

ACTION: APPROVED AS AMENDED; A1 TO READ AS FOLLOWS:

DELEGATE RESPONSIBILITY TO CITY MANAGER FOR APPROVAL OF TITLE CHANGES.

MOTION: Councilwoman Buck

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Councilmembers Smith and Buck

NAYS: Mayor Pro Tempore Robinson, Councilman Eliason

ABSTAIN: None

22. APPROVAL OF AN INTERLOCAL CONTRACT FOR INMATE HOUSING WITH THE COUNTY OF CLARK, A POLITICAL SUBDIVISION OF THE STATE OF NEVADA, INCREASING THE DAILY BED RATE TO \$101.11, FOR THE HOUSING OF COUNTY INMATES AT THE NORTH LAS VEGAS DETENTION FACILITY.

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. RATIFICATION OF PURCHASES OF OFFICE EQUIPMENT TO MACHABEE OFFICE ENVIRONMENTS IN THE AMOUNT OF \$75,033.06, USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332 LOCAL GOVERNMENT PURCHASING ACT, FOR THE FINANCE DEPARTMENT OFFICES LOCATED AT THE INTERSECTION OF CAMINO AL NORTE AND WASHBURN ROAD.

Mayor Pro Tempore Robinson questioned whether this was a permanent site for the Finance Department or until the new City Hall was completed. Finance Director Phil Stoeckinger explained the lease was for five years and most of the Special Improvement District staff would not be relocating to the new City Hall.

ACTION: RATIFIED

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

PUBLIC HEARINGS - 6:15 P.M.

2. GED-01-08 (MILLER HOTEL AND CASINO); AN APPLICATION SUBMITTED BY MILROS COMPANY INC., ON BEHALF OF MILLER ALON AND ROSANNA FAMILY TRUST, PROPERTY OWNER, FOR A PETITION TO ALLOW A GAMING ENTERPRISE DISTRICT IN A C-2 GENERAL COMMERCIAL DISTRICT ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF I-15 AND SLOAN LANE. (CONTINUED JULY 2, 2008) (ASSOCIATED ITEMS NO. 3, APPEAL OF UN-26-08 AND NO. 4, APPEAL OF UN-27-08)

Acting Planning and Zoning Director Frank Fiori explained this was a request for a Gaming Enterprise District. The site was currently zoned C-2 General Commercial District, 73.15± acres in size and proposed for two hotel/casino buildings with 1,000 rooms. There were two Use Permit applications associated with the Gaming Enterprise District which were items 3 and 4 on the agenda. UN-26-08 was for the hotel/casino use and UN-27-08 was to allow maximum building height of 90 feet where 60 feet was allowed. Staff and the

Mayor Montandon opened the public hearing.

Jay Brown, 520 South 4th Street, Las Vegas, represented the applicant and explained the application was for a Gaming Enterprise District on a parcel that was designated as resort commercial. Mr. Brown explained that as part of the requirement to apply for the gaming enterprise district the applicant must provide evidence that the site was not within 500 feet of a developed residence or 1500 feet from schools or places of worship. He explained the site met the requirements as the nearest corner of the site was 13,200 feet from schools and churches and 1.8 miles from residents. Mr. Brown explained that this proposal differed from recent casino proposals in that there was no effect on the residential population since the area was intended for heavy industrial and semi-public uses and the Nellis Air Force Base red-zone covering the area discouraged additional residential near the Base. Mr. Brown explained the applicant had worked with the National Guard who were opposed to the project. The National Guard submitted suggestions to the applicant for additional conditions to support the project. The National Guard suggested that the applicant minimize public exposure to the training center and construct barriers on the property at the applicant's expense.

Mr. Brown explained that a court reporter was present for the proceedings in accordance with Nevada Revised Statutes.

Laura Dreja, 520 South 4th Street, Las Vegas and Dan Hood, Civil Engineer, VTN Nevada, 2727 South Rainbow Boulevard, Las Vegas were present to explain issues required by the Nevada Revised Statutes. Ms. Dreja explained that one requirement dealt with roads, water, sanitation, utilities and related services which were adequate. She explained there was an issue with the Fire Department which was solved by pledging to build a fire station on the site.

Mr. Hood explained a traffic study would be prepared and off-site improvement plans approved before construction began. The traffic study would substantiate that an access road would be sufficient to route the expected traffic. The half streets on the frontage of Centennial Parkway would be improved and included sidewalk, curb and gutter. He explained that the roadway network would be sufficient to route the traffic.

