

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

March 7, 2007

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

**CITY COUNCIL MEETING**

**CALL TO ORDER**

6:26 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  
Assistant City Manager Sam Chambers  
Assistant City Manager Maryann Ustick  
City Attorney Carie Torrence  
City Clerk Karen L. Storms  
Communications Director Brenda Fischer  
Economic Development Director Mike Majewski  
Finance Director Phil Stoeckinger  
Deputy Fire Chief Kevin Brame  
General Services Director Eric Dabney  
Human Services Director Joyce Lira

Information Technology Director Steve Chapin  
Legislative Affairs Officer Kimberly McDonald  
Assistant Library Director Kathy Pennell  
Parks and Recreation Director Mike Henley  
Planning and Zoning Director Jory Stewart  
Police Chief Mark Paresi  
Public Works Director Majed Al-Ghafry  
Utilities Director David Bereskin  
Planning and Zoning Manager Marc Jordan  
Senior Assistant to City Manager Kenny Young  
Chief Deputy City Clerk Anita Sheldon

**WELCOME**

Mayor Michael L. Montandon

**VERIFICATION**

Karen L. Storms, CMC  
City Clerk

**INVOCATION**

Joanna Wesley

**PLEDGE OF ALLEGIANCE**

Boy Scout Troop #470

**PUBLIC FORUM**

**Joanna Wesley, 3218 Crawford Street, North Las Vegas**, commended Council for steps taken in transitional housing issues. She felt the problem was not a local issue, but statewide. She suggested meeting with the City Council regarding a program called "Do you really know your neighbor". She felt an initiative and possible pilot program should be put in place.

**PRESENTATION**

- ★ **PRESENTATION OF OFFICIAL AIR FORCE 60<sup>TH</sup> ANNIVERSARY FLAG TO THE CITY OF NORTH LAS VEGAS RECOGNIZING THE 60<sup>TH</sup> ANNIVERSARY OF THE AIR FORCE.**

**Colonel Maria Dowling, Vice Commander of the 99<sup>th</sup> Wing**, introduced members of the Public Affairs Staff from Nellis Air Force Base and explained that the Secretary of the Air Force sent a flag to be presented to the City which commemorated the 60<sup>th</sup> Anniversary of the United States Air Force.

ACTION: PRESENTATION MADE

**AGENDA**

1. **APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF MARCH 7, 2007.**

ACTION: APPROVED AS AMENDED; ITEM NO. 4 CONTINUED TO MARCH 21, 2007; ITEM NO. 23 Tabled TO MARCH 21, 2007; ITEM NO. 27 CONTINUED TO APRIL 4, 2007.

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

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

2. **AN APPEAL SUBMITTED BY GEORGE GARCIA, ON BEHALF OF THE PROPERTY OWNER, OF THE DECISION OF THE PLANNING COMMISSION TO DENY VN-15-06 (NORTH 5<sup>TH</sup> & REGENA); AN APPLICATION SUBMITTED BY SIEMPRE, LLC, PROPERTY OWNER, FOR A VARIANCE IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A 12-FOOT BUILDING SETBACK, WHERE 20 FEET IS REQUIRED ALONG NORTH 5<sup>TH</sup> STREET ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF NORTH 5<sup>TH</sup> STREET AND REGENA AVENUE. (CONTINUED AUGUST 2, SEPTEMBER 6, OCTOBER 4 AND DECEMBER 6, 2006)**

**George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson** explained the applicant was working with Staff and consultants on the design issues relating to North 5<sup>th</sup> Street and requested a continuance of the item.

ACTION: CONTINUED TO JUNE 6, 2007

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

3. **VAC-23-06 (BEESLEY & AZURE); AN APPLICATION SUBMITTED BY MARK LEFKOWITZ, ON BEHALF OF LEFKOWITZ M I DEF BEN, PROPERTY OWNER, TO VACATE FANNIN WAY BETWEEN AZURE AVENUE AND REISS LANE, AND TO VACATE REISS LANE BETWEEN BEESLEY DRIVE AND FANNIN WAY.**

Public Works Director Majed Al-Ghafry requested approval of this item.

**Gary Lefkowitz, 8350 West Sahara Avenue, Suite 290, Las Vegas**, appeared on behalf of the applicant.

Mayor Montandon closed the public hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITION:

THE VACATION MUST RECORD CONCURRENTLY WITH THE REVERSIONARY PARCEL MAP. SHOULD THE ORDER OF VACATION NOT RECORD WITHIN TWO YEARS FROM THE APPROVAL DATE, THE VACATION SHALL BE DEEMED NULL AND VOID.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

