

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

June 18, 2008

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

CITY COUNCIL MEETING

CALL TO ORDER

6:00 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

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
Assistant City Manager Maryann Ustick	Library Director Kathy Pennell
City Attorney Carie Torrence	Acting Planning and Zoning Director Frank Fiori
City Clerk Karen Storms	Police Chief Joe Forti
Communications Director Brenda Fischer	Public Works Director Qiong Liu
Economic Development Manager Peggy Proestos	Assistant to the City Manager Michelle Bailey-Hedgepeth
Finance Director Phil Stoeckinger	Planning and Zoning Manager Marc Jordan
	Assistant City Clerk Anita Sheldon

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Karen L. Storms, CMC
City Clerk

INVOCATION

Father Krier
St. Joseph Catholic Church

PLEDGE OF ALLEGIANCE

Councilwoman Shari Buck

PUBLIC FORUM

There was no public participation.

AGENDA

1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF JUNE 18, 2008.

ACTION: APPROVED AS AMENDED; ITEM NO. 2 CONTINUED TO JULY 2, 2008;
ITEM NO. 41 WITHDRAWN; ITEM NO. 43 CONTINUED TO JULY 16, 2008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

Mayor Montandon explained that although staff requested that Item No. 41 be withdrawn he had a card from Mr. DiFrancesco to speak on this item. It was recommended to leave the item on the agenda and give Mr. DiFrancesco an opportunity to speak on the item.

ACTION: REPLACE ITEM NO. 41 BACK ON AGENDA FOR DISCUSSION

MOTION: Councilwoman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

CONSENT AGENDA

6. **APPROVAL OF AN APPLICATION FOR RESTRICTED GAMING LIQUOR AND RESTRICTED GAMING BUSINESS LICENSES FOR ECLIPSE GAMING, LLC, DBA WINCHELLS PUB & GRILL, 2520 EAST CRAIG ROAD, SUITE A5, NORTH LAS VEGAS, NEVADA, 89081 PENDING VERIFICATION OF STATE GAMING COMMISSION APPROVAL, STATE BUSINESS LICENSE, STATE SALES TAX PERMIT, WORKERS' COMPENSATION COVERAGE, SOUTHERN NEVADA HEALTH DISTRICT APPROVAL AND REQUIRED DEPARTMENT APPROVALS.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

7. **APPROVAL OF AN APPLICATION FOR JANET PAVLICH AS THE KEY EMPLOYEE FOR THE RESTRICTED GAMING LIQUOR AND RESTRICTED GAMING BUSINESS LICENSES FOR KSR 215 DECATUR LLC, DBA GOLDFINGER'S III BAR & GRILL, 6536 NORTH DECATUR BOULEVARD, SUITE 105, NORTH LAS VEGAS, NEVADA, 89084.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

8. **APPROVAL OF AN APPLICATION FOR SLOT ROUTE OPERATOR BUSINESS LICENSE FOR APOLLO COIN CORP., DBA NEVADA GAMING CORP., 7620 WESTCLIFF DRIVE, LAS VEGAS, NEVADA, 89145. THE APPLICANT CURRENTLY HOLDS A LICENSE FROM THE NEVADA GAMING COMMISSION AND FROM CLARK COUNTY, THE JURISDICTION IN WHICH THE APPLICANT'S OFFICE IS LOCATED.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilwoman Buck
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 DEBORAH MIDDLETON AND ANDRE L. MIDDLETON, DBA MAMA DEE'S FAMILY CHILDCARE, 1921 WEST MCDONALD AVENUE, NORTH LAS VEGAS, NEVADA, 89032 PENDING VERIFICATION OF SOUTHERN NEVADA HEALTH DISTRICT APPROVAL AND REQUIRED DEPARTMENT APPROVALS.

ACTION: APPROVED

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

10. APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR DENISE L. KOCH, DBA KOCH'S KIDS DAY CARE, 3907 FISHER AVENUE, NORTH LAS VEGAS, NEVADA, 89031 PENDING VERIFICATION OF COMPLIANCE WITH THE STATE OF NEVADA, DEPARTMENT OF TAXATION AND VERIFICATION OF REQUIRED DEPARTMENT APPROVALS.

ACTION: APPROVED

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

11. APPROVAL OF AN APPLICATION FOR A COMMERCIAL NURSERY BUSINESS LICENSE FOR LA PETITE ACADEMY, INC., DBA LA PETITE ACADEMY, 4425 SIMMONS STREET, NORTH LAS VEGAS, NEVADA, 89031 PENDING VERIFICATION OF REQUIRED DEPARTMENT APPROVALS.