Mr. Hood explained that an existing 24" water main ran along Centennial Parkway from the Speedway Boulevard off ramp, southward and parallel to the I-15 along the future roadway alignment to Centennial Parkway, then westward into Centennial Parkway. Preliminary water analysis was completed and approved. There was two miles of an existing 15" sewer main. One mile of sewer main would be increased to 21" to provide sufficient capacity for the hotel and was reviewed by the Utilities Department.

Mr. Hood explained that the developers agreed to fund the cost of a new fire station since there was no fire station close enough for adequate response. He explained that there were culverts beneath the I-15 to accept the runoff from the site and there would be no additional discharge of flow from the site. A drainage study would be completed for approval by the Public Works Department as well as the Nevada Department of Transportation. There was sufficient space allocated on the site to retain water.

Ms. Dreja explained another requirement of Nevada Revised Statute was that the proposed establishment enhanced, expanded and stabilized the employment in the local economy. She explained that an economic census study was prepared which listed 18 different fees and taxes that gaming institutions were subject to. The first was property tax payments and currently the tax assessment for casino properties was anticipated at 8% per year, whereas residential properties were anticipated at 3% per year. The entities that benefitted from property tax payments were the State, County and school, City of North Las Vegas, public safety, street maintenance and fire, library and emergency 911. The next was a gaming percentage fee which gaming revenues were subject up to 6.75% taxes payable to the State's general fund. The Nevada State general fund benefitted elementary and secondary schools, higher education, public assistance, Medicaid, corrections and other services in the state. Ms. Dreja explained that local governments may impose or collect revenues for regulation. In the City the local transient lodging tax was 9% room revenue and would receive 1% of the tax. Another fee was the local franchise fee which was for utilities offered within the City such as energy, gas, water and telecommunications. The City was allowed to impose a 5% tax. The State levied an annual and quarterly fee for a license for non-restricted gaming and the fees were dependent on the amount of slot machines and table games in the casino. It was estimated these fees would generate \$702,800 annually. The County gaming fees were fees towards the County general fund and was estimated that \$1,119,000 would be paid through the County gaming fees. The annual excess tax upon slot machines was collected by the State Treasurer for the fiscal year at \$250 per slot machine and estimated at \$2 million towards the funds. The quarterly fee for a state license based on the number of games operated would generate \$8,000 towards the State general fund annually. The State general lodging tax of 2% would be levied on the rental of each room with revenues distributed to the Clark County School District, capital projects and the promotion of tourism to the Valley. The sales tax would be levied on several uses within the casino at 7.75% with the City receiving 1%. Tobacco and liquor taxes would be levied by the State but the accumulative revenue was not anticipated. The City would directly benefit with the ability of the Director of Development Service to levy \$80 per game semi-annually, which included table games and slot machines for an estimated \$120,000. The designated license fees per Title 5 would generate \$150,600. The findings and facts submitted concluded an estimate of \$925 million for construction spending, 5,720 new employees generating an income tax revenue of \$1,129,116 and wages of \$179 million. The proposed facility would create 600 jobs that would yield \$28,813,953.

Ms. Dreja explained that the proposed establishment was in a land use of commercial resort and proposed a primary use for that land use.

Mr. Hood explained that the Nevada Revised Statute stated that the proposed establishment would not be detrimental to health, safety or general welfare of the community or incompatible with the surrounding area. He explained the area was not planned for residential usage and was compatible to the land use. The safety would be improved with the addition of the new fire station.

Ms. Dreja explained that on the date the petition was filed, the project exceeded the mandated distance between established churches or residential neighborhood.

Winston Henderson, Henderson Architects, 5055 E, Flamingo Road, Las Vegas, represented the applicant and acknowledged the additional conditions requested by the National Guard which included onsite mitigation measures to minimize public exposure to their property with the addition of an 8' tall masonry wall around the perimeter of the property and a 2' wrought iron fence on top of the wall. Another request was that the towers be oriented to limit visibility onto the National Guard training area. It was also requested that prior to construction a final development plan be approved by the Planning Commission and the developer acknowledged that the training activities could produce noise, dust and odors. He also confirmed that the number of employees that would be in the hotel/casino were estimated to be 900.