**4. PUBLIC HEARING REGARDING SPECIAL IMPROVEMENT DISTRICT NO. 63 (LAMB BOULEVARD - I-15 TO CLARK COUNTY 215).**

ACTION: CONTINUED TO MARCH 21, 2007

**CONSENT AGENDA**

**5. APPROVAL OF AN APPLICATION FOR RESTRICTED GAMING BUSINESS LICENSE FOR E-T-T, INC., D.B.A.T. LOSEE MINI MART, 300 W. LAKE MEAD BOULEVARD, NORTH LAS VEGAS, NEVADA, 89030, PENDING VERIFICATION OF STATE OF NEVADA GAMING COMMISSION APPROVAL.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**6. APPROVAL OF AN APPLICATION FOR MASSAGE THERAPIST BUSINESS LICENSE FOR MEGAN KERFIEN, 6104 SHADOW OAK DRIVE, NORTH LAS VEGAS, NEVADA, 89031.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**7. ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT FROM THE UNITED STATES DEPARTMENT OF VETERAN AFFAIRS FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT BELTWAY WB & LOSEE ROAD IN THE AMOUNT OF 12.8% OF THE TOTAL COST OR \$77,192; BELTWAY EB & LOSEE ROAD IN THE AMOUNT OF 10.3% OF THE TOTAL COST OR \$62,115; BELTWAY WB & PECOS ROAD IN THE AMOUNT OF 29.1% OF THE TOTAL COST OR \$232,086; BELTWAY EB & PECOS ROAD IN THE AMOUNT OF 12.8% OF THE TOTAL COST OR \$102,086; BELTWAY WB & LAMB BOULEVARD IN THE AMOUNT OF 6.9% OF THE TOTAL COST OR \$55,031; BELTWAY EB & LAMB BOULEVARD IN THE AMOUNT OF 6% OF THE TOTAL COST OR \$47,853; CENTENNIAL PARKWAY & LOSEE ROAD IN THE AMOUNT OF 12.8% OF THE TOTAL COST OR \$67,123; CENTENNIAL PARKWAY & PECOS ROAD IN THE AMOUNT OF 13.2% OF THE TOTAL COST OR \$69,221; CENTENNIAL PARKWAY & LAMB BOULEVARD IN THE AMOUNT OF 12.5% OF THE TOTAL COST OR \$99,693; AND DEER SPRINGS WAY & PECOS ROAD - DUAL LEFT IN THE AMOUNT OF 100% OF THE TOTAL COST OR \$125,000 FOR THE VA MEDICAL CENTER, LOCATED EAST OF PECOS ROAD BETWEEN CLARK COUNTY 215 AND RELOCATED DEER SPRINGS WAY.**

ACTION: PAYMENT ACCEPTED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

8. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT FROM THE PUEBLO PARTNERS, INC. FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT CRAIG ROAD & LAMB BOULEVARD - SOUTH LEG/DUAL LEFT IN THE AMOUNT OF 3.7% OF THE TOTAL COST OR \$4,625; AND CRAIG ROAD & LAMB BOULEVARD - WEST LEG/DUAL LEFT IN THE AMOUNT OF 1% OF THE TOTAL COST OR \$1,250 FOR THE CRAIG ROAD CONDOMINIUMS PROJECT, LOCATED ON THE SOUTHWEST CORNER OF CRAIG ROAD & VANDENBERG DRIVE.**

ACTION: PAYMENT ACCEPTED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

9. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT FROM VANDENBERG 8, LLC FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT LONE MOUNTAIN ROAD & LAMB BOULEVARD IN THE AMOUNT OF 1% OF THE TOTAL COST OR \$5,244; AND CRAIG ROAD & VANDENBERG DRIVE IN THE AMOUNT OF 2.3% OF THE TOTAL COST OR \$21,095 FOR THE VANDENBERG WAREHOUSE PROJECT, LOCATED ON THE WEST SIDE OF VANDENBERG DRIVE, SOUTH OF LONE MOUNTAIN ROAD.**

ACTION: PAYMENT ACCEPTED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

10. ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT FROM EWING BROTHERS, INC. FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT CRAIG ROAD & LOSEE ROAD - IMPROVEMENTS IN THE AMOUNT OF 1.1 % OF THE TOTAL COST OR \$1,320; CRAIG ROAD & BRUCE STREET - IMPROVEMENTS IN THE AMOUNT OF 1% OF THE TOTAL COST OR \$1,200; AND ALEXANDER ROAD & LOSEE ROAD IN THE AMOUNT OF 1.1 % OF THE TOTAL COST OR \$6,817 FOR THE EWING BROTHERS TOWING YARD AT ALEXANDER & LOSEE, LOCATED APPROXIMATELY 500 FEET WEST OF LOSEE ROAD, NORTH OF ALEXANDER ROAD.

ACTION: PAYMENT ACCEPTED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

11. APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH ANN FIFTH INVESTORS, LLC FOR A PORTION OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT ANN ROAD & BRUCE STREET IN THE AMOUNT OF 0.3% OF THE TOTAL COST OR \$1,642; ANN ROAD & COMMERCE STREET IN THE AMOUNT OF 0.5% OF THE TOTAL COST OR \$2,607; ANN ROAD & NORTH 5<sup>TH</sup> STREET IN THE AMOUNT OF 4.9% OF THE TOTAL COST OR \$13,157; WASHBURN ROAD & NORTH 5<sup>TH</sup> STREET IN THE AMOUNT OF 0.6% OF THE TOTAL COST OR \$2,535; ANN ROAD & COMMERCE STREET - EAST LEG/DUAL LEFT IN THE AMOUNT OF 0.6% OF THE TOTAL COST OR \$731; ANN ROAD & COMMERCE STREET - NORTH LEG/DUAL LEFT IN THE AMOUNT OF 0.6% OF THE TOTAL COST OR \$731; ANN ROAD & BRUCE STREET - SOUTH LEG/DUAL LEFT IN THE AMOUNT OF 0.5% OF THE TOTAL COST OR \$636; ANN ROAD & NORTH 5<sup>TH</sup> STREET - EAST LEG/DUAL LEFT IN THE AMOUNT OF 1.1% OF THE TOTAL COST OR \$1,272; ANN ROAD & NORTH 5<sup>TH</sup> STREET - SOUTH LEG/DUAL LEFT IN THE AMOUNT OF 3.3% OF THE TOTAL COST OR \$3,911; ANN ROAD & NORTH 5<sup>TH</sup> STREET - WEST LEG/DUAL LEFT IN THE AMOUNT OF 6.5% OF THE TOTAL COST OR \$7,855; WASHBURN ROAD &