ACTION: APPROVED

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

12. APPROVAL OF AN APPLICATION FOR A COMMERCIAL NURSERY BUSINESS LICENSE FOR LA PETITE ACADEMY, INC., DBA LA PETITE ACADEMY, 2645 WEST CENTENNIAL PARKWAY, NORTH LAS VEGAS, NEVADA, 89084 PENDING VERIFICATION OF REQUIRED DEPARTMENT APPROVALS.

ACTION: APPROVED

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

13. ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT FROM IRON HORSE CONSTRUCTION FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT CHEYENNE AVENUE & NORTH 5TH STREET IN THE AMOUNT OF 1% OF THE TOTAL COST OR \$580 AND CHEYENNE AVENUE & COMMERCE STREET IN THE AMOUNT OF 1% OF THE TOTAL COST OR \$580 FOR THE ENGLESTAD INDUSTRIAL BUSINESS PARK LOCATED ON THE EAST SIDE OF ENGLESTAD STREET SOUTH OF COLTON AVENUE.

ACTION: PAYMENT ACCEPTED

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

14. **APPROVAL OF THE FIRST SUPPLEMENTAL INTERLOCAL CONTRACT WITH THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT FOR THE ANNUAL MAINTENANCE WORK PROGRAM, FISCAL YEAR 2007-2008 WHICH WILL INCREASE FUNDING TO \$1,323,000.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

15. **APPROVAL OF THE FIRST SUPPLEMENTAL INTERLOCAL CONTRACT WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA FOR OFFSITE IMPROVEMENTS ADJACENT TO REGIONAL FLOOD CONTROL DISTRICT DETENTION BASIN PROJECTS, FISCAL YEAR 2007-2008 WHICH WILL INCREASE FUNDING TO AN AMOUNT NOT TO EXCEED \$800,000.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

16. **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. (SET PUBLIC HEARING FOR JULY 2, 2008)**

ACTION: PUBLIC HEARING SET FOR JULY 2, 2008

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

17. **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. (SET PUBLIC HEARING FOR JULY 2, 2008)**

ACTION: PUBLIC HEARING SET FOR JULY 2, 2008

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

18. **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. (SET PUBLIC HEARING FOR JULY 2, 2008)**

ACTION: PUBLIC HEARING SET FOR JULY 2, 2008

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

19. **AMP-05-08 (PARK HIGHLANDS); AN APPLICATION SUBMITTED BY BCO GAMING LLC, ON BEHALF OF NOVEMBER 2005 LAND INVESTORS, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS TO REALIGN COLLETTE STREET AND SEVERANCE LANE ON PROPERTY LOCATED NORTH OF THE 215 BELTWAY AND WEST OF LOSEE ROAD. (SET PUBLIC HEARING FOR JULY 2, 2008) (ASSOCIATED ITEMS NO. 20, GED-02-08, NO. 35, ORDINANCE NO. 2457, NO. 36, ORDINANCE NO. 2458, NO. 37, ORDINANCE NO. 2459, NO. 38, ORDINANCE NO. 2460, NO. 39, ORDINANCE NO., 2461, NO. 40, ORDINANCE NO. 2462)**

ACTION: PUBLIC HEARING SET FOR JULY 2, 2008

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

20. **GED-02-08 (PARK HIGHLANDS); AN APPLICATION SUBMITTED BY BCO GAMING LLC, ON BEHALF OF NOVEMBER 2005 LAND INVESTORS, LLC, PROPERTY OWNER, FOR A PETITION TO ALLOW A GAMING ENTERPRISE DISTRICT IN A PROPOSED PUD/MPC PLANNED UNIT DEVELOPMENT DISTRICT/MASTER PLANNED COMMUNITY ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF LOSEE ROAD AND THE 215 BELTWAY. (SET PUBLIC HEARING FOR JULY 2, 2008) (ASSOCIATED ITEMS NO. 19, AMP-05-08, NO. 35, ORDINANCE NO. 2457, NO. 36, ORDINANCE NO. 2458, NO. 37, ORDINANCE NO. 2459, NO. 38, ORDINANCE NO. 2460, NO. 39, ORDINANCE NO. 2461, NO. 40, ORDINANCE NO. 2462)**

ACTION: PUBLIC HEARING SET FOR JULY 2, 2008

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

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

ACTION: PUBLIC HEARING SET FOR JULY 2, 2008

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

22. **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. (SET PUBLIC HEARING FOR JULY 16, 2008)**