Gail Harris, 5204 Gleneagles Lane, Las Vegas, represented the widows and orphans of the original property owners that abutted the armory and the proposed casino and was concerned about the plans for the property. She felt the casino would benefit the area.

Major Clayton Chappell and Colonel Terrence Sullivan, 2460 Fairview Drive, Carson City, represented the Army National Guard. Colonel Sullivan explained the National Guard purchased over 1,600 acres of land through a Recreation and Public Purpose Lease through the state. The Floyd Edsall training center represented the largest complex in the state for National Guard training activities.

Colonel Sullivan explained that the facility housed 900+ soldiers for the National Guard. He explained the National Guard was in negotiations with public safety agencies to develop a 200 acre emergency vehicle operation center on the site for fire, paramedic and police departments and also leased facilities from the North Las Vegas Airport for aviation operations. He explained the National Guard benefitted the citizens through the Civil Support Team, a high tech team that responded with first responders and assisted with the recent ricin incident performing off-site analysis of biological elements with satellite communications. He felt that a resort commercial development was incompatible with the training activities and wanted to be reassured that the conditions would be adhered to and recorded against the property deed. Colonel Sullivan also requested that prior to approval of the final development plan the applicant work with the National Guard to develop and implement mitigation measures that would help achieve protection and anti-terrorism measures for the Floyd Edsall training center.

Councilwoman Buck commented there was visibility of the training center from the I-15 and suggested relocating the operations away from the freeway to a safer area. She also questioned the City Attorney whether there was a legal obligation to the City with an open ended condition.

City Attorney Torrence explained it was not something the City could enforce because it was open ended. She was uncertain if the City Council should be the body to determine whether the mitigation measures proposed by the developer or National Guard were sufficient, but that leaving the condition open ended would cause the City problems later. City Attorney Torrence felt it better if the applicant and developer worked together and agreed on a solution to protect both parties' interests. Colonel Sullivan explained they wanted to keep the condition open ended because there was not a specific site for the mitigation measures. Councilwoman Buck explained the City could not have an open ended condition but suggested that both parties have a conversation about future mitigation. Colonel Sullivan explained that the National Guard wanted to state that the applicant would work with them to address the protection issues before the final development plan was approved.

Councilwoman Buck questioned whether Mr. Brown was comfortable with the additional language for a condition that the parties have a conversation about future mitigation to be agreed upon by both. Mr. Brown stated he was in support and would work in good faith with the National Guard.

Mayor Montandon explained there were other properties, zoned commercial, that abutted other parts of the National Guard property and encouraged planning relationships with other owners.

Major Chappell explained that the National Guard would like to join the Planning Department in a joint land use survey group to help protect training lands for the military as well as the growth of the City.

Councilwoman Smith explained the need for better communications with the National Guard and questioned the City Attorney if condition #2 addressed the mitigation issue. City Attorney Torrence explained that if the parties were unable to agree on mitigation measures it provided another public hearing for the parties to present their point of view and the Planning Commission or Council would decide whether the mitigation measures protected the health, safety and welfare. She felt that condition #2 adequately protected both interests.

City Attorney Torrence questioned whether the requested condition dealt with mitigation measures that were requested on the National Guard property or the property owned by the developer. Major Chappell explained it was on the National Guard property. City Attorney Torrence felt that condition #2 would address what the City could legally require the applicant to do. She stated it was difficult to tell a developer that they had to do offsite improvements on someone else's property other than their own but felt that the condition would be the final development plan and would give the National Guard the forum if they were uncomfortable with the mitigation measures the developer proposed. Major Chappell explained the concern that the hotel casino would be built without mitigating the impacts on the training. Councilwoman Smith explained it could not be built without the final approval. If the National Guard was not satisfied with the final development plan it would be brought forward to the City Council and their concerns would be heard. The project could not move forward.

Mayor Montandon explained that the strongest piece would be the minutes of the meeting regarding the discussion taking place and the recordings of the independent court reporter.

Mayor Pro Tempore Robinson questioned how often live ammunition was used at the training site. Colonel Sullivan explained live ammunition was used at a north section where Nellis Air Force Base had their small arms range. He explained that next to the proposed hotel there was a tank crew proficiency course, where the fighting vehicles were maneuvered. At that site they used simulators and/or laser range finders which project 4,000 meters. He was concerned that the activity would be enticing to the public and wanted to avoid injury.

