

MINUTES

Las Vegas, Nevada
August 4, 1971

A Regular Meeting of the Board of City Commissioners of the City of Las Vegas, Nevada, held this 4th day of August, 1971 was called to order by His Honor, Mayor Oran K. Gragson, at the hour of 10:00 a.m., with the following members present:

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| Mayor | Oran K. Gragson |
| Commissioner | George E. Franklin, Jr. |
| Commissioner | Harold F. Morelli |
| Commissioner | Alexander Coblentz, M. D. |
| Commissioner | Hank Thornley |

STAFF PRESENT

| | |
|----------------------------------|-------------------|
| City Manager | A. R. Trelease |
| City Attorney | Earl P. Gripenrog |
| Administrative Assistant | Kenneth A. Bouton |
| Director of Public Works | Richard P. Sauer |
| Director of Planning | Donald J. Saylor |
| Director of License & Revenue | Jean Dutton |
| Fire Chief | J. D. Miller |
| Procurement Officer | J. C. Cathcart |
| City Clerk | Edwina M. Cole |

INVOCATION

The Invocation was given by Rev. O. T. Phillips, Christ Community Church:

"We invoke Thy presense, Oh God, our Father, and we pray Thee, let Thy Spirit be upon us. Grant unto the members of this City Commission wisdom and understanding, Oh Father. Guide them in their deliberations and decisions that they may act for the good of the community and serve and glorify Thee. Inspire us all, Oh God, to look to Thee continually and to trust in Thee for blessed is the nation whose God is the Lord. All this we pray in Thine own Sacred and Holy Name. Amen."

PLEDGE OF ALLEGIANCE

His Honor, Mayor Gragson, called the meeting to order and the Pledge of Allegiance was given.

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AWARD OF
CONTRACTS

BID No. 71.74 - NIGHT VISION DEVICE WITH PERIPHERAL
EQUIPMENT (Police Department)

(Estimate: \$4,000.00)

Procurement Officer, J. C. Cathcart: All award of bids is made with the concurrence of the using department, the Purchasing Division and the City Manager's office. Bid No. 71.74 is under the LEAA Grant. We first recommend rejection of the bid of GTE Sylvania, Inc. for not meeting the field test by the Police Department.

Commissioner Franklin: Is this a budgeted item by the Department?

Mr. Cathcart: It is under the LEAA Federal Grant Program.

Commissioner Franklin: That doesn't answer my problem. We still have to put up something - right?

City Manager, A. R. Trelease: Only in the form of in-kind by the people using it - the salaries.

Commissioner Franklin: You still included it in the overall Police budget for this year -

Mr. Trelease: The salaries, yes.

Mayor Gragson: I would say that the other was not because we don't know at any given time whether we will receive the Federal Grant - we make application and wait for approval.

Commissioner Franklin: What I am trying to get at, Mayor, is that we have budgeted a certain amount for our Police Department and as the result of LEAA Grants we are getting financial assistance from the Federal Government - then I want that budget reduced by a comparable amount and not expanded by that amount just because of Federal assistance. That's what I had in mind.

Mayor Gragson: I might point this out - if you reduce your existing budget to any degree due to receiving Federal funds, it violates completely the criteria the Federal funds are allocated on, because it is to strengthen what the local entity is able to do on its own. In other words, if you reduce your accounting on this, you will lose the Federal funds.

Commissioner Franklin: If you take in-kind services, or money, from our Police budget merely to get additional money -

Mr. Trelease: It's in-kind or cash.

Commissioner Franklin: Alright, if we are using it on that basis then we might be using that in-kind service from some other function that we had budgeted for in order to take advantage of a Federal fund, and have to supplement the man who is away for six weeks on a training course under LEAA and we are giving in-kind services - we may have to supplement that man's absence by other personnel and therefore increase our budget. I happen to think of the six and a half million dollar budget for the Police Department for this City of 125,000 - it's too much, and that's why I'm looking at it. On a population basis, that's an excessive budget. Incidentally, have these been approved for LEAA Grants as of this time? In other words, we don't have to approve it subject to the LEAA Grants being available - we don't intend to pay \$3,867.00 out of City funds. Therefore, if the Federal Grant

for any reason should fail, the award of the bid would not be a proper award.

Mr. Trelease: If we don't get the money from LEAA, this item will not be purchased.

Commissioner Franklin: After bid though . . . I'm afraid they will be coming after us for the full amount whether we get the Federal funds or not.

Mr. Cathcart: We don't expend the funds unless they are there.

Commissioner Franklin: The Police equipment company who today are expecting us to approve this bid realize that if we don't end up with Federal funds they don't have deal?

Mr. Trelease: When it comes to you for award of bid, we already have the money.

Reject

Commissioner Coblentz moved that the recommendation of the City Manager, the Purchasing Division and using department for rejection of the proposal of GTE SYLVANIA, INC. under Bid No. 71.74, be APPROVED.

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

Award

Commissioner Thornley moved that the recommendation of the City Manager, the Purchasing Division and using department for award of contract under Bid No. 71.74 to GALL'S POLICE EQUIPMENT, INC. for the low bid in the amount of \$3,867.00, be APPROVED, and the Purchasing Division authorized to proceed.

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

BID No. 71.79 - REPLACEMENT PUMP AT LORENZI PARK (Public Works)
(Estimate: \$4,090.00)

Commissioner Franklin: Why did we get only one bid?

Mr. Cathcart: Due to the complexity of it.

Commissioner Franklin: Was it a specification problem?

Mr. Cathcart: Not really - there are only about two drilling companies doing business in the City who are interested in doing these jobs.

Commissioner Franklin: But this is for the pump itself - it is not for the drilling? It is for a pump?

Mr. Cathcart: Yes.

Commissioner Franklin: Do you mean to tell me that people in the pump business - there is only one interested in this amount of money?

Mr. Cathcart: On this particular pump, they are the only ones who submitted a proposal.

Commissioner Franklin: That's what I'm trying to get at - did we specify the competition out in the field by our specifications?

Mr. Cathcart: Not necessarily so - no sir.

Commissioner Franklin: You say "necessarily" - did we require certain things that limited our field in getting a low bid?

Mr. Cathcart: It would - there are probably two or three who could have bid it - yes.

Commissioner Franklin: And with the same equivalent result insofar as the capacity of the pump?

Mr. Cathcart: That's right.

Director of Public Works, R. P. Sauer: The equipment that the City uses - there are very few in the Valley that use it by virtue of the restriction put upon them by the State Engineer. As a consequence there are not many people in town who handle them or have access to them, so ours is somewhat of a specialized situation. We have two more coming up which will be the same thing - they will be the big 60-horse jobs - nobody around here uses them -

Commissioner Franklin: What I'm getting at - I can remember the day here when every piece of motorized or highway equipment had to have a certain hydraulic lift on it that only Caterpillar had and you were costing the taxpayers thousands of dollars because you were not putting out a bid item. Only one guy could bid on it. I am just saying that we should adjust our specifications procedure so that at least an equivalent device which would give exactly the same result should not be precluded by a technical specification.