ACTION: PUBLIC HEARING SET FOR JULY 16, 2008

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

BUSINESS

23. **APPROVAL OF AN AGREEMENT REGARDING SPECIAL IMPROVEMENT DISTRICT WITH JACK B. BINION AND PHYLLIS (COPE) BINION, FOR CLARK COUNTY ASSESSOR'S PARCEL NUMBER 124-25-101-001 GENERALLY LOCATED AT THE SOUTHEAST CORNER OF LOSEE ROAD AND CENTENNIAL PARKWAY.**

ACTION: APPROVED

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

24. APPROVAL OF AN AGREEMENT REGARDING SPECIAL IMPROVEMENT DISTRICT WITH PJ & CB, LLC, FOR VARIOUS CLARK COUNTY ASSESSOR'S PARCEL NUMBERS GENERALLY LOCATED AT THE NORTHWEST CORNER OF LOSEE ROAD AND CENTENNIAL PARKWAY.

ACTION: APPROVED

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

25. ACCEPTANCE OF A PETITION FOR ANNEXATION (ANNEXATION NO. 139) SUBMITTED BY KAPEX, LLC AND U.S.A. TO ANNEX VARIOUS CLARK COUNTY ASSESSOR'S PARCEL NUMBERS IN THE APEX/KAPEX AREA, PHASE 4, GENERALLY LOCATED SOUTHWEST OF THE GRAND VALLEY PARKWAY/U.S. HIGHWAY 93 INTERSECTION. (ASSOCIATED ITEM NO. 33, ORDINANCE NO. 2454)

ACTION: PETITION ACCEPTED

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

26. ACCEPTANCE OF A PETITION FOR ANNEXATION (ANNEXATION NO. 140) SUBMITTED BY VERONICA TOPACHIKYAN TO ANNEX CLARK COUNTY ASSESSOR'S PARCEL NUMBER 123-32-301-005 GENERALLY LOCATED ALONG THE SOUTH SIDE OF SMILEY ROAD, EAST OF THE NOVAK STREET ALIGNMENT. (ASSOCIATED ITEM NO. 34, ORDINANCE NO. 2455)

ACTION: PETITION 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

27. AWARD OF BID NUMBER B-1308 AND APPROVAL OF A CONTRACT WITH PHOENIX HIGHWAY PRODUCTS IN THE AMOUNT OF \$234,978 FOR THE PURCHASE OF TRAFFIC SIGNAL CONTROLLERS, CABINETS AND OTHER RELATED EQUIPMENT FOR CONSTRUCTION AND MAINTENANCE OF TRAFFIC SIGNALS FOR THE PERIOD JUNE 18, 2008 THROUGH JUNE 18, 2009 WITH AN OPTION TO RENEW FOR TWO ONE-YEAR PERIODS.

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

28. APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL LANDSCAPE ARCHITECTURAL SERVICES AGREEMENT WITH MOORE IACOFANO GOLTSMAN, INC., IN THE AMOUNT OF \$399,957 FROM SOUTHERN NEVADA PUBLIC LANDS MANAGEMENT ACT FUNDING, FOR THE CRAIG RANCH REGIONAL PARK - PHASE I PROJECT WHICH WILL ALLOW THE DESIGN AND CONSTRUCTION OF A LARGE DESTINATION PLAYGROUND TO BE INCLUDED IN THE FIRST PHASE OF THE IMPROVEMENTS.

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

29. APPROVAL OF AN INTERLOCAL AGREEMENT WITH CLARK COUNTY, CITY OF HENDERSON AND CITY OF LAS VEGAS TO ESTABLISH A PROCESS FOR JOINT SELECTION OF FEDERAL LANDS FOR DISPOSAL AS REFERENCED IN THE SOUTHERN NEVADA PUBLIC LANDS MANAGEMENT ACT OF 1998.

ACTION: APPROVED

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

30. AUTHORIZATION TO ISSUE A PURCHASE ORDER TO ADVANCED INTERACTIVE SYSTEMS, INC., IN AN AMOUNT NOT TO EXCEED \$75,230, USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332 LOCAL GOVERNMENT PURCHASING ACT, FOR THE PURCHASE OF PRISIM SUITE INSTALLED TRAINER L400DT PACKAGE WITH SOFTWARE, SCENARIOS AND ACCESSORIES FOR THE POLICE DEPARTMENT.

ACTION: PURCHASE ORDER AUTHORIZED

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

31. APPROVAL OF A SETTLEMENT OF LAWSUIT FILED BY PAUL DUNN AGAINST THE CITY, THE POLICE DEPARTMENT AND SEVERAL OFFICERS, IN THE AMOUNT OF \$150,000, ALLEGING CIVIL RIGHTS VIOLATIONS AND NUMEROUS STATE LAW CLAIMS.