Acting Planning and Zoning Director Frank Fiori confirmed that there were three conditions that were read into the record.

Mayor Montandon stated that the comments for the public hearings on item 2 would be applicable to Items 3 and 4.

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

3. **AN APPEAL SUBMITTED BY ADJUTANT GENERAL CYNTHIA N. KIRKLAND ON BEHALF OF THE NEVADA ARMY NATIONAL GUARD WHOSE PROPERTY RIGHTS ARE OR MAY BE AFFECTED BY THE PLANNING COMMISSION'S DECISION TO APPROVE UN-26-08 (MILLER HOTEL AND CASINO); AN APPLICATION SUBMITTED BY MILROS COMPANY INC., ON BEHALF OF MILLER ALON & ROSANNA FAMILY TRUST, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW TWO CASINOS AND HOTELS ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF I-15 AND SLOAN LANE. (CONTINUED JULY 2, 2008) (ASSOCIATED ITEMS NO. 2, GED-01-08 AND NO. 4, APPEAL OF UN-27-08)**

Mayor Montandon opened the public hearing.

Acting Planning and Zoning Director Frank Fiori explained that the conditions discussed on the previous items would be attached to this use permit and not the Gaming Enterprise District. Staff's recommendation was to uphold the Planning Commission's decision.

Mayor Montandon stated that the comments for the public hearing on item 2 would be applicable to Items 3 and 4.

Mayor Montandon closed the public hearing.

ACTION: PLANNING COMMISSION DECISION UPHELD; UN-26-08 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-26-08 IS SITE SPECIFIC AND NON TRANSFERRABLE.
3. THAT UN-26-08 SHALL BE NULL AND VOID IF GED-01-08 IS NOT APPROVED BY CITY COUNCIL.
4. DESIGN ELEMENTS SHALL BE INCORPORATED INTO THE PARKING STRUCTURES THAT WILL MATCH THE OVERALL ARCHITECTURAL THEME/STYLE OF THE CASINO/HOTEL(S), PROVIDE VISUAL INTEREST, AND REDUCE THEIR OVERALL VISUAL LENGTH.
5. THE DESIGN OF THE STRUCTURES SHALL TAKE INTO CONSIDERATION FUTURE WIRELESS COMMUNICATIONS FACILITIES.
6. LANDSCAPED ISLANDS SHALL BE INSTALLED BETWEEN THE PARKING ROWS OF EVERY OTHER DOUBLE ROW OF PARKING, AND AT THE ENDS OF EVERY ROW.
7. SIX (6) FOOT WIDE LANDSCAPED ISLANDS SHALL BE REQUIRED WITHIN EACH PARKING ROW FOR EVERY 15 PARKING SPACES CONTAINED WITHIN A ROW.
8. STREET TREES SHALL BE PLANTED ALONG CENTENNIAL PARKWAY AT INTERVALS OF 30 FEET FOR TREES THAT REACH A MATURE HEIGHT GREATER THAN 15 FEET OR AT INTERVALS OF 10 FEET FOR TREES THAT REACH A MATURE HEIGHT OF UP TO 15 FEET OR LESS.
9. THE SIDEWALK ALONG CENTENNIAL PARKWAY SHALL BE MEANDERING.

10. PARKING AREAS ABUTTING CENTENNIAL PARKWAY SHALL BE SCREENED BY DECORATIVE WALLS OR LANDSCAPED BERMS WITH A MINIMUM HEIGHT OF 3 FEET ABOVE THE FINISHED GRADE AT THE REAR OF THE SETBACK AREA.
11. REFUSE COLLECTION AREAS AND DUMPSTERS SHALL BE ENCLOSED BY MASONRY WALLS FINISHED IN THE SAME MANNER AS THE SURROUNDING PRIMARY STRUCTURES. ALL SUCH ENCLOSURES SHALL HAVE SOLID METAL GATES AND ROOFS.
12. MEASURES TO ACHIEVE A NOISE LEVEL REDUCTION, OUTDOOR TO INDOOR, OF 25 DECIBELS MUST BE INCORPORATED INTO THE DESIGN AND CONSTRUCTION OF THE CASINO/HOTEL.
13. APPROVAL OF A TRAFFIC STUDY IS REQUIRED PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENT PLANS.
14. APPROVAL OF A DRAINAGE STUDY IS REQUIRED PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENT PLANS.
15. THE SIZE AND LOCATION OF ANY DRAINAGE FACILITIES AND/OR EASEMENTS SHOWN ARE CONTINGENT UPON REVIEW AND APPROVAL OF A TECHNICAL DRAINAGE STUDY.
16. NEVADA DEPARTMENT OF TRANSPORTATION CONCURRENCE WITH THE RESULTS OF THE DRAINAGE STUDY IS REQUIRED PRIOR TO APPROVAL OF THE CIVIL IMPROVEMENT PLANS.
17. 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.
18. DEDICATION AND CONSTRUCTION OF THE FOLLOWING STREETS AND/OR HALF STREETS IS REQUIRED PER THE *MASTER PLAN OF STREETS AND HIGHWAYS AND/OR CITY OF NORTH LAS VEGAS MUNICIPAL CODE* SECTION 16.24.100: A. 100' ON CENTENNIAL PARKWAY
19. 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.