Mr. Sauer: They are not.

approved

Mr. Cathcart: It's in the specifications - "or/equal". This is a very critical pump and we allowed only fifteen days to install it.

Award

Commissioner Franklin moved that the recommendation of the City Manager, the Purchasing Division and using department for award of contract under Bid No. 71.79 to DRILLING & PUMPS, INC. for the sole bid received in the amount of \$3,800.00, be APPROVED, and the Purchasing Division authorized to proceed.

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

PERMISSION TO
RECEIVE BIDS

SIXTEEN (16) MOTORCYCLES (REPLACEMENTS) - Police Department
(Estimate: \$38,000.00)

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SCHOOL CROSSING SIGNS - Public Works
(Estimate: \$5,800.00)

Commissioner Thornley moved that the recommendation of the City Manager, the Purchasing Division and using departments to advertise for bids on the above listed services and/or

materials, be APPROVED, and the Purchasing Division authorized to proceed.

Commissioner Franklin voted "no".

Commissioner Franklin: I am going to have more information on things like this before I vote. I have to know what the urgency is on the 16 motorcycles - whether when it says "replacements" that means a trade-in.

Mr. Trelease: The long-standing policy has been to replace them when they are three years old. We have done this for years and years -

Commissioner Franklin: Well, alright - we are paying approximately \$2,300 to \$2,400 per bike - is that in addition to the trade-in? Is there a trade-in, or isn't there a trade-in?

Mr. Cathcart: The estimate we have shown here takes into consideration the trade-ins.

Commissioner Franklin: Then it's about \$2,400.00 per bike in addition to the one we are trading in?

Mr. Cathcart: Yes - there is an approximate \$600.00 trade-in. There is under discussion right now as to whether we will sell them outright or trade them in. My estimate is figured on what has been the average of the trade-in value. This is the estimate for 16 new bikes, less the trade-in amounts.

Commissioner Franklin: I don't want to delay these meetings but I just don't want to vote on something I don't understand. School crossing signs - how many, at what price? It says here \$5,800.00. If there are 58 signs we are paying \$100.00 each -

Mr. Cathcart: There are approximately 650 signs - 300, 30x30; 50 at 36x36; 200 of the 30x30 of a different designation and 100 at 36x36 of different designations. In other words, they run approximately \$8,00 apiece.

Mayor Gragson: This is an estimate and this action is only authorizing the City to go to bid. We can reject or approve the bid once it is in, and often we do.

Commissioner Franklin: It might save a lot of the Staff's time if we could indicate at this time - my vote still stands.

Motion carried by the following vote: Commissioners Morelli, Coblentz, Thornley and Mayor Gragson voting aye.

SERVICE & MATERIAL
WARRANTS
Approved

Commissioner Thornley moved that Service and Material Warrants Nos. G-304242 thru G-304432, in the amount of \$604,245.36, be APPROVED, and the Director of Finance authorized to issue.

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Voting aye: Commissioners Morelli, Coblentz, Thornley and Mayor Gragson.

Commissioner Franklin passed his vote.

PAYROLL WARRANTS
Approved

Commissioner Thornley moved that Payroll Warrants Nos. 92789 thru 94341 for the pay period ending July 17, 1971, in the amount of \$379,984.96, be APPROVED, and the Director of Finance authorized to issue.

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

MINUTES
Approved by
Reference

Commissioner Thornley moved that the following minutes of meetings of the Board of City Commissioners be APPROVED BY REFERENCE and the Mayor and Clerk authorized to sign:

REGULAR MEETING OF JUNE 2, 1971

REGULAR MEETING OF JUNE 16, 1971

RECESSED REGULAR MEETING OF JUNE 17, 1971

REGULAR MEETING OF JULY 7, 1971

RECESSED REGULAR MEETING OF JULY 8, 1971

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

CHARLESTON
RAINBOW No. 9-F
Tentative map
Approved

Director of Planning, Donald J. Saylor: This involves a tentative map which is a continuing part of the Sproul Homes Charleston-Rainbow development out on West Charleston Blvd. This particular area includes some 96 lots. It meets all of the requirements of the Subdivision Ordinance and the Planning Commission has recommended approval in accord with several conditions.

Commissioner Thornley moved that the recommendation of the Planning Commission on the Tentative Map of CHARLESTON RAINBOW No. 9-F, be APPROVED, subject to the following conditions:

1. Street names to be changed as required by the Planning Department.
2. Conformance to the requirements of the Department of Public Works and all applicable City ordinances.
3. Approval of Tentative Map shall be for no more than twelve (12) months. If Final Map is not recorded on all, or a portion of, the area embraced by the Tentative Map within twelve months of approval of said Tentative Map, a new Tentative Map shall be filed. If a Final Map is recorded within twelve months of the approved Tentative Map for only a portion of the area embraced by said Tentative Map, the Planning Commission may require that a new Tentative Map be filed and approved prior to any further Final Maps being approved.

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

CHARLESTON
RAINBOW No. 6-G
Tentative Map
Approved
AND
CHARLESTON
RAINBOW No. 7-E
Tentative Map
Approved

Mr. Saylor: The next two items - Charleston Rainbow Nos. 6-G and 7-E are also a part of the Sproul Homes development in the same general area as that covered by the previous Tentative Map. One has about 30 lots in it and one has 4 lots. The Planning Commission has recommended approval and they are in accord with the Subdivision Ordinance.

Commissioner Franklin: Do they contemplate immediate building on these?

Mr. Saylor: Yes.

Commissioner Franklin: If we approve a 4-lot subdivision they are planning to build immediately?

Mr. Saylor: Generally speaking, the Sproul people have proceeded in direct sequence. They bring in a Tentative - then a Final - then take out Building Permits.

Commissioner Coblenz moved that the recommendation of the Planning Commission on the Tentative Maps for CHARLESTON RAINBOW No. 6-G and CHARLESTON RAINBOW No. 7-E, be APPROVED, subject to the following conditions:

1. Conformance to the requirements of the Department of Public Works and all applicable City ordinances.
2. Approval of the Tentative Map shall be for no more than twelve (12) months. If a Final Map is not recorded on all, or a portion of, the area embraced by the Tentative Map within 12 months of approval of the Tentative Map, a new Tentative Map must be filed. If a Final Map is recorded within 12 months of the approval of the Tentative Map for only a portion of the area embraced by the Tentative Map, the Planning Commission may require that a new Tentative Map be filed and approved prior to any further Final Maps being approved.

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblenz, Thornley and Mayor Gragson voting aye; noes, none.