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

32. RESOLUTION NO. 2404; A RESOLUTION OF THE CITY OF NORTH LAS VEGAS AUTHORIZING THE LAS VEGAS HOUSING AUTHORITY TO ACT WITHIN THE JURISDICTIONAL BOUNDARIES OF NORTH LAS VEGAS AS PROVIDED HEREIN.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

**ORDINANCES
INTRODUCTION ONLY**

33. ORDINANCE NO. 2454 (ANNEXATION NO. 139); 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 JULY 2, 2008) (ASSOCIATED ITEM NO. 25, PETITION FOR ANNEXATION NO. 139)

Ordinance No. 2454 as introduced by the City Clerk:

ORDINANCE NO. 2454 (ANNEXATION NO. 139); 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 JULY 2, 2008) (ASSOCIATED ITEM NO. 25, PETITION FOR ANNEXATION NO. 139)

ACTION: FINAL ACTION SET FOR JULY 2, 2008

34. **ORDINANCE NO. 2455 (ANNEXATION NO. 140); 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 JULY 2, 2008) (ASSOCIATED ITEM NO. 26, PETITION FOR ANNEXATION NO. 140)**

Ordinance No. 2455 as introduced by the City Clerk:

ORDINANCE NO. 2455 (ANNEXATION NO. 140); 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 JULY 2, 2008) (ASSOCIATED ITEM NO. 26, PETITION FOR ANNEXATION NO. 140)

ACTION: FINAL ACTION SET FOR JULY 2, 2008

35. **ORDINANCE NO. 2457; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE AND ORDINANCE NO. 2356 BY RECLASSIFYING APPROXIMATELY 68.4 ACRES OF THE 2,074 ACRE EAST PARCEL OF THE PARK HIGHLANDS MASTER PLANNED COMMUNITY FROM RZ 13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY AND C-2/MPC GENERAL COMMERCIAL DISTRICT/MASTER PLANNED COMMUNITY TO PUD/MPC PLANNED UNIT DEVELOPMENT DISTRICT/MASTER PLANNED COMMUNITY CONSISTENT WITH THE MAY 3, 2006 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI INC., ORDINANCE NO. 2356 AND ORDINANCE NO. 2446 FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE 215 BELTWAY AND LOSEE ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JULY 2, 2008) (ASSOCIATED ITEMS NO. 19, AMP-05-08, NO. 20, GED-02-08, NO. 36, ORDINANCE NO. 2458, NO. 37, ORDINANCE NO. 2459, NO. 38, ORDINANCE NO. 2460, NO. 39, ORDINANCE NO. 2461, NO. 40, ORDINANCE NO. 2462)**

Ordinance No. 2457 as introduced by the City Clerk:

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

LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI INC., ORDINANCE NO. 2356 AND ORDINANCE NO. 2446 FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE 215 BELTWAY AND LOSEE ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JULY 2, 2008) (ASSOCIATED ITEMS NO. 19, AMP-05-08, NO. 20, GED-02-08, NO. 36, ORDINANCE NO. 2458, NO. 37, ORDINANCE NO. 2459, NO. 38, ORDINANCE NO. 2460, NO. 39, ORDINANCE NO. 2461, NO. 40, ORDINANCE NO. 2462)

ACTION: FINAL ACTION SET FOR JULY 2, 2008

36. **ORDINANCE NO. 2458; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE AND ORDINANCE NO. 2356 BY RECLASSIFYING APPROXIMATELY 51.8 ACRES OF THE 2,074 ACRE EAST PARCEL OF THE PARK HIGHLANDS MASTER PLANNED COMMUNITY FROM RZ 13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY, PSP/MPC PUBLIC/SEMI-PUBLIC DISTRICT/MASTER PLANNED COMMUNITY AND MUZ/MPC MIXED USE ZONE DISTRICT/MASTER PLANNED COMMUNITY TO C-2/MPC GENERAL COMMERCIAL DISTRICT/MASTER PLANNED COMMUNITY CONSISTENT WITH THE MAY 3, 2006 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI INC., ORDINANCE NO. 2356 AND ORDINANCE NO. 2446 FOR PROPERTY GENERALLY LOCATED WEST OF LOSEE ROAD AND APPROXIMATELY 1,850 FEET NORTH OF THE 215 BELTWAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JULY 2, 2008) (ASSOCIATED ITEMS NO. 19, AMP-05-08, NO. 20, GED-02-08, NO. 35, ORDINANCE NO. 2457, NO. 37, ORDINANCE NO. 2459, NO. 38, ORDINANCE NO. 2460, NO. 39, ORDINANCE NO. 2461, NO. 40, ORDINANCE NO. 2462)**