20. 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.
21. THE PROPERTY OWNER IS REQUIRED TO ACQUIRE ROADWAY EASEMENTS OR DEDICATIONS TO PROVIDE 32' OF PAVED ACCESS FROM THIS SITE TO TWO EXISTING PUBLIC PAVED ROADS.
22. THE PUBLIC STREET GEOMETRICS, WIDTH OF OVER-PAVE AND THICKNESS OF THE PAVEMENT SECTIONS WILL BE DETERMINED BY THE DEPARTMENT OF PUBLIC WORKS.
23. 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.
24. 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.
25. THE PROPERTY OWNER IS REQUIRED TO GRANT A ROADWAY EASEMENT FOR COMMERCIAL DRIVEWAY(S).
26. 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. ANY NEW OR RELOCATED DISTRIBUTION LINES, SHALL BE PLACED UNDERGROUND.
27. THE CIVIL IMPROVEMENT PLANS FOR THE PROJECT SHALL INCLUDE SCHEDULE 40 PVC FIBER OPTIC CONDUIT ALONG CENTENNIAL PARKWAY.

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. THE PROPERTY OWNER IS REQUIRED TO SIGN A RESTRICTIVE COVENANT FOR UTILITIES.
30. 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.
31. A REVOCABLE ENCROACHMENT PERMIT FOR LANDSCAPING WITHIN THE PUBLIC RIGHT OF WAY IS REQUIRED.
32. ALL OFF-SITE IMPROVEMENTS MUST BE COMPLETED PRIOR TO FINAL INSPECTION OF THE FIRST BUILDING.
33. A TURN-KEY FIRE STATION, INCLUDING ASSOCIATED VEHICLES, EQUIPMENT, AND ALL CITY REQUIRED OFF-SITE IMPROVEMENTS SHALL BE COMPLETED TO THE SATISFACTION OF THE CITY AND AT THE EXPENSE OF THE DEVELOPER PRIOR TO CERTIFICATE OF OCCUPANCY FOR ANY CASINO ON THE PROPOSED SITE. THE STATION SHALL BE BUILT TO THE NORTH LAS VEGAS FIRE DEPARTMENT STATION DESIGN STANDARD, OR OTHER STANDARD AS APPROVED BY THE FIRE CHIEF. THE STATION SHALL BE FURNISHED WITH A FIRE ENGINE, A FIRE TRUCK, AND A RESCUE UNIT PER THE SPECIFICATIONS OF THE NORTH LAS VEGAS FIRE DEPARTMENT. THE LAND, BUILDING, AND EQUIPMENT FOR THE STATION SHALL BE DEEDED TO THE CITY OF NORTH LAS VEGAS. THE SITE FOR THE STATION SHALL BE APPROVED BY THE FIRE CHIEF.
34. THE SANITARY SEWER FOR THE SUBJECT PROPERTY SHALL BE ROUTED SOUTH ON SLOAN LANE AND CONNECT INTO THE EXISTING CLARK COUNTY SANITARY SEWER, UNLESS OTHERWISE DIRECTED BY THE DIRECTOR OF UTILITIES.
35. THE DEVELOPER SHALL PROVIDE A METER AND BACKFLOW PREVENTION PER BUILDING PER CITY OF NORTH LAS VEGAS MUNICIPAL WATER SERVICES RULES AND REGULATIONS.