TULE SPRINGS

Mr. Saylor: This is a discussion item relative to the Tule Springs Park development. Heretofore the Nevada State Park Board has concerned itself primarily in the development of State parks which have, let's say, focused upon an area of natural scenic beauty or a stream or a lake or, describing it a little differently, areas other than within urban developments. More recently they have recognized the fact that they also have an obligation for the development of State parks in urban areas. They have indicated to the City an interest in developing Tule Springs Park under the Nevada State Park System. At this point in time, however, before they proceed to develop any specific proposal to the City, they want to get at least a very preliminary, or tentative, indication from this Commission that they would react favorably or, at least, entertain the possibility of them submitting a proposal. In other words, if it is the position of this Commission that they don't want to proceed any further to look into it, then fine, they would also drop it, but they cannot proceed beyond this point they feel without, at least, some indication from this Commission as to whether or not they would like the State Park Board to develop a proposal to submit to the City.

I can't give you any real guidelines as to what the proposal would be. They have indicated a willingness to develop Tule Springs Park.

Commissioner Thornley moved that the State of Nevada, Department of Parks, be notified by the Clerk of the City of Las Vegas that the City is interested in exploring the possibilities of the State of Nevada maintaining and developing the City-owned Park at Tule Springs.

Commissioner Coblentz: And we must keep it as that . . . a City-owned Park.

Mr. Saylor: Right - and this is not tying this Board down to any specific obligation. This, I think, is all they want at this time - an indication of intent on the part of this Board.

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

VAC-4-71
Public Hearing
Set

PETITION OF VACATION - VAC-4-71 - SUN FINANCIAL COMPANY,
ET AL

Mr. Saylor: The next item involves a petition for the vacation of all public easements designated as "alley" in Sierra Nevada Subdivision No. 2, and is before you to set a date for Public Hearing.

Commissioner Thornley moved that a Public Hearing before the Board of City Commissioners on the petition of Sun Financial Company, under VAC-4-71, be set for 10:30 a.m., September 15, 1971, and the Clerk authorized to proceed.

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

LEAA FUNDS
Applications
Approved

Mr. Saylor: The next items for your consideration are applications by the Police Department for the utilization of Law Enforcement Assistance Agency Funds. These are proposed expenditures of the State-block grant funds for this Fiscal Year, 1971/72. Clark County has some \$375,000.00 available to it for this purpose and the City receives a proportionate share of that amount. From time to time during the course of the year applications will come before you by the Police Department. In each and every case we show you the total project cost, the Federal fund cost and the local share, and indicate in those cases where in-kind services take care of the local share. In other words, it is not an out-of-pocket expenditure. Generally speaking, it's the salary of some person attending a particular institute, or seminar, or something of that nature. There are also some applications which will involve the purchase of funds. Generally speaking there is an out-of-pocket involvement there. The total amount of these applications on this go-around is \$19,333.00 of which the local share is \$792.00. That is out-of-pocket.

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Mayor Gragson: The total would then require \$792.00?

Mr. Saylor: Right. As a matter of procedure we send you a memo prior to the meeting explaining in greater detail what these items

are for and a little bit about the program, etc. That specific information is not on the agenda, but you do receive it in memo form. These are initiated by the Police Department. I presume because of that, any expenditure of cash is a budgeted item in their budget.

Commissioner Thornley moved that the following applications for LEAA Funds, with permission to advertise for bids, be APPROVED, and the Planning Department and Purchasing Division authorized to proceed:

SOUND SYSTEM EQUIPMENT FOR REGIONAL LAW ENFORCEMENT ACADEMY

| | |
|--------------------|------------|
| Total Project cost | \$1,014.00 |
| Federal funds | \$ 760.00 |
| Local share | \$ 254.00 |

KODAK EKTAGRAPHIC VISUALMAKER

| | |
|--------------------|-----------|
| Total Project cost | \$ 112.00 |
| Federal funds | \$ 84.00 |
| Local share | \$ 28.00 |

CRIMINALISTICS BUREAU EQUIPMENT - ENLARGER

| | |
|--------------------|-------------------------------|
| Total Project cost | \$4,587.00 |
| Federal funds | \$3,044.00 |
| Local share | \$1,543.00 (in-kind services) |

SPECIAL PURPOSE CAMERA - CRIMINALISTICS BUREAU

| | |
|--------------------|------------------------------|
| Total Project cost | \$1,449.75 |
| Federal funds | \$1,068.00 |
| Local share | \$ 381.75 (in-kind services) |

PURCHASE AND TRAINING OF K-9 - TRAINING OF HANDLER AS INSTRUCTOR

| | |
|--------------------|-------------------------------|
| Total Project cost | \$8,894.00 |
| Federal funds | \$4,189.00 |
| Local share | \$4,705.00 (in-kind services) |

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

Commissioner Thornley moved that the following applications for LEAA Funds, be APPROVED, and the Planning Department authorized to proceed:

FIELD EVIDENCE TECHNICIAN SCHOOL - LONG BEACH STATE COLLEGE - FOR ONE (1) DETECTIVE

| | |
|--------------------|------------------------------|
| Total Project cost | \$1,626.00 |
| Federal funds | \$ 960.00 |
| Local share | \$ 666.00 (in-kind services) |

ONE (1) INVESTIGATOR TO ATTEND 1971 TRAINING CONFERENCE,
ASSN. OF CREDIT CARD INVESTIGATORS, DENVER, COLORADO

| | |
|--------------------|------------------------------|
| Total Project cost | \$ 498.00 |
| Federal funds | \$ 281.00 |
| Local share | \$ 217.00 (in-kind services) |

ONE (1) INVESTIGATOR TO ATTEND 19TH ANNUAL SEMINAR OF
INTERNATIONAL ASSN. OF AUTO THEFT INVESTIGATORS,
DETROIT, MICHIGAN

| | |
|--------------------|------------------------------|
| Total Project cost | \$ 733.00 |
| Federal funds | \$ 419.00 |
| Local share | \$ 314.00 (in-kind services) |

ONE (1) OFFICER TO ATTEND THE GRANTSMANSHIP WORKSHOP,
LONG BEACH STATE COLLEGE

| | |
|--------------------|------------------------------|
| Total Project cost | \$ 576.00 |
| Federal funds | \$ 335.00 |
| Local share | \$ 241.00 (in-kind services) |

ONE (1) OFFICER TO ATTEND "PRINCIPLES OF POLICE MANAGE-
MENT" SCHOOL, NORTHWESTERN UNIVERSITY, EVANSTON,
ILLINOIS

| | |
|--------------------|-------------------------------|
| Total Project cost | \$2,741.00 |
| Federal funds | \$1,625.00 |
| Local share | \$1,116.00 (in-kind services) |