Ordinance No. 2458 as introduced by the City Clerk:

ORDINANCE NO. 2458; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE AND ORDINANCE NO. 2356 BY RECLASSIFYING APPROXIMATELY 51.8 ACRES OF THE 2,074 ACRE EAST PARCEL OF THE PARK HIGHLANDS MASTER PLANNED COMMUNITY FROM RZ 13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY, PSP/MPC PUBLIC/SEMI-PUBLIC DISTRICT/MASTER PLANNED COMMUNITY AND

MUZ/MPC MIXED USE ZONE DISTRICT/MASTER PLANNED COMMUNITY TO C-2/MPC GENERAL COMMERCIAL DISTRICT/MASTER PLANNED COMMUNITY CONSISTENT WITH THE MAY 3, 2006 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI INC., ORDINANCE NO. 2356 AND ORDINANCE NO. 2446 FOR PROPERTY GENERALLY LOCATED WEST OF LOSEE ROAD AND APPROXIMATELY 1,850 FEET NORTH OF THE 215 BELTWAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JULY 2, 2008) (ASSOCIATED ITEMS NO. 19, AMP-05-08, NO. 20, GED-02-08, NO. 35, ORDINANCE NO. 2457, NO. 37, ORDINANCE NO. 2459, NO. 38, ORDINANCE NO. 2460, NO. 39, ORDINANCE NO. 2461, NO. 40, ORDINANCE NO. 2462)

ACTION: FINAL ACTION SET FOR JULY 2, 2008

37. **ORDINANCE NO. 2459; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE AND ORDINANCE NO. 2356 BY RECLASSIFYING APPROXIMATELY 3.7 ACRES OF THE 2,074 ACRE EAST PARCEL OF THE PARK HIGHLANDS MASTER PLANNED COMMUNITY FROM RZ 13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY AND MUZ/MPC MIXED USE ZONE DISTRICT/MASTER PLANNED COMMUNITY TO PSP/MPC PUBLIC/SEMI-PUBLIC DISTRICT/MASTER PLANNED COMMUNITY CONSISTENT WITH THE MAY 3, 2006 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI INC., ORDINANCE NO. 2356 AND ORDINANCE NO. 2446 FOR PROPERTY GENERALLY LOCATED NORTH OF THE 215 BELTWAY AND WEST OF LOSEE ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JULY 2, 2008) (ASSOCIATED ITEMS NO. 19, AMP-05-08, NO. 20, GED-02-08, NO. 35, ORDINANCE NO. 2457, NO. 36, ORDINANCE NO. 2458, NO. 38, ORDINANCE NO. 2460, NO. 39, ORDINANCE NO. 2461, NO. 40, ORDINANCE NO. 2462)**

Ordinance No. 2459 as introduced by the City Clerk:

ORDINANCE NO. 2459; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE AND ORDINANCE NO. 2356 BY RECLASSIFYING APPROXIMATELY 3.7 ACRES OF THE 2,074 ACRE EAST PARCEL OF THE PARK

HIGHLANDS MASTER PLANNED COMMUNITY FROM RZ 13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY AND MUZ/MPC MIXED USE ZONE DISTRICT/MASTER PLANNED COMMUNITY TO PSP/MPC PUBLIC/SEMI-PUBLIC DISTRICT/MASTER PLANNED COMMUNITY CONSISTENT WITH THE MAY 3, 2006 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI INC., ORDINANCE NO. 2356 AND ORDINANCE NO. 2446 FOR PROPERTY GENERALLY LOCATED NORTH OF THE 215 BELTWAY AND WEST OF LOSEE ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JULY 2, 2008) (ASSOCIATED ITEMS NO. 19, AMP-05-08, NO. 20, GED-02-08, NO. 35, ORDINANCE NO. 2457, NO. 36, ORDINANCE NO. 2458, NO. 38, ORDINANCE NO. 2460, NO. 39, ORDINANCE NO. 2461, NO. 40, ORDINANCE NO. 2462)

ACTION: FINAL ACTION SET FOR JULY 2, 2008

38. **ORDINANCE NO. 2460; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE AND ORDINANCE NO. 2356 BY RECLASSIFYING APPROXIMATELY 4.3 ACRES OF THE 2,074 ACRE EAST PARCEL OF THE PARK HIGHLANDS MASTER PLANNED COMMUNITY FROM MUZ/MPC MIXED USE ZONE DISTRICT/MASTER PLANNED COMMUNITY TO PSP/MPC PUBLIC/SEMI-PUBLIC DISTRICT/MASTER PLANNED COMMUNITY CONSISTENT WITH THE MAY 3, 2006 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI INC., ORDINANCE NO. 2356 AND ORDINANCE NO. 2446 FOR PROPERTY GENERALLY LOCATED NORTH OF THE 215 BELTWAY BETWEEN NORTH FIFTH STREET AND LOSEE ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JULY 2, 2008) (ASSOCIATED ITEMS NO. 19, AMP-05-08, NO. 20, GED-02-08, NO. 35, ORDINANCE NO. 2457, NO 36., ORDINANCE NO. 2458, NO 37., ORDINANCE NO. 2459, NO. 39, ORDINANCE NO. 2461, NO. 40, ORDINANCE NO. 2462)**