**NORTH 5<sup>TH</sup> STREET - NORTH LEG/DUAL LEFT IN THE AMOUNT OF 0.5% OF THE TOTAL COST OR \$636; AND WASHBURN ROAD & NORTH 5<sup>TH</sup> STREET - WEST LEG/DUAL LEFT IN THE AMOUNT OF 0.5% OF THE TOTAL COST OR \$636 FOR THE ANN/NORTH 5<sup>TH</sup> CONVENIENCE STORE & SHOPPING CENTER, LOCATED ON THE SOUTHWEST CORNER OF ANN ROAD & NORTH 5<sup>TH</sup> STREET. (CNLV CONTRACT NO. C-6505)**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

12. **APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH ANN FIFTH MARKETPLACE, LLC FOR A PORTION OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT ANN ROAD & BRUCE STREET IN THE AMOUNT OF 0.7% OF THE TOTAL COST OR \$4,555; ANN ROAD & COMMERCE STREET IN THE AMOUNT OF 1.5% OF THE TOTAL COST OR \$7,231; ANN ROAD & NORTH 5<sup>TH</sup> STREET IN THE AMOUNT OF 8% OF THE TOTAL COST OR \$36,492; WASHBURN ROAD & NORTH 5<sup>TH</sup> STREET IN THE AMOUNT OF 1.5% OF THE TOTAL COST OR \$7,031; ANN ROAD & COMMERCE STREET - EAST LEG/DUAL LEFT IN THE AMOUNT OF 1.7% OF THE TOTAL COST OR \$2,029; ANN ROAD & COMMERCE STREET - NORTH LEG/DUAL LEFT IN THE AMOUNT OF 1.7% OF THE TOTAL COST OR \$2,029; ANN ROAD & BRUCE STREET - SOUTH LEG/DUAL LEFT IN THE AMOUNT OF 1.5% OF THE TOTAL COST OR \$1,764; ANN ROAD & NORTH 5<sup>TH</sup> STREET - EAST LEG/DUAL LEFT IN THE AMOUNT OF 2.9% OF THE TOTAL COST OR \$3,528; ANN ROAD & NORTH 5<sup>TH</sup> STREET - SOUTH LEG/DUAL LEFT IN THE AMOUNT OF 9% OF THE TOTAL COST OR \$10,849; ANN ROAD & NORTH 5<sup>TH</sup> STREET - WEST LEG/DUAL LEFT IN THE AMOUNT OF 18.2% OF THE TOTAL COST OR \$21,785; WASHBURN ROAD & NORTH 5<sup>TH</sup> STREET - NORTH LEG/DUAL LEFT IN THE AMOUNT OF 1.5% OF THE TOTAL COST OR \$1,764; AND WASHBURN ROAD & NORTH 5<sup>TH</sup> STREET - WEST LEG/DUAL LEFT IN THE AMOUNT OF 1.5% OF THE TOTAL COST OR \$1,764 FOR THE ANN/NORTH 5<sup>TH</sup> CONVENIENCE STORE & SHOPPING CENTER, LOCATED ON THE SOUTHWEST CORNER OF ANN ROAD & NORTH 5<sup>TH</sup> STREET. (CNLV CONTRACT NO. C-6504)**

ACTION: APPROVED

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

13. **APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH OFFICES AT ANN ALLEN COMMONS, LLC FOR A PORTION OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT ANN ROAD & ALLEN LANE IN THE AMOUNT OF 7.9% OF THE TOTAL COST OR \$41,428; ANN ROAD & VALLEY DRIVE IN THE AMOUNT OF 4.1% OF THE TOTAL COST OR \$21,500; ANN ROAD & SIMMONS STREET IN THE AMOUNT OF 4.9% OF THE TOTAL COST OR \$5,880; AND TROPICAL PARKWAY & ALLEN LANE IN THE AMOUNT OF 2% OF THE TOTAL COST OR \$12,061 FOR THE ANN PROFESSIONAL PLAZA, PHASE I & II, LOCATED ON THE NORTHWEST CORNER OF ANN ROAD & ALLEN LANE. (CNLV CONTRACT NO. C-6503)**

ACTION: APPROVED

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

14. **APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH SIMMONS II, LLC FOR A PORTION OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT BELTWAY & ALIANTE PARKWAY IN THE AMOUNT OF 1.9% OF THE TOTAL COST OR \$2,280; CENTENNIAL PARKWAY & SIMMONS STREET IN THE AMOUNT OF 6.3% OF THE TOTAL COST OR \$33,037; AND DEER SPRINGS WAY & SIMMONS STREET IN THE AMOUNT OF 2.9% OF THE TOTAL COST OR \$13,224 FOR THE CENTENNIAL/SIMMONS COMMERCIAL CENTER (CENTENNIAL PLAZA), LOCATED ON THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY & SIMMONS STREET. (CNLV CONTRACT NO. C-6502)**

ACTION: APPROVED

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

15. **UN-46-02 (CENTENNIAL & PECOS); AN APPLICATION SUBMITTED BY JADE ENTERPRISES, C/O ALBERT TABAN, ON BEHALF OF SUNRISE ADVISORS, LLC, C/O ALBERT TABAN, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND PECOS ROAD. (SET PUBLIC HEARING FOR MARCH 21, 2007)**

ACTION: PUBLIC HEARING SET FOR MARCH 21, 2007

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

16. **VAC-02-07(ANN ROAD MT. HOOD BUSINESS CENTER); AN APPLICATION SUBMITTED BY ANN MT. HOOD, LLC, PROPERTY OWNER, TO VACATE THE NORTHERN TEN (10) FEET OF ANN ROAD BETWEEN MT. HOOD STREET AND SHATZ STREET. (SET PUBLIC HEARING FOR APRIL 4, 2007)**