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

CHARITABLE
SOLICITATIONS
PERMITS

Approved

Commissioner Thornley moved that the following applications for Charitable Solicitations Permits, as approved by the Solicitations Review Board, be APPROVED, and the Director of License & Revenue authorized to issue:

1. "LIDO" CAST - STARDUST HOTEL - Tickets to the movie
Westside Story"
2. LAS VEGAS ART LEAGUE - General Solicitations for Trophy
Donations
3. SALVATION ARMY ADVISORY BOARD - Tickets to Annual
Installation Dinner
4. AMERICAN LEGION AUXILIARY, LAS VEGAS UNIT No. 8 -
Rummage Sale
5. OUR LADY OF LAS VEGAS WOMEN'S GUILDS - Raffle
Tickets - Annual Bazaar
6. SELF HELP, INC. - Sale of Candy

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Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

CHILD CARE
FACILITIES
Approved

Commissioner Thornley moved that the following applications for new Child Care Facilities, as approved by the Child Welfare Board, be APPROVED, and the Child Welfare Officer authorized to proceed:

MARIAN JEAN REUCK Three (3) children days
5112 Mountain View Drive

RACHEL D. SUMMERS Five (5) children days
4212 Nolan Lane

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

GAMING -
ADDITIONAL
Approved

Commissioner Morelli moved that the following applications for new games under existing Gaming Licenses, be APPROVED, and the Director of License & Revenue authorized to proceed:

CHARLIE'S BAR Fred Atol
1511 S. Main Street
2 SLOTS

COIN CASTLE United Coin Machine Co.
15 Fremont Street
2 SLOTS

REEF LIQUOR United Coin Machine Co.
332 W. Sahara Ave.
1 SLOT

SHIFTY'S United Coin Machine Co.
3805 W. Sahara Ave.
1 SLOT

WESTERN HOTEL/BINGO PARLOR Exber, Inc.
899 Fremont Street
4 SLOTS

GREEN SHACK Automatic Amusements
2504 Fremont Street
2 SLOTS

LUCKY'S United Coin Machine Co.
2466 Las Vegas Blvd., S.
1 SLOT

CHUBBY'S Alstate Coin Machine Co.
134 Las Vegas Blvd., S.
2 SLOTS

GOLDEN NUGGET Alstate Coin Machine Co.
129 Fremont Street
3 SLOTS

CREST HOTEL Robert Cohen
207 N. 6th Street
1 SLOT

CREST HOTEL United Coin Machine Co.
207 North 6th Street
1 SLOT

LADY LUCK SLOT ARCADE Standard Games
206 North 3rd Street
2 SLOTS

CLUB BINGO United Coin Machine Co.
23 Fremont Street
4 SLOTS

WONDER WORLD SAHARA United Coin Machine Co.
3830 W. Sahara Ave.
1 SLOT

WONDER WORLD SAHARA J. J. Parker Co.
3830 W. Sahara Ave.
1 SLOT

UNION PLAZA HOTEL/CASINO Scott Corporation
No. 1 Main Street
1 BIG SIX
1 KENO
1 BACCARAT

UNION PLAZA HOTEL/CASINO United Coin Machine Co.
No. 1 Main Street
4 SLOTS

THE BOTTLE HOUSE United Coin Machine Co.
827 Las Vegas Blvd., S.
1 SLOT

KING OF CLUBS United Coin Machine Co.
1401 N. Decatur Blvd.
3 SLOTS

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

RETAIL TOBACCO -
ADDITIONAL
Approved

Commissioner Thornley moved that the following applications for additional outlets under existing Retail Tobacco Licenses, be APPROVED, and the Director of License & Revenue authorized to proceed:

BURGER KING Las Vegas Vending
1723 E. Charleston Blvd.

BURGER KING Las Vegas Vending
401 S. Decatur Blvd.

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

LIQUOR
Approved

CHANGE OF BUSINESS NAME ONLY

Commissioner Thornley moved that the following application for change of business name only under an existing Liquor License, be APPROVED, and the Director of License & Revenue authorized to make the appropriate change:

From:

WEST HILLS RESTAURANT/LOUNGE

Macayo Vegas, Inc.
Edmon Haddad
Woodrow & Victoria Johnson

To:

MACAYO VEGAS No. 3
4457 W. Charleston Blvd.
TAVERN

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

LIQUOR - NEW
Approved

Commissioner Thornley moved that the following application for a new Liquor License, be APPROVED, and the Director of License & Revenue authorized to issue:

LA DOLCE VITA, LTD.
1510-1512 Las Vegas Blvd. So.
Beer/Wine On-Sale

Samuel DeCristo,
Pres. & Dir. 50%
Donemico D'Orta,
Secy-Treas & Dir. 50%
Lucien Henri Lantenois,
Lender of money

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

LIQUOR & RETAIL
TOBACCO - NEW
Approved

Commissioner Morelli moved that the following application for new Liquor and Retail Tobacco Licenses, be APPROVED, subject to the approvals of the Planning, Building, Fire and Health Departments:

IT'LL DO
4127 W. Charleston Blvd.
Tavern

Charles C. Briscoe 90%
Ralph Engelstad 10%
Landlord

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

GAMING - NEW
Approved

Commissioner Franklin moved that the following application for a new Gaming License, be APPROVED, subject to the approvals of the Planning, Building, Fire and Health Departments:

ELECTRO-COIN, INC.
3803 W. Sahara Ave.
SLOT OPERATORS

Walter M. Burnside,
Pres. 48%
Richard M. Burnside,
V.P. 4%
Donald E. Hooker,
Secy-Treas 48%

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

FIRE ARMS PERMIT -
NEW
Approved

Commissioner Thornley moved that the following application for a new Fire Arms Permit, be APPROVED, and the Director of License & Revenue authorized to issue:

| | |
|--|---|
| SPORTSMAN'S PARADISE, INC. 1124 S. Maryland Parkway | Leslie H. Smith, Pres. 75% Shearl & Dawn Nielson, V.P. - Secy-Treas. 25% |
|--|---|

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

SPECIAL EVENT
LIQUOR LICENSES
Approved

Commissioner Coblentz moved that the following applications for Special Event Liquor Licenses, be APPROVED, and the Director of License & Revenue authorized to proceed:

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|--|---------------------------------------|
| OUR LADY OF LAS VEGAS WOMEN'S GUILDS 3104 Alta Drive 10/16 & 10/17/71 | Responsible Licensee: FRED BECKMAN |
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| LATINS OF LAS VEGAS 2116 E. Charleston Blvd. 8/7/71 ONLY | Responsible Licensee: ROY COFFMAN |
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Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

LIQUOR
Approved

REQUESTS FOR EXTENSION OF CLOSURE

Commissioner Franklin moved that the following requests for extension of closure under an existing Liquor License, be APPROVED, and the Director of License & Revenue authorized to proceed:

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| BOBBY GREENE'S COW PALACE 1511 Nellis Blvd. TAVERN (Closed 6/14/71. Requests an additional 60 days - 8/13/71 TO 10/11/71) | Swanky Club, Inc. Darlene Simpson |
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| | |
|--|--------------|
| LAKE MEAD LIQUOR Jones & Lake Mead Blvd. PACKAGE LIQUOR/BEER BAR (Change of name/location approved 4/21/71. Requests an additional 60 days - 8/18/71 TO 10/16/71) | Andy Skurski |
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Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

GAMING - REQUEST
FOR EXTENSION OF
ZONE

Withdrawn

COMMUNICATION FROM CALVIN C. MAGLEBY REQUESTING RE-
HEARING ON DENIAL OF APPLICATION FOR REZONING BY MR.
PANOS FOR 234 FREMONT STREET

Director of License & Revenue, Jean Dutton: We have received the following letter from Tom and Wilma Panos asking that this matter with WITHDRAWN:

"August 3, 1971

"Hon. Mayor and Board of City Commissioners

"Attention: Jean Dutton

"In recent months you have observed certain petitions coming before you for the extension of gaming along Fremont Street to include Melodie Lane, 234 E. Fremont Street.

"Some of these petitions have included the names of Tom S. and Wilma Panos, who for the past twenty years, have been operating Melodie Lane as a Restaurant.

"We are in complete accordance with Mayor Oran Gragson, that the downtown area does not extend the unlimited gambling license beyond Casino Center without a minimum 100-room hotel.

"Although we are forced to close Melodie Lane Restaurant because of the inflated rent, we respectfully withdraw our application for unlimited gambling license.

"As a matter of fact, had either one of us attended the City Commission meetings, our sympathies would be with the persons of the Downtown Gaming Association and Mayor Oran Gragson, who voiced their disapproval of the extension to include the Melodie Lane.

"We sincerely hope that both you and the members of the Council will adopt whatever measure, or measures, necessary to expunge our names from the aforementioned petitions. We are no longer interested.

"Thanking both you and the members of the City Council for your tolerance and patience."

/s/ Tom Panos
/s/ Wilma A. Panos

Mayor Gragson: Is there anyone present who wishes to be heard on this matter?

(No response)

REQUESTS FOR EXTENSION OF CLOSURE

Commissioner Franklin: I would like to ask Mr. Dutton: Both the taverns are closed - the licenses are issued to those locations?

Mr. Dutton: Yes.

Commissioner Franklin: Nobody has a license in his pocket waiting for another location and they are merely asking for an extension of time to reopen?

Mr. Dutton: It can actually be interpreted this way: Crazy Al's - Al Rumley - is listed here at 4127 W. Charleston. Preceding this on the agenda you have just approved a license at the same location for IT'LL DO.

Commissioner Franklin: Why do we need an extension if he is licensed at 4127 W. Charleston - why do we want an extension for Mr. Rumley?

Mr. Dutton: He submitted a letter of request and, as is the practice, I put it on the agenda.

Commissioner Franklin: We can't have two licenses at one location - right?

Mr. Dutton: The City Attorney's office has ruled in the past that this is alright.

Commissioner Franklin: To have two existing licenses going at one location?

Mr. Dutton: Right - we have done it in the past.

Commissioner Franklin: Are both men going to operate there?

Mr. Dutton: It would be up to the Commission in regard to Crazy Al's because you could say the man has a license, period. But he doesn't have a location because he has been evicted. You have already issued a license, earlier on the agenda, to it - you may want to turn down this application.

Commissioner Franklin: At this time I would like to request of the City Attorney's office an opinion as to whether or not a liquor license can be outstanding - not issued to a specific location. It is my understanding it must be issued to a named individual, or individuals, and to a location and both requirements must be met. Otherwise you have someone carrying a license around in his hip pocket looking for a place to put it.

City Attorney, Earl P. Gripenrog: Basically, it's a matter of policy. If the Commission wants to do it . . . I believe the situation came up on the bar and restaurant on Boulder Highway - The Green Shack - where the license expired and the lady who owned the building wanted a license and both these licenses co-existed. Again, this is just a matter of policy with the Commission.

Commissioner Franklin: Also, under our ordinance as it exists, we can't have more than one tavern and/or retail liquor license for every 1300 people. An estimate was made before the last

Census that estimated our City population at 167,000. Our actual population based upon Census, and that's what our ordinance must be predicated upon, shows only 125,000 people in the City. I would like an interpretation from the City Attorney as to whether we do have an excess licenses - whether we can issue any more licenses until that population factor is met. Right now it appears to me we are authorized for about 96 licenses and have about 113 licenses outstanding now -

Mr. Dutton: We have 119 -

Commissioner Franklin: We have 119 under an ordinance that permits only 96. Under that ordinance, also, you can't take away the license, but you can issue no new licenses until such time as the population justifies it.

Commissioner Coblenz: We have a 160,000 plus population -

Commissioner Franklin: We have a Census that says that we have 125,000 -

Commissioner Coblenz: We still believe we have 160,000 plus - I will go by what the City officers have brought to us and what the Planning Commission has determined. I feel that is the correct approach to this thing.

Mayor Gragson: Our ordinance states that the City Commission shall, from time to time, for licensing purposes, through certain criteria that has been developed by the Planning Department and which has been accurate up until this 1970 Census. In other words, we have to review it annually as to the population increase based on the criteria they use. At the last review it was established by the Planning Department's criteria of determining the number of citizens in the City - I believe it was 167,000. In other words, our ordinance perhaps should - it doesn't say that we have to take whatever the Federal census is. I concur that is the census count -

Commissioner Franklin: I am not raising the point to be arbitrary, but I say that the City now has 6 or 7 licenses that nobody is even asking for - nobody wants them - and let me tell you - when a liquor license has no value to the people holding them and there are surplus ones, then the people in the business are hurting and they are going to be more lax in their procedures - they are going to be more inclined to engage in practices of sales to minors because their license isn't worth ten cents. They can blow a license and get another because nobody wants them, and I just think it's bad government not to have at least some value on a liquor license. When you have them going begging you have an industry that's hurting and not giving the protection the public is entitled to. That is my only reason for raising the point.

Commissioner Coblenz moved that the following application for extension of closure under an existing Liquor License, be APPROVED, and the Director of License & Revenue authorized to proceed:

Page 17
Minutes
Regular Meeting
August 4, 1971

BLUE HEAVEN COCKTAIL LOUNGE
2025 E. Charleston Blvd.
TAVERN

Al Rumley

(Closed 6/1/71. Requests an additional 60 days - 7/31/71 TO 9/27/71)

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

Commissioner Coblentz moved that the following application for extension of closure under an existing Liquor License, be APPROVED, and the Director of License & Revenue authorized to proceed:

CRAZY AL'S
4127 W. Charleston Blvd.
TAVERN
Al Rumley
(Closed 6/14/71. Requests an additional 60 days - 8/13/71 to 10/11/71)

Motion carried by the following vote: Commissioners Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, Commissioner Franklin.