Ordinance No. 2460 as introduced by the City Manager:

ORDINANCE NO. 2460; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE AND ORDINANCE NO. 2356 BY RECLASSIFYING APPROXIMATELY 4.3 ACRES OF THE 2,074 ACRE EAST PARCEL OF THE PARK HIGHLANDS MASTER PLANNED COMMUNITY FROM MUZ/MPC MIXED USE ZONE DISTRICT/MASTER PLANNED COMMUNITY TO PSP/MPC PUBLIC/SEMI-PUBLIC DISTRICT/MASTER PLANNED COMMUNITY CONSISTENT WITH THE MAY 3, 2006 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI INC., ORDINANCE NO. 2356 AND ORDINANCE NO. 2446 FOR PROPERTY GENERALLY LOCATED NORTH OF THE 215 BELTWAY BETWEEN NORTH FIFTH STREET AND LOSEE ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JULY 2, 2008) (ASSOCIATED ITEMS NO. 19, AMP-05-08, NO. 20, GED-02-08, NO. 35, ORDINANCE NO. 2457, NO 36., ORDINANCE NO. 2458, NO 37., ORDINANCE NO. 2459, NO. 39, ORDINANCE NO. 2461, NO. 40, ORDINANCE NO. 2462)

ACTION: FINAL ACTION SET FOR JULY 2, 2008

39. **ORDINANCE NO. 2461; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE AND ORDINANCE NO. 2403 BY RECLASSIFYING APPROXIMATELY 19.5 ACRES OF THE 2,074 ACRE EAST PARCEL OF THE PARK HIGHLANDS MASTER PLANNED COMMUNITY FROM RZ 6/MPC RESIDENTIAL ZONE UP TO 6 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY TO RZ 10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY CONSISTENT WITH THE MAY 3, 2006 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI INC., ORDINANCE NO. 2403 AND ORDINANCE NO. 2446 FOR PROPERTY GENERALLY LOCATED NORTH OF THE 215 BELTWAY BETWEEN NORTH FIFTH STREET AND LOSEE ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JULY 2, 2008) (ASSOCIATED ITEMS NO. 19, AMP-05-08, NO. 20, GED-02-08, NO. 35, ORDINANCE NO. 2457, NO. 36, ORDINANCE NO. 2458, NO. 37, ORDINANCE NO. 2459, NO. 38, ORDINANCE NO. 2460, NO. 40, ORDINANCE NO. 2462)**

Ordinance No. 2461 as introduced by the City Manager:

ORDINANCE NO. 2461; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE AND ORDINANCE NO. 2403 BY RECLASSIFYING APPROXIMATELY 19.5 ACRES OF THE 2,074 ACRE EAST PARCEL OF THE PARK HIGHLANDS MASTER PLANNED COMMUNITY FROM RZ 6/MPC RESIDENTIAL ZONE UP TO 6 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY TO RZ 10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY CONSISTENT WITH THE MAY 3, 2006 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI INC., ORDINANCE NO. 2403 AND ORDINANCE NO. 2446 FOR PROPERTY GENERALLY LOCATED NORTH OF THE 215 BELTWAY BETWEEN NORTH FIFTH STREET AND LOSEE ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JULY 2, 2008) (ASSOCIATED ITEMS NO. 19, AMP-05-08, NO. 20, GED-02-08, NO. 35, ORDINANCE NO. 2457, NO. 36, ORDINANCE NO. 2458, NO. 37, ORDINANCE NO. 2459, NO. 38, ORDINANCE NO. 2460, NO. 40, ORDINANCE NO. 2462)