36. INTERNAL MAPPING OF THE DEVELOPMENT SHALL BE SUBMITTED AT TIME OF BUILDING PERMIT REVIEW.
37. THE APPLICANT WILL PROVIDE TWO (2) ONSITE MITIGATION MEASURES TO MINIMIZE PUBLIC EXPOSURE TO LAND OCCUPIED BY THE NEVADA NATIONAL GUARD:
 - A. AN EIGHT (8) FOOT TALL CMU BLOCK WALL WITH AN ADDITIONAL TWO (2) FOOT WROUGHT IRON EXTENSIONS DIRECTED TOWARD THE MILLER PROPERTY WILL BE CONSTRUCTED TO PREVENT PATRONS FROM CROSSING PROPERTY LINES SHARED WITH THE NEVADA NATIONAL GUARD PROPERTY; AND
 - B. HOTEL TOWERS TO BE ORIENTED SO AS TO LIMIT VISIBILITY TO THE FLOYD EDSALL TRAINING CENTER.
38. PRIOR TO ANY CONSTRUCTION ON THE SITE, A FINAL DEVELOPMENT PLAN SHALL BE APPROVED BY THE CITY OF NORTH LAS VEGAS PLANNING COMMISSION AS A PUBLIC HEARING.
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. THIS NOTICE SHALL BE RECORDED AGAINST THE PROPERTY IN 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

4. **AN APPEAL SUBMITTED BY MAJOR CLAYTON W. CHAPPELL, ON BEHALF OF THE NEVADA ARMY NATIONAL GUARD WHOSE PROPERTY RIGHTS ARE OR MAY BE AFFECTED BY THE PLANNING COMMISSION'S DECISION TO APPROVE UN-27-08 (MILLER HOTEL AND CASINO); AN APPLICATION SUBMITTED BY MILROS COMPANY INC., ON BEHALF OF MILLER ALON & ROSANNA FAMILY TRUST, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A 90 FOOT MAXIMUM HEIGHT FOR TWO CASINOS AND HOTELS WHERE 60 FEET IS THE MAXIMUM HEIGHT ALLOWED ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF I-15 AND SLOAN LANE. (CONTINUED JULY 2, 2008) (ASSOCIATED ITEMS NO. 2, GED-01-08 AND NO. 3, APPEAL OF UN-26-08)**

Mayor Montandon opened the public hearing.

Acting Planning and Zoning Director Frank Fiori explained that condition #4 specified that this use permit would comply with all conditions of UN-26-08 and would carry forward automatically.

Mayor Montandon stated that the comments for the public hearing on item 2 would be applicable to Items 3 and 4.

Mayor Montandon closed the public hearing.

ACTION: PLANNING COMMISSION DECISION UPHELD; UN-27-08 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. THAT UN-27-08 IS SITE SPECIFIC AND NON TRANSFERRABLE.
3. THAT UN-27-08 SHALL BE NULL AND VOID IF GED-01-08 IS NOT APPROVED BY CITY COUNCIL.
4. THAT UN-27-08 SHALL COMPLY WITH ALL CONDITIONS OF APPROVAL OF UN-26-08.
5. A TURN-KEY FIRE STATION, INCLUDING ASSOCIATED VEHICLES, EQUIPMENT, AND ALL CITY REQUIRED OFF-SITE IMPROVEMENTS SHALL BE COMPLETED TO THE SATISFACTION OF THE CITY AND AT THE EXPENSE OF THE DEVELOPER PRIOR TO CERTIFICATE OF OCCUPANCY FOR ANY HOTEL OR ANY HIGH-RISE ON THE PROPOSED SITE. THE STATION SHALL BE BUILT TO THE NORTH LAS VEGAS FIRE DEPARTMENT STATION DESIGN STANDARD, OR OTHER STANDARD AS APPROVED BY THE FIRE CHIEF. THE STATION

SHALL BE FURNISHED WITH A FIRE ENGINE, A FIRE TRUCK, AND A RESCUE UNIT PER THE SPECIFICATIONS OF THE NORTH LAS VEGAS FIRE DEPARTMENT. THE LAND, BUILDING, AND EQUIPMENT FOR THE STATION SHALL BE DEEDED TO THE CITY OF NORTH LAS VEGAS. THE SITE FOR THE STATION SHALL BE APPROVED BY THE FIRE CHIEF.

