



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 16, 2006

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

Consent Discussion

SUBJECT:

Discussion and possible action regarding a new Psychic Art and Science/Astrology License, Eda Jace, dba House of Astrology, 325 South 5th Street, Suite 23, Eda J. Jace, 100% - Ward 5 (Weekly)

Fiscal Impact

No Impact

Augmentation Required

Budget Funds Available Dept. Division:

Amount:

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a new Psychic Art and Science/Astrology License.

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting.

BACKUP DOCUMENTATION:

Map

Motion made by GARY REESE to Deny the license

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

The applicant was present, accompanied by PAUL GAUDET, Attorney.

JIM DiFIORE, Manager, Business Services, noted that the location of the business is now in Ward 3. He then deferred to TONI WEEKS, Detective, Las Vegas Metropolitan Police Department (Metro), to give a report.

DETECTIVE WEEKS outlined the concerns in the Confidential Report provided to the Council. In January 2006, MS. JACE was issued a citation by Metro for doing business without a license, for which she was fined \$187 in May 2006 by the Courts. She, along with two other women, was doing business without a license at a location for which she was intending to obtain a license. All three women were doing psychic readings without a license, and officers found all the accouterments typically found at an establishment where psychic readings are done. During the

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investigation process, MS. JACE omitted important information from the application, including the use of any other names since the age of 18. MS. JACE was given several opportunities to be forthcoming, but she was not, and negated that she had ever used the last name Costello. She later indicated that Costello was her previous married name and that she had not associated with NICK COSTELLO, her ex-husband, for over 20 years. However, the TRW report for NICK COSTELLO came up indicating that both were living at the same address. MS. JACE also gave the citing officer a different address from the one on her application.

In conclusion, DETECTIVE WEEKS stated that MS. JACE has failed to be honest, which is necessary for this type of licensing.

Having reviewed the report of DETECTIVE WEEKS, ATTORNEY GAUDET addressed some of the areas of concern. Regarding the citation issued January 2006 for doing business without a license, the Council should consider that MS. JACE had already submitted her business license application in September 2005. Nevertheless, she appeared in court for that citation and was fined \$187, which she paid in full.

As far as the other areas of concern, ATTORNEY GAUDET stated that they were merely a matter of misunderstandings. He asserted that MS. JACE was never married to NICK COSTELLO. She did have two children with him, but she has not resided and/or had any contact with NICK COSTELLO for about 20 years. Therefore, she has no idea as to why both their names would appear on a credit report. The background search for NICK COSTELLO does not indicate that he resided at MS. JACE'S address at Wigwam. However, her son FRANK COSTELLO did reside with her at that address for about two months. The addresses on the citation and the business license application were different because MS. JACE moved back to an apartment on Province Street because she could not afford the rent at the Wigwam address. With respect to the allegation that MS. JACE used a different social security number and a different date of birth, he indicated that a background investigation by a private investigator was conducted on MS. JACE and nothing came up indicating that she ever used anything other than that disclosed in the license application.

ATTORNEY GAUDET suggested a meeting between the detective and MS. JACE to clear up some of the misunderstandings, noting that, although MS. JACE speaks English, she does not read it or write it very well. DETECTIVE WEEKS insisted that MS. JACE was not forthcoming. MS. JACE told her in the interview that she was married to NICK COSTELLO; she referred to it as a common-law marriage, and the credit reports show his name with her address. The different dates of birth and social security numbers were found through record checks in other states, using the systems available to Metro. She also had assistance from her friend in filling out the application.

MS. JACE commented that she was being as honest as possible to all the questions asked. She insisted that she was not legally married to NICK COSTELLO and that she had not resided with him within the past 20 years. She did not state on her application that she had a common-law marriage with NICK COSTELLO; she only stated it to DETECTIVE WEEKS.

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COUNCILMAN WOLFSON asked DETECTIVE WEEKS how she verified the information regarding the birth dates and social security numbers. DETECTIVE WEEKS indicated that she ascertained it by written letter. The printouts were received through the Florida Department of Motor Vehicles (DMV). There were no signatures. ATTORNEY GAUDET interjected that the search revealed a person with the name EDNA JACE in Texas, but the information obtained from Florida DMV on his client is not different.

MR. DiFIORE insisted that she conducted business without approval of the license by the Council, which solely is grounds for denial of the license. Therefore, he recommended denial. MAYOR GOODMAN ascertained with MR. DiFIORE that MS. JACE willfully did business without a license. ATTORNEY GAUDET countered that willful is a very strong word. His client had a business license from the State of Nevada. She was told by City Business Services that she could not do business without a license, but she was not told that it would take 11 months to complete the process. DETECTIVE WEEKS clarified that the license ATTORNEY GAUDET referred to is from the Department of Taxation, and it is issued for anyone that is going to be doing business within the City, but that did not give MS. JACE authorization to conduct business.

COUNCILMAN ROSS stated that a privileged license is golden to him. The Council has the responsibility to protect the citizens, and it really concerns him that MS. JACE was so evasive.