ACTION: PUBLIC HEARING SET FOR APRIL 4, 2007

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

**BUSINESS**

17. **APPROVAL OF CONSTRUCTION CHANGE ORDER NO. 1 TO THE ADA ACCESSIBILITY FY06/07 AND DOJ ADA COMPLIANCE FY05/06 AND 06/07 PROJECT, BID NO. 1251 WITH SOUTHWEST IRON WORKS, LLC, IN THE AMOUNT OF \$600,000 FROM THE TAX OVERRIDE FUND TO INCLUDE CONSTRUCTION OF ADA ACCESSIBLE RAMPS AND SIDEWALKS, REMOVING AND REPLACING DAMAGED SECTIONS OF EXISTING SIDEWALKS, CURBS, AND GUTTERS TO ELIMINATE DISPLACEMENT HAZARDS, AND ALL OTHER APPURTENANCES.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

18. **APPROVAL TO RECEIVE AND FILE THE CERTIFICATES OF SALES REPORT DUE TO THE NON-PAYMENT OF A SPECIAL ASSESSMENT FOR PROPERTIES LOCATED WITHIN A SPECIAL IMPROVEMENT DISTRICT, IN ACCORDANCE WITH NEVADA REVISED STATUTE 271.565.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

**19. APPROVAL OF A CONTRACT WITH NETCOM AMERICA, INC., IN THE AMOUNT OF \$101,135 TO CHANGE THE SECURITY SYSTEM FOR THE ADAM, FRANK & MARY DORMITORIES TO THE INTELLI-SITE SECURITY SYSTEM FOR THE POLICE DEPARTMENT DETENTION CENTER. (CNLV CONTRACT NO. C-6501)**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**20. APPROVAL OF THE 2006/2007 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING REALLOCATION IN THE AMOUNT OF \$14,000 AS RECOMMENDED BY THE CITIZENS ADVISORY COMMITTEE: \$3,500 TO CLASSROOMS ON WHEELS-PRESCHOOL PROGRAM; \$3,500 TO VARIETY DAY HOME-CHILDCARE TUITION SCHOLARSHIPS; \$3,500 TO THE BOYS & GIRLS CLUB OF LAS VEGAS-GANG PREVENTION; AND \$3,500 TO SPREAD THE WORD: KIDS TO KIDS-YOUTH AND FAMILY LITERACY PROGRAM.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**21. APPROVAL OF THE 2007/2008 COMMUNITY DEVELOPMENT BLOCK GRANT ALLOCATION AND EXPENDITURE STIPULATIONS IN THE AMOUNT OF \$1,615,117 AS RECOMMENDED BY THE CITIZENS ADVISORY COMMITTEE.**

Mayor Pro Tempore Robinson commented that the Neighborhood Services Department be cautious about disbursement of Community Development Block Grant funding for transitional housing.

Councilman Eliason recommended that future ordinances address the transitional housing issue.

Councilwoman Buck thanked the members of the Citizens Advisory Committee for their work and recommendations.

Councilwoman Smith questioned the amount of \$15,000 that was recommended for the Neighborhood Housing Services of which 100% was for salaries.

Senior Assistant to the City Manager Kenny Young explained that the Citizens Advisory Committee recommended the amount for a home-buyer education program.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**22. AUTHORIZE ISSUANCE OF A PURCHASE ORDER TO MACHABEE OFFICE ENVIRONMENTS IN AN AMOUNT NOT TO EXCEED \$115,000, USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332 LOCAL GOVERNMENT PURCHASING ACT AND NEVADA STATE BID NUMBER 6673, TO FURNISH THE EXPANSION OF OFFICES AND TRAINING CENTER AT THE HUMAN RESOURCES DEPARTMENT LOCATED AT 2290 MCDANIEL STREET, SUITE 1A.**

ACTION: PURCHASE ORDER AUTHORIZED

MOTION: Councilwoman Buck

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith and Buck

NAYS: Councilman Eliason

ABSTAIN: None

23. **RESOLUTION NO. 2371; A RESOLUTION DISPOSING OF THE PROTESTS MADE AT THE HEARING ON THE PROVISIONAL ORDER FOR THE CITY OF NORTH LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 63 (LAMB BLVD. - I-15 TO CLARK COUNTY 215); MAKING DETERMINATIONS ON HARDSHIP APPLICATIONS FILED; AND DIRECTING THAT THE ENGINEERING DIVISION OF THE DEPARTMENT OF PUBLIC WORKS PREPARE AND FILE A REVISED AND DETAILED ESTIMATE OF COST, FULL AND DETAILED FINAL PLANS AND SPECIFICATIONS, AND A REVISED MAP AND ASSESSMENT PLAT.**

ACTION: TABLED TO MARCH 21, 2007

**ORDINANCES**  
**INTRODUCTION ONLY**

24. **ORDINANCE NO. 2353; AN ORDINANCE CREATING THE CITY OF NORTH LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 63 (LAMB BLVD. - I-15 TO CLARK COUNTY 215). (SET FINAL ACTION FOR MARCH 21, 2007)**

Ordinance No. 2353 as introduced by the City Clerk:

ORDINANCE NO. 2353; AN ORDINANCE CREATING THE CITY OF NORTH LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 63 (LAMB BLVD. - I-15 TO CLARK COUNTY 215). (SET FINAL ACTION FOR MARCH 21, 2007)

ACTION: FINAL ACTION SET FOR MARCH 21, 2007

25. **ORDINANCE NO. 2355; 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 9.3+ ACRES THEREIN FROM AN O-L, OPEN LAND DISTRICT TO AN M-2, GENERAL INDUSTRIAL DISTRICT (ZN-48-07, AZURE & MOUNT HOOD), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF AZURE AVENUE & MOUNT HOOD STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MARCH 21, 2007)**