ACTION: FINAL ACTION SET FOR JULY 2, 2008

40. **ORDINANCE NO. 2462; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE AND ORDINANCE NO. 2356 BY RECLASSIFYING APPROXIMATELY 2.3 ACRES OF THE 2,074 ACRE EAST PARCEL OF THE PARK HIGHLANDS MASTER PLANNED COMMUNITY FROM RZ 13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY TO C-2/MPC GENERAL COMMERCIAL DISTRICT/MASTER PLANNED COMMUNITY CONSISTENT WITH THE MAY 3, 2006 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI INC., ORDINANCE NO. 2356 AND ORDINANCE NO. 2446 FOR PROPERTY GENERALLY LOCATED NORTH OF THE 215 BELTWAY AND APPROXIMATELY 950 FEET WEST OF LOSEE ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JULY 2, 2008) (ASSOCIATED ITEMS NO. 19, AMP-05-08, NO. 20, GED-02-08, NO. 35, ORDINANCE NO. 2457, NO. 36, ORDINANCE NO. 2458, NO. 37, ORDINANCE NO. 2459, NO. 38, ORDINANCE NO. 2460, NO. 39, ORDINANCE**

NO. 2461)

Ordinance No. 2462 as introduced by the City Manager:

ORDINANCE NO. 2462; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE AND ORDINANCE NO. 2356 BY RECLASSIFYING APPROXIMATELY 2.3 ACRES OF THE 2,074 ACRE EAST PARCEL OF THE PARK HIGHLANDS MASTER PLANNED COMMUNITY FROM RZ 13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE/MASTER PLANNED COMMUNITY TO C-2/MPC GENERAL COMMERCIAL DISTRICT/MASTER PLANNED COMMUNITY CONSISTENT WITH THE MAY 3, 2006 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI INC., ORDINANCE NO. 2356 AND ORDINANCE NO. 2446 FOR PROPERTY GENERALLY LOCATED NORTH OF THE 215 BELTWAY AND APPROXIMATELY 950 FEET WEST OF LOSEE ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JULY 2, 2008) (ASSOCIATED ITEMS NO. 19, AMP-05-08, NO. 20, GED-02-08, NO. 35, ORDINANCE NO. 2457, NO. 36, ORDINANCE NO. 2458, NO. 37, ORDINANCE NO. 2459, NO. 38, ORDINANCE NO. 2460, NO. 39, ORDINANCE NO. 2461)

ACTION: FINAL ACTION SET FOR JULY 2, 2008

PUBLIC HEARINGS - 6:15 P.M.

2. **AN APPEAL SUBMITTED BY JAMES M. BARKER, ESQ., ON BEHALF OF THE APPLICANT OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE UN-25-08 (LAS VEGAS PAVING DISPATCH); AN APPLICATION SUBMITTED BY LAS VEGAS PAVING CORPORATION, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW TWO TEMPORARY BUILDINGS ON PROPERTY LOCATED AT 3401 NORTH 5TH STREET.**

ACTION: CONTINUED TO JULY 2, 2008

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

3. **VAC-03-08 (VACATION OF ROW); AN APPLICATION SUBMITTED BY SOUTHERN NEVADA OPERATING ENGINEERS JATC, INC., PROPERTY OWNER, TO VACATE THE SOUTHERN TEN (10) FEET OF ANN ROAD BETWEEN MT. HOOD STREET AND HOLLYWOOD BOULEVARD.**

Mayor Montandon opened the public hearing.

Michael A. Urban, 4270 South Decatur Boulevard, A-9, Las Vegas, represented the applicant.

Mayor Montandon closed the public hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. THE VACATION SHALL RECORD PRIOR TO APPROVAL OF THE CIVIL IMPROVEMENT PLANS. SHOULD THE ORDER OF VACATION NOT RECORD WITHIN TWO YEARS OF THE PLANNING COMMISSION APPROVAL DATE, THE VACATION SHALL BE DEEMED NULL AND VOID.
2. ANY CITY OF NORTH LAS VEGAS UTILITY DEPARTMENT APPURTENANCES OR STRUCTURES WITHIN THIS 10' WIDE AREA TO BE VACATED SHALL BE RELOCATED INTO THE NEW RIGHT-OF-WAY AT THE DEVELOPER'S EXPENSE.

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

4. **PUBLIC HEARING REGARDING AUGMENTING OF THE FISCAL 2007-08 BUDGET.**

Mayor Montandon opened the public hearing.

No one came forward.

Mayor Montandon closed the public hearing.