Commissioner Thornley: I would like to say that I agree with Commissioner Franklin in regard to these sort of limbo licenses. This isn't the only one we have. We have several and I wouldn't want to zero in on one. I think a study should be made of all of these licenses that do not have a location as of now.

Mayor Gragson: I think our ordinance may need some clarification.

PUBLIC HEARINGS

10:30 A.M.

Mayor Gragson announced this to be the date, time and hour for Public Hearing on the following matters, and declared said Public Hearing open:

VAC-3-71

PETITION OF VACATION - VAC-3-71 - NEVADA SAVINGS & LOAN ASSN.

Petition to vacate a 20 ft. alley generally located 125 ft. south of Bromley Avenue, extending eastward from Jones Blvd. a distance of approximately 960 ft. (Planning Commission recommends approval subject to conditions set forth in Notice of Public Hearing)

Mr. Saylor: This is a proposed alley vacation, running parallel to Bromley Avenue and south from it. This is Jones Blvd. (wall map) - this is Bromley - this is a large piece of vacant commercial development. This piece of land is zoned R-4 but is vacant at the present time. This property is all zoned for apartments and is developed that way, as is this piece. Nevada Savings & Loan recently presented a proposal to the City to develop this R-4 zoned piece of property as a Planned Unit Development which, I believe, would reduce the density to about half of that which could be permitted under this R-4. Rather than apartments it would then become purchase-type housing in a town house development. As part of that overall development, however, FHA, I believe, has requested that this access alley, which will provide access to the parking for these units, not be a public alley - that it be a private driveway instead. In recommending approval of the vacation of this, it is contingent upon this alley being day-lighted on to Bromley - the Planning Commission has recommended approval subject to several conditions. The Planning Commission conducted a Public Hearing on this and there were no protests.

Mayor Gragson: Is there anyone present who wants to be heard on this matter?

R. M. Brown, Vice President of Nevada Savings & Loan Assn.: We are in complete agreement with the conditions as set forth by the Planning Commission and I would be happy to answer any questions for you gentlemen.

Mayor Gragson: Is there anyone who wants to be heard in opposition?

(No response)

Mayor Gragson declared the Public Hearing on VAC-3-71 closed.

Commissioner Thornley: In view of the fact that we are receiving and favorably acting on a number of these alley vacations, is this an indication that alleys, generally, no longer serve a useful purpose? For instance, in the downtown area we have almost no alleys left. Most of them have been vacated.

Mr. Saylor: I would not want to make a blanket statement to say that all alleys are not needed. However, I think in many cases we are finding that they are not needed. If this was going to be an apartment house development, for example, I would then say that this alley probably should be retained as a public access, but in view of the fact that it's going into a condominium Planned Unit Development type of thing under individual ownership of the units, the need for it as a public access is not necessary. Relative to the alleys in the downtown area, this determination was made, I believe several years ago, that the only real need for them was the matter of access for fire protection and in those cases where fire protection can be provided adequately without the alley, then fine - let's do away with the alley and put it to a productive use. But there will be cases where Staff's position will be that alleys should be provided or, where they exist, should be continued to be maintained.

Commissioner Thornley moved that the recommendation of the Planning Commission under VAC-3-71, be APPROVED, subject to the following conditions:

1. Amended to exclude the east 20 ft.
2. The north/south alley to be extended north to Bromley Avenue.
3. Satisfaction of the requirements of the utility companies.
4. A block wall to be constructed along the south line of the vacated alley.
5. Further provided that in relation to the proposed Planned Unit Development of the property located north of the alley, the driveway along the southerly portion of the proposed Planned Unit Development be widened to the greatest width possible without causing the loss of any units or any major change in the design, and not to exceed 26 ft. in width.

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

PUBLIC HEARINGS
(continued)

V-24-71
Approved

APPEAL FILED BY ROLAND W. HINES - V-24-71

to action of the Board of Zoning Adjustment in denying his request for a Variance to allow an addition to the residence to within 16 ft. of the rear property line where 25 ft. is required, on property located at 909 Ironwood between Washington Ave. and Golf Lane in Land Use Zone R-1.

Mr. Saylor: This is an appeal by Mr. Hines to a denial action by the BZA to allow an extension onto the rear of his house at property located on Ironwood Street. This is the lot in question (wall map). It's in an R-1 area. It's a relatively large lot - 106 x 107 ft. and has a relatively large house on it also. This shows the existing house - this is the existing lot line - this is the front of the property on Ironwood. It has the proper setback in front and the proposal is to add an addition onto the rear which would encroach into the required rear yard by some 5 ft., I believe. In other words, they should have a 25 ft. setback but by allowing this addition they would have only a 20 ft. setback. The BZA has recommended denial I think primarily on the basis that this lot is the same shape and size as most lots. In other words, there was no particular condition because of an irregular shaped lot or irregular grading, or anything of that nature, that would justify the violation of the setback requirement. There were no protests from any of the property owners in the area however.

Mayor Gragson: This addition would bring it to within 16 ft. of the rear property line instead of the 25 ft.? Has that been changed?

Mr. Saylor: According to this plan, yes - this plan shows 20 ft.

Mr. Hines: We have modified our plans on the advice of the Board of Zoning Adjustment. We are now asking for a setback variance from 25 ft. to 19 ft. The furthest point of projection, which would be an exterior fire place. The furthest rear wall would be set back 21 ft. from the rear lot line under the present plan. My situation here is that we have a very nice house on Ironwood Drive but we have no dining room. We have an inadequate family room and we would propose to convert our present family room into a dining room - add a family room to keep our kids off the street. I have a boat also and am providing for boat storage in this area. That's what we're about and we plan to - if this variance is allowed - add to the house in the same architectural style as presently exists - stucco walls and a shake roof.

Commissioner Franklin: You have had no protests from any of your neighbors?

Mr. Hines: We have had no protests. In fact, I have had offers of support.

Commissioner Franklin moved that the appeal filed by Roland W. Hines under V-24-71 to allow an addition to his residence to within 19 ft. of the rear property line on property located at 909 Ironwood Drive, between Washington Ave. and Golf Lane, be APPROVED, and the Planning Department authorized to proceed.

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

PUBLIC HEARINGS
(continued)

V-25-71
Approved

APPEAL FILED BY NORMAN AND ANNABELLE PETERSEN - V-25-71
to action of the Board of Zoning Adjustment in denying their request for a Variance to allow the construction of a carport to within 11 ft. of the front property line where a 20 ft. front yard setback is required; also to the side property line where a 6 ft. side yard setback is required. Property located at 385 N. Bruce Street, on the west side of Bruce Street between Mesquite Ave. and Poplar Ave., in Land Use Zone R-2.