Ordinance No. 2355 as introduced by the City Clerk:

ORDINANCE NO. 2355; 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 9.3± ACRES THEREIN FROM AN O-L, OPEN LAND DISTRICT TO AN M-2, GENERAL INDUSTRIAL DISTRICT (ZN-48-07, AZURE & MOUNT HOOD), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF AZURE AVENUE & MOUNT HOOD STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MARCH 21, 2007)

ACTION: FINAL ACTION SET FOR MARCH 21, 2007

26. ORDINANCE NO. 2356; 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 574.1 ACRES OF THE 2,074 ACRE EAST PARCEL OF THE PARK HIGHLANDS MASTER PLANNED COMMUNITY FROM AN MPC/MASTER PLANNED COMMUNITY OVERLAY DISTRICT TO VARIOUS ZONING DISTRICTS CONSISTENT WITH THE MAY 3, 2006 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI, INC., ORDINANCE NO. 2267, INCLUDING PSP/MPC PUBLIC SEMI PUBLIC/MASTER PLANNED COMMUNITY DISTRICT, RZ10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY DISTRICT, RZ13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY DISTRICT, RZ25/MPC RESIDENTIAL ZONE UP TO 25 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY DISTRICT, RZ50/MPC RESIDENTIAL ZONE UP TO 50 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY DISTRICT, C-1/MPC NEIGHBORHOOD COMMERCIAL/MASTER PLANNED COMMUNITY DISTRICT, C-2/MPC GENERAL COMMERCIAL/MASTER PLANNED COMMUNITY DISTRICT, AND MUZ/MPC MIXED USE ZONE/MASTER PLANNED COMMUNITY DISTRICT (ZN-49-07 THROUGH ZN-69-07) FOR PROPERTY GENERALLY BOUNDED ON THE NORTH BY GRAND TETON DRIVE, ON THE EAST BY LOSEE ROAD, ON THE WEST BY CLAYTON STREET, AND ON THE SOUTH BY THE 215 BELTWAY, DEER SPRINGS WAY AND ELKHORN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MARCH 21, 2007)

Ordinance No. 2356 as introduced by the City Clerk:

ORDINANCE NO. 2356; 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 574.1 ACRES OF THE 2,074 ACRE EAST PARCEL OF THE PARK HIGHLANDS MASTER PLANNED COMMUNITY FROM AN MPC/MASTER PLANNED COMMUNITY OVERLAY DISTRICT TO VARIOUS ZONING DISTRICTS CONSISTENT WITH THE MAY 3, 2006 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI, INC., ORDINANCE NO. 2267, INCLUDING PSP/MPC PUBLIC SEMI PUBLIC/MASTER PLANNED COMMUNITY DISTRICT, RZ10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY DISTRICT, RZ13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY DISTRICT, RZ25/MPC RESIDENTIAL ZONE UP TO 25 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY DISTRICT, RZ50/MPC RESIDENTIAL ZONE UP TO 50 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY DISTRICT, C-1/MPC NEIGHBORHOOD COMMERCIAL/MASTER PLANNED COMMUNITY DISTRICT, C-2/MPC GENERAL COMMERCIAL/MASTER PLANNED COMMUNITY DISTRICT, AND MUZ/MPC MIXED USE ZONE/MASTER PLANNED COMMUNITY DISTRICT (ZN-49-07 THROUGH ZN-69-07) FOR PROPERTY GENERALLY BOUNDED ON THE NORTH BY GRAND TETON DRIVE, ON THE EAST BY LOSEE ROAD, ON THE WEST BY CLAYTON STREET, AND ON THE SOUTH BY THE 215 BELTWAY, DEER SPRINGS WAY AND ELKHORN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MARCH 21, 2007)

ACTION: FINAL ACTION SET FOR MARCH 21, 2007

**ORDINANCES**  
**FINAL ACTION**

27. **ORDINANCE NO. 2339; 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 22.91+ ACRES THEREIN FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO AN MUD, MIXED USE DEVELOPMENT DISTRICT (ZN-54-06, CRAIG & ALLEN) CONSISTING OF 440 CONDOMINIUMS AND/OR LIVE-WORK RESIDENTIAL**

**UNITS AND 72,300 SQUARE FEET OF COMMERCIAL AREA LOCATED AT THE SOUTHWEST CORNER OF ALLEN LANE AND CRAIG ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**  
**(CONTINUED JANUARY 17 AND FEBRUARY 7, 2007)**

ACTION: CONTINUED TO APRIL 4, 2007

**28. ORDINANCE NO. 2332; AN ORDINANCE AUTHORIZING THE ISSUANCE OF A REGISTERED LOCAL IMPROVEMENT BOND, SERIES 2007, FOR CITY OF NORTH LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT NOS. 61 AND 62 TO FINANCE THE CONSTRUCTION OF LOCAL IMPROVEMENTS.**

Ordinance No. 2332 as introduced by the City Manager:

ORDINANCE NO. 2332; AN ORDINANCE AUTHORIZING THE ISSUANCE OF A REGISTERED LOCAL IMPROVEMENT BOND, SERIES 2007, FOR CITY OF NORTH LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT NOS. 61 AND 62 TO FINANCE THE CONSTRUCTION OF LOCAL IMPROVEMENTS.

Public Works Director Majed Al-Ghafry explained Staff recommended the ordinance be passed and adopted.