ACTION: PUBLIC HEARING HELD

5. RESOLUTION NO. 2403; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS, NEVADA TO AUGMENT THE 2007-08 BUDGET.

Mayor Pro Tempore Robinson questioned whether the available resources and beginning fund balance and COP sales tax fund that was anticipated to exceed the budget by \$149,388 was part of the \$.25 tax. Finance Director Phil Stoeckinger explained it was the sales tax, which was the COPS and sales tax based versus the 287 Fund which was the property tax override fund.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Buck

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

ORDINANCES
FINAL ACTION

41. ORDINANCE NO. 2445; AN ORDINANCE REPEALING ORDINANCE 2439 AND AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-05-08); AMENDING SECTION 17.24.080 AND 17.28.050 IN REGARDS TO PROVISIONS FOR ADDITIONAL SECURITY MEASURES FOR COMMERCIAL AND INDUSTRIAL ZONED PROPERTIES, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED MAY 21, 2008)

Ordinance No. 2445 as introduced by the City Manager:

ORDINANCE NO. 2445; AN ORDINANCE REPEALING ORDINANCE 2439 AND AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-05-08); AMENDING SECTION 17.24.080 AND 17.28.050 IN REGARDS TO PROVISIONS FOR ADDITIONAL SECURITY MEASURES FOR COMMERCIAL AND INDUSTRIAL ZONED PROPERTIES, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED MAY 21, 2008)

Acting Planning and Zoning Director Frank Fiori explained this ordinance was previously before Council, originally presented in April, 2008 and approved with amendments making the use of the additionally proposed security measures applicable only to industrial zones and not commercial zones. It was brought back in the original configuration and the attached proposed new ordinance repealed Ordinance No. 2439 as approved by Council and contained the original language which included reference to commercial districts. Under this proposed ordinance the amendment would allow an individual to request additional security measures through consideration of a Special Use Permit. Those additional security measures would include but were not limited to razor wire, barbed wire and electrical fencing. It would be reviewed on an individual basis through Special Use Permits for Council approval.

Councilwoman Smith explained she was opposed to placement of barbed wire in commercial zoning especially if it was not visible to the public and felt other options should be used before barbed wire was installed.

Mayor Montandon explained that the ordinance needed to be adopted to be able to consider properties on an individual basis. Councilwoman Smith explained it appeared to currently affect one commercial business.

Councilwoman Buck explained that applicants should be considered on a case by case basis.

Mayor Pro Tempore Robinson questioned the liability. City Attorney Carie Torrence explained that if Council approved barbed or razor wire that was visible to the public, there was no liability concern. She explained she was questioned whether the razor wire could be installed in the ground underneath the wall so that if someone jumped over the wall they would land in the razor wire. City Attorney Torrence felt that could be a legal liability that could come back on the City. It was also explained there were two issues, whether it was visible or not visible. City Attorney Torrence explained that voting no meant razor wire and barbed wire would not be permitted in commercial zones.

Louis DiFrancesco, 4460 North Decatur Boulevard, North Las Vegas, owner of Store More, explained that the impression received was that the razor wire would be a possibility. He explained there was an issue with people jumping the wall and the business had 29 break-ins over a two year period. He requested help with stopping the problem. Mayor Pro Tempore Robinson questioned whether there were dogs on the site. Mr. DiFrancesco explained they could not have dogs because there were people coming and going in the early morning hours. Mayor Pro Tempore Robinson was concerned with children in the area that may fall onto the wire horsing around and felt there should be other options researched.

ACTION: WITHDRAWN

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

42. **ORDINANCE NO. 2452 (ANNEXATION NO. 138); 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. 2452 as introduced by the City Manager:

ORDINANCE NO. 2452 (ANNEXATION NO. 138); AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF NORTH LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO, AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES, AND REGULATIONS IN FORCE IN SAID CITY; OFFERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilman Eliason
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmembers Smith,

Buck and Eliason

NAYS: None
ABSTAIN: None

43. **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.**

ACTION: CONTINUED TO JULY 16, 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

APPOINTMENTS

44. **APPOINTMENT OF AN AT-LARGE MEMBER TO THE LIBRARY DISTRICT BOARD OF TRUSTEES TO FILL AN UNEXPIRED TERM ENDING JUNE 30, 2011.**

ACTION: COUNCILMAN ELIASON APPOINTED AARON HEGJI

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

COUNCIL ITEMS

Councilman Eliason requested that Staff look at the sidewalks on Civic Center near Flower Avenue, the 2000 block of Tonopah Avenue and burned-out bulbs in City facilities.

Councilwoman Smith commented about the backs of buildings facing the street in commercial areas and asked staff to bring back an amendment to the code to address this issue. She also requested that Staff look at bank owned properties which had yards dying and bring them back up to code.

Mayor Montandon questioned whether there was a mosquito hotline to call for stagnant pools. Jeff Carson, Manager, said that residents should call Building Safety.

Councilwoman Buck commended Council on the Redevelopment Plan and explained she had received numerous compliments on the Plan.

CITY MANAGER'S REPORT

There was no additional report.

PUBLIC FORUM

There was no public participation.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 6:45 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