Mr. Saylor: This again is an appeal to a denial action by the BZA to a variance to the front and side yard setbacks. This is the lot in question (wall map) - this is Bruce Street. This property is located in an R-2 zone. However, it is a single family residence. This is the existing building on the lot. This is the carport shown here which is proposed to extend to within 11 ft. of the front yard and completely over to the side property line. Our ordinance calls for 20 ft. and 5 ft. here. This has been partially constructed without benefit of a permit. I believe that one of our very vigilant inspectors while driving by on Bruce Street noticed the construction and at that point stopped and tagged it so it couldn't proceed any further. They then filed a variance application with the BZA who, in turn, denied it and you now have the appeal before you. We have no protests to this proposal and we have two letters of approval from other property owners on Bruce stating they have no objection.

Commissioner Franklin: Was the 21 ft. in violation?

Mr. Saylor: No - in an R-2 Zone a 20 ft. front yard is proper.

Mayor Gragson: Is there anyone present who wants to be heard in opposition?

(No response)

Commissioner Morelli moved that the appeal of Norman and Annabelle Petersen under V-25-71, be APPROVED, and the Planning Department authorized to proceed.

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblenz, Thornley and Mayor Gragson voting aye; noes, none.

STREET NAME
CHANGE
Thom Blvd.
Approved

STREET NAME CHANGE - KADANS DRIVE TO THOM BLVD.
(Petition submitted by seven (7) persons owning property on Thom Blvd. requesting that the Board of City Commissioners reconsider its action taken at the June 16, 1971 meeting, whereby they approved changing the name of Thom Blvd. to Kadans Drive; said Petition requesting that the name of the street not be changed to Kadans Drive)

Mr. Saylor: I will try to analyze the number of pros and cons in terms of developed and undeveloped properties to the best of my ability. If I am inaccurate, it is simply due to a human failing, and not because I am in favor of one position or the other. The reason I say that - we have had quite a time trying to figure out all of these names of property owners. As it stands now - this is Thom Blvd. (wall map) - the properties in green represent the developed properties the owners of which are in favor of keeping the street named Thom. The pink are those developed properties the owners of which are supporting the change to Kadans Drive. There is a total of nine (9) developed properties.

Two (2) are in favor and seven (7) are opposed to the change to Kadans. In terms of front footage, 700 ft. is represented by the pink and 1670 ft. in opposition. In addition to owners of the developed property, we have had some protests and approvals from owners of undeveloped property and I believe in terms of the number, they come out about equal. However, in terms of front footage we have some 2000 front feet of property owners who are in favor of Kadans Drive and some 3600 front feet who are opposed. Just ten minutes before the meeting Mrs. Kadans brought in another petition with the names of three property owners on it, in favor of the change. They are not owners of developed property, however. It is vacant property and I did not have time to figure in their front footage into the computations I have given you.

Mayor Gragson: Mr. Saylor, you have said "about equal". Can you give us the exact number on each?

Mr. Saylor: Developed and undeveloped?

Mayor Gragson: Yes.

Mr. Saylor: I have one little problem there in that Marie La Penta has signed in favor - Marie, the wife, is in favor of the change - the husband is opposed to it. However, it was represented to us by the husband that his wife no longer had any interest in the property, so I am not in a position to be able to explain that one. Then we have another situation where we have not been able to establish that one of the names given to us, in fact, a property owner. So I am going to count those that we have established - twelve (12) property owners in favor and twelve (12) property owners opposed. These include undeveloped properties. I have had another petition just handed to me and if I read it right - it opposes the change of the name to Kadans Drive and changes the name of one of the people who originally petitioned. We have already had one change on that - from the original three that petitioned, one has changed his mind. I might add this also - two of the three petitionees who instituted the action in the first place, have now petitioned against the change. The third of the petitionees was Marie La Penta, whose husband says she has no interest in the property, so at this point it appears that of the three who originally asked for it, they are no longer interested in it, or, two of them who have a vested interest in it are opposed to the change.

Commissioner Franklin: Doesn't the City have subdivisions coming in almost daily where they have no names at all for the streets?

Mr. Saylor: All the time -

Commissioner Franklin: And they are looking for street names?

Mr. Saylor: All the time.

Commissioner Franklin: Mrs. Kadans, why don't you go to someone like Sproul and get a street named after your husband?

Mrs. Kadans: That isn't the point - there is an entirely different point here. There is a reason for getting the name changed on this particular street.

Mr. Saylor: I would now like to clarify the information I gave you from this map. The nine people who own developed properties -

eight (8) of them are in favor of retaining the name as Thom Blvd. and only the Kadans property (from the information I have now) is asking for the change. That is as it relates to the developed properties.

Commissioner Franklin: The name change has never officially become of record as the result of the June 16th meeting because that takes a period of time?

Mr. Saylor: That's right - I believe it was approved to take place in six months.

Mayor Gragson: I have been criticized severely in some areas for bringing this back up, but if we didn't have all the information at first and when the majority of the developed property owners in the area came in and requested a reconsideration of our action, I felt it was only proper to do so and that they should be heard on this matter. If you want to comment briefly on the merits of the change, you may proceed.

Unidentified speaker (female): We are protesting the name change from Thom Blvd. to Kadans Drive. We feel there was lack of due process when the name change was voted in. We were not notified of the meeting. We heard of it through the newspapers. Many residents could not attend so a spokesman was sent with a petition which was not allowed to be presented. All of the residents, except the Kadans, have signed against the name change. Since the last meeting, three who signed for the name change, reversed their decisions and their names appear on our petition. Names on Mrs. Kadans' petition may be property owners but they are not residents on Thom Blvd. "Boulevard" may not be the correct designation for this street, but it should be noted that there is a 60 ft. dedicated right-of-way which, if the City wishes to pave to its full extent, they may and if they wish to plant trees, they may. We don't feel that so many should be inconvenienced for the wishes of one. If the Kadans ranch is worth being found, the people who seek to find it will find it, even on Thom Blvd. I must question the sincerity of Mrs. Kadans' purpose in changing the name of this "small dirt road" . . .

Mayor Gragson: Let me say this - please stay with the subject matter with all reference to personal matters out. That we will not permit here.

Unidentified Speaker (continuing): Any one of us might claim the right to have the street named after them. We are all equally endowed with virtues. Thank you.

Mrs. Kadans: I would like to read the most recent petition and then I will explain a few things. May I?

Mayor Gragson: Just give us the names involved on the petition.