ACTION: PASSED AND ADOPTED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**29. ORDINANCE NO. 2340; AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, NEVADA AS FOLLOWS: (1) AMENDING SECTIONS 8.20.110B AND 8.20.110C TO PERMIT STORAGE OF 96 GALLON SINGLE RECEPTACLES AND SET FORTH PERMISSIBLE LOCATIONS FOR THE STORAGE OF SINGLE RECEPTACLES; (2) AMENDING SECTION 8.24.020 TO CLARIFY THE DEFINITION OF TRASH; (3) ADD SECTION 8.34.010 TO SET FORTH THE RULES FOR STORAGE OF RESIDENTIAL AND COMMERCIAL**

**TEMPORARY PORTABLE STORAGE CONTAINERS; (4) ADD SECTION 8.34.020 TO SET FORTH THE ENFORCEMENT PROVISIONS FOR THE STORAGE OF TEMPORARY PORTABLE STORAGE CONTAINERS; (5) ADD SECTION 8.34.030 TO SET FORTH PENALTIES FOR VIOLATION OF THE REQUIREMENTS FOR TEMPORARY PORTABLE STORAGE CONTAINERS; (6) ADD SECTION 9.08.050 TO ADD THE CRIME OF PUBLIC NUISANCE; (7) AMENDING SECTIONS 10.48.100.A.1, 10.48.100.A.2, 10.48.100.A.3, 10.48.100.A.4, 10.48.100.B, 10.48.100.C, 10.48.100.D, 10.48.100.E, 10.48.100.F, 10.48.100.G, 10.48.100.H AND 10.48.100.I TO CLARIFY THE PERMISSIBLE EXTERIOR PLACEMENT OF VEHICLES IN RESIDENTIAL OR MIXED-USE ZONING DISTRICTS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

Ordinance No. 2340 as introduced by the City Manager:

ORDINANCE NO. 2340; AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, NEVADA AS FOLLOWS: (1) AMENDING SECTIONS 8.20.110B AND 8.20.110C TO PERMIT STORAGE OF 96 GALLON SINGLE RECEPTACLES AND SET FORTH PERMISSIBLE LOCATIONS FOR THE STORAGE OF SINGLE RECEPTACLES; (2) AMENDING SECTION 8.24.020 TO CLARIFY THE DEFINITION OF TRASH; (3) ADD SECTION 8.34.010 TO SET FORTH THE RULES FOR STORAGE OF RESIDENTIAL AND COMMERCIAL TEMPORARY PORTABLE STORAGE CONTAINERS; (4) ADD SECTION 8.34.020 TO SET FORTH THE ENFORCEMENT PROVISIONS FOR THE STORAGE OF TEMPORARY PORTABLE STORAGE CONTAINERS; (5) ADD SECTION 8.34.030 TO SET FORTH PENALTIES FOR VIOLATION OF THE REQUIREMENTS FOR TEMPORARY PORTABLE STORAGE CONTAINERS; (6) ADD SECTION 9.08.050 TO ADD THE CRIME OF PUBLIC NUISANCE; (7) AMENDING SECTIONS 10.48.100.A.1, 10.48.100.A.2, 10.48.100.A.3, 10.48.100.A.4, 10.48.100.B, 10.48.100.C, 10.48.100.D, 10.48.100.E, 10.48.100.F, 10.48.100.G, 10.48.100.H AND 10.48.100.I TO CLARIFY THE PERMISSIBLE EXTERIOR PLACEMENT OF VEHICLES IN RESIDENTIAL OR MIXED-USE ZONING DISTRICTS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Mayor Pro Tempore Robinson questioned responsibility for the clean-up of the receptacles once they have been installed. Senior Assistant to the City Manager Kenny Young explained it would be a collaborative effort between the City and neighbors.

Councilman Eliason was concerned with inconsistent enforcement among the Code Enforcement Officers. Mr. Young explained Staff would be trained regarding enforcement once the ordinance was passed.

Mr. Young explained the ordinance addressed two areas, behavioral and property nuisances. There were services tied up with repeated issues, abandoned buildings, loud parties and disruptive behavior. The proposed ordinance would deal with the sale and distribution of liquor, areas where drugs were sold, excessive noise and disorderly behavior which constituted public nuisances. It would be the responsibility of the property owner to remove any nuisance from the property. He explained that trash cans in excess of thirty gallons were illegal under the current ordinance. One issue dealt with the area east of City Hall regarding large bin receptacles. A proposed solution allowed each individual apartment unit to have a dedicated receptacle.

Mr. Young spoke about the issue of dead trees, mostly the American and Dutch Elm species which created a public health and safety hazard. He explained the issue of temporary portable storage containers that were placed in, or obstructing the public right-of-way. Staff proposed a thirty-day limit every twelve months for residential properties and sixty-day limit every six months for commercial property. An encroachment permit would need to be obtained for storage on the street with an exception for active building permit. The container would not be allowed on landscaped property, obstruct vehicle or pedestrian traffic, or used as a marketing billboard. Staff worked with the Classic Car Owners Association and adopted a provision within NRS 487 which exempted current licensing requirements provided under 10.48.100. There was a thirty day limit per twelve months in residential properties and sixty day limit per six months for commercial properties for licensing.

Another issue explained was abandoned vehicles which were mostly found in mature neighborhoods. The vehicle cover requirements were retracted because of excessive winds and sun, which made it difficult to find durable covers.

Mayor Pro Tempore Robinson questioned whether these issues would be handled with present Staff and no request would be made for additional Staff. Mr. Young explained the current Staff would work on these issues.

City Manager Rose explained the intention was for the current Staff to implement the new policies.