6. NO HELIPORT SHALL BE BUILT UPON THE TOP OF THE HIGH-RISE.
7. A RADIO REPEATER SYSTEM SHALL BE INSTALLED PER FIRE DEPARTMENT STANDARDS IN THE HIGH-RISE.
8. THE FIRE COMMAND CENTER SHALL BE LOCATED AT GRADE AS DIRECTED BY THE FIRE DEPARTMENT.
9. A FIRE PROTECTION REPORT FOR THE HIGH-RISE SHALL BE APPROVED BY THE CITY OF NORTH LAS VEGAS PRIOR TO SUBMITTING ANY BUILDING PLANS.
10. THE SANITARY SEWER FOR THE SUBJECT PROPERTY SHALL BE ROUTED SOUTH ON SLOAN LANE AND CONNECT INTO THE EXISTING CLARK COUNTY SANITARY SEWER, UNLESS OTHERWISE DIRECTED BY THE DIRECTOR OF UTILITIES.
11. THE DEVELOPER SHALL PROVIDE A METER AND BACKFLOW PREVENTION PER BUILDING PER CITY OF NORTH LAS VEGAS MUNICIPAL WATER SERVICES RULES AND REGULATIONS.

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

5. **AMP-04-08 (CAMINO AL NORTE & WASHBURN); AN APPLICATION SUBMITTED BY INTERNATIONAL CHURCH OF THE FOUR SQUARE GOSPEL CHURCH ON BEHALF OF JAMES J. STEVINSON & GBRK, LLC, CAMINO AL NORTE VENTURES, LLC, F & M COMMERCENTER PARTNERSHIP, LEROY JAMES CALHAU TRUST, CAMINO AL NORTE, LLC AND 5105 CAMINO, LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF SINGLE FAMILY LOW (UP TO 6 DWELLING UNITS PER ACRE) AND EMPLOYMENT TO NEIGHBORHOOD COMMERCIAL ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CAMINO AL NORTE AND WASHBURN ROAD. (ASSOCIATED ITEM NO. 35, ORDINANCE NO. 2463)**

Mayor Montandon opened the public hearing.

Acting Planning and Zoning Director Frank Fiori stated that the Planning Commission recommended approval.

George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, explained that the desire was to rezone the site and change the master plan and he concurred with the recommendations.

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

Item No. 35 was heard next

35. **ORDINANCE NO. 2463; 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 10.25+ ACRES THEREIN FROM A C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT TO A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-11-08, CAMINO AL NORTE & WASHBURN), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CAMINO AL NORTE AND WASHBURN ROAD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 5, AMP-04-08)**

Ordinance No. 2463 as introduced by the City Manager:

ORDINANCE NO. 2463; 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 10.25+ ACRES THEREIN FROM A C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT TO A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-11-08, CAMINO AL NORTE & WASHBURN), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CAMINO AL NORTE AND WASHBURN ROAD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 5, AMP-04-08)

Acting Planning and Zoning Director Frank Fiori stated that the Planning Commission recommended approval.

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

PUBLIC HEARINGS (CONTINUED)

6. **UN-57-08 (STATION PLAZA); AN APPLICATION SUBMITTED BY STATION PLAZA PARTNERS, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A SALOON ON PROPERTY GENERALLY LOCATED SOUTH OF CAREY AVENUE AND APPROXIMATELY 2,250 FEET EAST OF RANCHO DRIVE.**

Mayor Montandon opened the public hearing.

Acting Planning and Zoning Director Frank Fiori explained this was a request for a use permit for on-sale of alcoholic beverages. The proposed facility would be located within Building 7 and the entire shopping center consisted of 190,993 square feet in size. The proposed saloon would be 4,000 square feet with 2,000 square feet of public floor area. There were no child care facilities, city owned parks, schools or non-profit clubs within the required separation distance. Staff recommended approval.

George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, concurred with Staff recommendations.

Councilwoman Smith expressed her opposition to this use permit and felt it was not what was visioned for the City.

Mr. Garcia explained that from a business license standpoint it was considered a saloon but was typically a tavern.

Planning and Zoning Manager Marc Jordan explained that the required distance separation for gaming activities was met.

Mayor Montandon closed the public hearing.

ACTION: APPROVED

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

BUSINESS (CONTINUED)

24. APPROVAL OF A COPIER RENTAL AND MAINTENANCE AGREEMENT WITH FMK BUSINESS EQUIPMENT INCORPORATED, DBA TOSHIBA FINANCIAL SERVICES, IN THE AMOUNT OF \$173,676, USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332 LOCAL GOVERNMENT PURCHASING ACT, WHICH WILL BE USED BY VARIOUS CITY DEPARTMENTS.