Councilwoman Buck questioned the section on nuisance regarding the owner of the property having the same knowledge of the property use as the agent or property manager and asked if that meant the owner would know what a renter was doing. City Attorney Torrence explained that the intent would be that the landowner would be provided notice of the issues from either the Police Department, Code Enforcement or City Attorney's Office and had a certain period of time to have it corrected before being cited. Councilwoman Buck questioned the timeframe for notification. City Attorney Torrence explained the timeframe would be ten days to correct the conditions.

Mr. Young explained the new policy allowed Staff a defense for enforcement.

**Bob Mersereau, 4836 Crystal Sword Street, North Las Vegas**, explained he was in favor of the ordinance which allowed the Code Enforcement Officers and Police Department the ability to enforce violations.

**Robert Evans, PO Box 335147, North Las Vegas**, explained he represented and lived in a subdivision on 3418 Balsal Court, in Silverwood Ranch between Gowan Avenue and Cheyenne Avenue. He stated the problems were not restricted to certain areas but rather throughout the City. He hoped that the ordinance gave some defense to Homeowner Associations to keep residents in compliance.

**Richard Cherchio, 417 Horse Pointe Avenue, North Las Vegas**, explained that he rode with a Code Enforcement Officer and obtained a view of the problems they dealt with. He requested approval of the ordinance.

Mayor Pro Tempore Robinson was concerned about enforcement of the ordinance by Homeowner Associations.

**Fernando Romero, 812 Seneca Heights Avenue, North Las Vegas**, explained he was confused with what constituted a nuisance. He felt some of the issues could be unconstitutional and requested the ordinance be tabled so it could be published in El Mundo and other diversity newspapers.

Mayor Montandon explained that the ordinance was constructed to address the non-homeowner association. The ordinance was part of a process that benefitted the areas of the City in a positive way to increase the pride of ownership downtown.

Mr. Romero felt the Hispanic community was not involved in the planning. Councilwoman Smith explained there were workshops and neighborhood meetings with the Police Department, several in Spanish and changes were requested from the Hispanic communities. She felt the issues were common to all neighborhoods throughout the City. She questioned the issue of dog barking and how residents would be affected.

City Attorney Torrence explained the ordinance was written to address habitual public nuisances and met constitutional requirements.

Police Chief Parisi explained that at the Latino Connection meetings the priority had been to have the neighborhoods cleaned up, eliminate abandoned cars and provide a solution to animals that chase children.

**Rebecca Cooper, 3740 Blue Dawn Drive, North Las Vegas**, was concerned about vehicles that were on her property for restoration. Mayor Montandon explained residents were allowed to perform work on vehicles, but could not keep multiple non-running vehicles. Ms. Cooper explained the vehicles were in working order, but would not be used on a constant basis since she had four vehicles and questioned if they are parked, licensed and registered, what the limit was for vehicles on private property. Mr. Young recommended having the Code Enforcement Manager meet with Ms. Cooper.

**Ernest Delcasal, 3508 Tabor Avenue, North Las Vegas**, explained he felt the ordinance would give Code Enforcement a defense for violations and supported the ordinance.

**Ken Jackson, 3715 West Alderwood Drive, North Las Vegas**, explained he was in favor of the ordinance and had concerns about parking of vehicles on the side of the house.

**Joanna Wesley, 3218 Crawford Street, North Las Vegas**, explained she was in favor of the ordinance but was confused on certain issues and asked that the item be continued so a better understanding could be obtained.

**Mary Alice Esparaza, 1409 Oakwood Avenue, North Las Vegas**, expressed her support in favor of the ordinance, felt it was not a Hispanic issue and looked forward to the quality of life and beautification that the ordinance would provide.

**Guido Mantilla, 2708 Bourbon Lane, North Las Vegas**, explained he lived behind the Community College and had numerous problems in his area. He was concerned about residents that were unable to perform upgrades to homes due to disabilities. He explained the Latino community needed to be educated on the ordinance and the penalties that would be imposed.

Mayor Montandon explained the ordinance comprised years of work to produce. He said there was no easy solution to assure that everyone was informed.

Mr. Montilla felt that a ten day time limit to correct violations was too harsh.

Ms. Esparaza explained that the meeting agendas were published in El Mundo and if people chose not to attend the meeting, it was their own choice.

Mayor Montandon explained the frustration of holding public meetings and publishing meeting notices with no audience, yet residents complained they were not informed.

Councilman Eliason explained that at the last Latino meeting at the Boys and Girls Club, they had the Mexican Consul who spoke to the group which was well attended.

Councilwoman Smith explained these issues were discussed a few years ago and there was a previous ordinance that was proposed. The residents claimed they were not informed, process stopped and she felt it was happening again. She explained Code Enforcement, pamphlets and publications were published in Spanish. She attended meetings and felt the City performed sufficient outreach. She explained the City wanted everyone included but stressed the importance for the need to take action.

ACTION: PASSED AND ADOPTED

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

30. **ORDINANCE NO. 2349; 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 479.21 ACRES OF THE 2,074 ACRE EAST PARCEL OF THE PARK HIGHLANDS MASTER PLANNED COMMUNITY FROM AN MPC/MASTER PLANNED COMMUNITY OVERLAY DISTRICT TO VARIOUS ZONING DISTRICTS CONSISTENT WITH THE MAY 3, 2006 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI INC., ORDINANCE NO. 2267, INCLUDING PSP/MPC PUBLIC SEMI PUBLIC/MASTER PLANNED COMMUNITY DISTRICT, RZ6/MPC RESIDENTIAL ZONE UP TO 6 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY DISTRICT, RZ10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY DISTRICT, RZ13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY DISTRICT, AND MUZ/MPC MIXED USE ZONE/MASTER PLANNED COMMUNITY DISTRICT (ZN-25-07 THROUGH ZN-46-07) FOR PROPERTY GENERALLY BOUNDED ON THE NORTH BY GRAND TETON DRIVE, ON THE EAST BY LOSEE ROAD, ON THE WEST CLAYTON STREET AND ON THE SOUTH BY THE 215 BELTWAY, DEER SPRINGS WAY AND ELKHORN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2349 as introduced by the City Manager:

ORDINANCE NO. 2349; 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 479.21 ACRES OF THE 2,074 ACRE EAST PARCEL OF THE PARK HIGHLANDS MASTER PLANNED COMMUNITY FROM AN MPC/MASTER PLANNED COMMUNITY OVERLAY DISTRICT TO VARIOUS ZONING DISTRICTS CONSISTENT WITH THE MAY 3, 2006 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI INC., ORDINANCE

NO. 2267, INCLUDING PSP/MPC PUBLIC SEMI PUBLIC/MASTER PLANNED COMMUNITY DISTRICT, RZ6/MPC RESIDENTIAL ZONE UP TO 6 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY DISTRICT, RZ10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY DISTRICT, RZ13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY DISTRICT, AND MUZ/MPC MIXED USE ZONE/MASTER PLANNED COMMUNITY DISTRICT (ZN-25-07 THROUGH ZN-46-07) FOR PROPERTY GENERALLY BOUNDED ON THE NORTH BY GRAND TETON DRIVE, ON THE EAST BY LOSEE ROAD, ON THE WEST CLAYTON STREET AND ON THE SOUTH BY THE 215 BELTWAY, DEER SPRINGS WAY AND ELKHORN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Councilwoman Buck explained there was a misunderstanding on the Master Planned Community zoning. She commented that no density was being changed and the zoning was consistent with what was approved on May 3, 2006.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith and Buck

NAYS: Councilman Eliason

ABSTAIN: None

31. **ORDINANCE NO. 2350; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-01-07); AMENDING 24.190.C & H; AND SECTION 28.050.B & C TO REQUIRE A SPECIAL USE PERMIT FOR SEXUALLY ORIENTED BUSINESSES; AND REQUIRE CITY COUNCIL FINAL ACTION FOR SPECIAL USE PERMITS FOR SEXUALLY ORIENTED BUSINESSES, PAWN SHOPS, DEFERRED DEPOSIT LOAN FACILITIES, AUTO TITLE LOAN FACILITIES, AND SHORT-TERM LOAN FACILITIES; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

Ordinance No. 2350 as introduced by the City Manager:

ORDINANCE NO. 2350; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-01-07); AMENDING 24.190.C & H; AND SECTION 28.050.B & C TO REQUIRE A SPECIAL USE

PERMIT FOR SEXUALLY ORIENTED BUSINESSES; AND REQUIRE CITY COUNCIL FINAL ACTION FOR SPECIAL USE PERMITS FOR SEXUALLY ORIENTED BUSINESSES, PAWN SHOPS, DEFERRED DEPOSIT LOAN FACILITIES, AUTO TITLE LOAN FACILITIES, AND SHORT-TERM LOAN FACILITIES; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Planning and Zoning Director Jory Stewart explained Staff recommended. Section 17.24.190C and H be removed and Section 17.28.050.B.5.H be deleted.

Mayor Montandon requested Council consider the amendments to the Ordinance as proposed by staff.

Councilwoman Buck explained that the City was not prohibiting these businesses or regulating them but following the law.

City Attorney Torrence explained sexually oriented businesses were protected under the First Amendment and requiring a use permit could be considered a prior restraint. The City did not have the ability to require a special use permit. Staff recommended withdrawal of those sections to comply with constitutional provisions.

Councilwoman Buck questioned whether these businesses would come before the City Council prior to licensing.

City Attorney Torrence explained under Title 5, sexually oriented businesses, would come to the City Council for licensing.

ACTION: AMENDED AS FOLLOWS:

REMOVE SECTION 17.24.190C AND H "SEXUALLY ORIENTED BUSINESS"

DELETE SECTION 17.28.050.B.5.H REFERRING TO SEXUALLY ORIENTED BUSINESSES

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

32. **ORDINANCE NO. 2351; 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 11.7+ ACRES THEREIN FROM AN O-L, OPEN LAND DISTRICT TO AN M-2, GENERAL INDUSTRIAL DISTRICT (ZN-56-06), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF SLOAN LANE AND AZURE AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2351 as introduced by the City Manager:

ORDINANCE NO. 2351; 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 11.7± ACRES THEREIN FROM AN O-L, OPEN LAND DISTRICT TO AN M-2, GENERAL INDUSTRIAL DISTRICT (ZN-56-06), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF SLOAN LANE AND AZURE AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Planning and Zoning Director Stewart explained the requested zoning reclassification was consistent with the existing land use designation of industrial. Staff and Planning Commission recommended approval. The applicant indicated the intended use was for heavy equipment rental sales and outdoor storage.

ACTION: PASSED AND ADOPTED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**COUNCIL ITEMS**

Mayor Pro Tempore Robinson requested a workshop on Wards, how they work and the effect on the Councilmembers serving in the Wards. City Manager Rose explained staff would move forward on placing the item on a Special City Council Meeting.

**CITY MANAGER'S REPORT**

There was no report.

**PUBLIC FORUM**

There was no public participation.

**ADJOURNMENT**

**ACTION:** THE MEETING ADJOURNED AT 8:00 P.M.

**MOTION:** Councilman Eliason

**SECOND:** Mayor Pro Tempore Robinson

**AYES:** Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

**NAYS:** None

**ABSTAIN:** None

**APPROVED: May 2, 2007**

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

**ATTEST:**

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