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

25. APPROVAL OF AN AGREEMENT WITH DYNTEK IN THE AMOUNT OF \$100,800, USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332 LOCAL GOVERNMENT PURCHASING ACT, FOR THE PURCHASE OF CISCO NETWORK EQUIPMENT TO ACCOMMODATE NETWORK EXPANSION AND INCREASED USAGE FOR THE INFORMATION TECHNOLOGY DEPARTMENT.

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

26. **AWARD OF AN INFORMAL BID TO BREEZE BROTHERS CONSTRUCTION, LLC, IN THE AMOUNT OF \$89,600 FOR THE REMODEL OF THE MEN'S AND WOMEN'S PUBLIC BATHROOMS LOCATED IN THE PARKS AND RECREATION NEIGHBORHOOD RECREATION CENTER AT 1638 NORTH BRUCE STREET.**

ACTION: BID AWARDED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

27. **AUTHORIZATION OF THE ALLOCATION OF HOME INVESTMENT PARTNERSHIPS FUNDS IN THE AMOUNT OF \$500,000 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

ORDINANCES
INTRODUCTION ONLY

28. **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. (SET FINAL ACTION FOR AUGUST 6, 2008)**

Ordinance No. 2466 as introduced by the City Clerk:

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. (SET FINAL ACTION FOR AUGUST 6, 2008)

ACTION: FINAL ACTION SET FOR AUGUST 6, 2008

29. **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. (SET FINAL ACTION FOR AUGUST 6, 2008)**

Ordinance No. 2467 as introduced by the City Clerk:

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. (SET FINAL ACTION FOR AUGUST 6, 2008)

ACTION: FINAL ACTION SET FOR AUGUST 6, 2008

30. **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. (SET FINAL ACTION FOR AUGUST 6, 2008)**

Ordinance No. 2468 as introduced by the City Clerk:

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. (SET FINAL ACTION FOR AUGUST 6, 2008)

ACTION: FINAL ACTION SET FOR AUGUST 6, 2008

31. **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. (SET FINAL ACTION FOR AUGUST 6, 2008)**

Ordinance No. 2469 as introduced by the City Clerk:

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. (SET FINAL ACTION FOR AUGUST 6, 2008)

ACTION: FINAL ACTION SET FOR AUGUST 6, 2008

32. **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. (SET FINAL ACTION FOR AUGUST 6, 2008) (ASSOCIATED ITEM NO. 20, PETITION FOR ANNEXATION NO. 142)**

Ordinance No. 2470 as introduced by the City Clerk:

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. (SET FINAL ACTION FOR AUGUST 6, 2008) (ASSOCIATED ITEM NO. 20, PETITION FOR ANNEXATION NO. 142)

ACTION: FINAL ACTION SET FOR AUGUST 6, 2008

ORDINANCES
FINAL ACTION

33. **ORDINANCE NO. 2453; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY AMENDING A PREVIOUSLY APPROVED 3.9+ ACRE PUD, PLANNED UNIT DEVELOPMENT DISTRICT BY ADDING 1,600 SQUARE FEET OF RETAIL SPACE AND ADDING A 2,000 SQUARE FOOT CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THROUGH, FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND NORTH 5TH STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED JUNE 18, 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

34. 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.

ACTION: CONTINUED TO SEPTEMBER 17, 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

36. 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.

ACTION: CONTINUED TO AUGUST 6, 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

37. **ORDINANCE NO. 2465 (ANNEXATION NO. 141); 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.**

Ordinance No. 2465 as introduced by the City Manager:

ORDINANCE NO. 2465 (ANNEXATION NO. 141); 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: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

APPOINTMENTS

38. RATIFICATION OF THE APPOINTMENT OF FRANK FIORI AS DIRECTOR OF THE PLANNING AND ZONING DEPARTMENT EFFECTIVE JUNE 30, 2008.

ACTION: RATIFIED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

COUNCIL ITEMS

Councilman Eliason requested Staff to bring back a discussion regarding height restrictions in the downtown area.

CITY MANAGER'S REPORT

There was no additional report.

PUBLIC FORUM

There was no public participation.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 7:27 P.M.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

APPROVED: August 20, 2008

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

ATTEST:

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