Mrs. Kadans: I have made a calculated study of this. There are 43 property owners on Kadans Drive, or Thom Blvd. Of the total, according to my records, 7 are protests, 3 are approvals of residents on the property. Of the total signatures, there are 11 protests and 13 approvals. The people not residing on Kadans Drive, or Thom Blvd., number 33. In other words, there are a majority of people who are not residents, but who are taxpayers

and who have a voice in this matter. The reason for the change - and my good friend Commissioner George Franklin says - name any street for Dr. Kadans. This is not the point. My husband doesn't want, nor does he need, the glory of a street named after him. The reason for the street - this particular street - being named for him, is the fact that this street is known internationally. I would like to enlighten the people here, and the Commissioners, on what the name "Thom" means. Most people think he was a surveyor. This is not true. The name "Thom" comes from - I was told last night - it was named after a dog. But this isn't true either because I took the trouble to call Mrs. Elsnore. The name "Thom", if I may enlighten everybody in this room, and also the newspapers, was named for Mr. Elsnore's grandchildren - Jerry - Rickey and Donald. Those children are long gone from the State of Nevada. They have no interest in the State now nor do they care whether the street is named after them at this point.

Mayor Gragson: You say they don't - have you contacted them?

Mrs. Kadans: I spoke with Mrs. Elsnore last night. Mrs. Elsnore happens to be the original owner of the property. Mrs. Elsnore was cured of cancer on the Kadans Ranch. She is a woman whom the doctors cut open, sewed her back and sent her home to die. She was cured by Dr. Burney right there on those premises and I would like to reiterate further - when you say name any street for Dr. Kadans - this street is known all over the world. It improves the property values. One of the additional signers on my petition - in fact, two of them - are contractors and developers and real estate people. They like the idea because of the fact that "Kadans Drive" means something and improves the value to the property. The unimproved land owners who have approved this change would like to keep it that way because they feel that their property values will rise. The name "Thom" - it is actually pronounced "Tom" - and people don't know how to pronounce it. This is an old name that goes with Elsnore and, of course, it is not a boulevard. This we all agreed upon. To change it to Thom Avenue or Thom Drive, as was suggested at the last meeting, would be a nebulous thing. Why do it? It has been changed by unanimous Commission action because of the fact there is a reason for it. There is a reason for everything that is done in this Commission chamber. We feel, and the property owners feel, that it is an asset to the people in the City of Las Vegas - in the State of Nevada - to call this street "Kadans Drive". Now, it is entirely up to you gentlemen. If you want to change because it has become a petty situation. I have not re-contacted Mr. and Mrs. La Penta - the people who originally signed to change it. I wouldn't stoop as low as to ask anybody who has approved something to change their minds . . .

Mayor Gragson: You heard me say that we are going to leave personalities out of this discussion -

Mrs. Kadans: Yes sir, but the people have changed - the people who had originally petitioned this - which was not exactly cricket, Your Honor. Let's face it - if people approved it, they had a reason to do it in the first place, and if they petitioned it, they certainly had a reason to petition it. I feel very strongly - if you would like to know more about the university which is situated on the grounds of Kadans Ranch, or the people who come there, or the people who are interested in writing to him, or coming to him, it's true - they will find him anyplace - but this is not the idea. What about the people who are interested in improving the unimproved properties. What about the people who

Commissioner Coblenz: I feel that inasmuch as we are going to have a further study made with the business people in the downtown area, we should first complete the study before we give any consideration, make any decisions or give any opinions pertaining to the request of Joseph Brown for a non-restricted gambling license at 234 Fremont Street. This is all a part of the study you have decided you want to have made before we make any decisions about extending the area. We have had the hotel people in, we have had the bankers in and we should have the business people in and the real estate people also.

Mayor Gragson: We have several people in attendance here today who have an interest in this matter, and I think we should hear their comments now and make our decision from that.

REQUEST FROM JOSEPH W. BROWN FOR NON-RESTRICTED
GAMING LICENSE AT 234 FREMONT STREET

"July 26, 1971

"Edwina Cole, City Clerk

"Re: Application for Operation of Non-Restricted Gambling Operation at 234 East Fremont Street; Record Owner: Markaret Fay Simon and Bank of Nevada, Co-Trustees

"The undersigned attorney represents Margaret Fay Simon and Bank of Nevada, Co-Trustees under the Last Will and Testament of Peter A. Simon, in an attempt to have their property located at 234 East Fremont Street approved for the operation of a non-restricted gaming enterprise.

"As you no doubt know, City Code, Section 5-17-6 presently restricts such gaming operations to a two block area of Fremont Street beginning at Casino Center Boulevard and extending west to Main Street. Despite this restriction, however, some seven exceptions have been permitted by the City Commission in areas both near and at quite a distance from the restricted zone.

"My clients' property is located one block from the boundary of this restricted zone, and it is our feeling that the ordinance, in and of itself, and as it has been applied, constitutes an infringement upon the property rights guaranteed to my clients by the laws of the State of Nevada and the Constitution of the United States.

"As of this date, the undersigned has attempted to file a Variance Application with the Las Vegas Planning Department, and has been told that this was a matter for the City Licensing Division; but, when attempts were made we were turned down on the basis that the property in question was not properly zoned for the issuance of such a license.

"As a final resort therefore, we respectfully request that this matter be placed on the agenda of the City Commissioners at its next regular meeting on August 4, 1971 so that a full hearing may be had on this matter."

/s/ Joseph W. Brown
(Bell and LeBaron
Attorneys at Law)

Joseph Brown: Your Honor, we have a court reporter here and would like to record this proceeding, if you don't mind.

Mayor Gragson: We have no objection and we will also have a recording of it.

Mr. Brown: I am of the firm of Bell and LeBaron. With me as Associate Counsel, is Mr. Harry Claiborne. I appear before you today on behalf of Margaret Simon, widow of the late Peter A. "Pop" Simon, and ask that Mrs. Simon's property at 234 Fremont Street, which is located on the corner of Third and Fremont, be granted approval for the operation of a non-restricted gaming operation on the premises. The Simon family has owned this property since 1928, and for the last several years the restaurant operation known as The Melodie Lane Restaurant has been conducted on the premises by Mr. Tom Panos. Mr. Panos' lease with Mrs. Simon expires on December 1st of this year, as does the lease on the adjoining barbershop and gift shop. I don't think it's any secret that the restaurant there has had a tough time competing with the 49¢ breakfast and the 50¢ shrimp cocktail offered by the hotels since the restaurant did not have a gambling operation there to write off the food costs. At any rate, with the expiration of the present lease, Mrs. Simon expressed the desire that we make application to have this property rezoned so that she could share in the benefits enjoyed by the property owners just a few feet west of her property. Mrs. Simon was advised that there was a City ordinance restricting unlimited gaming ventures to the two block area between Main Street and Casino Center on Fremont Street, but in view of the fact that seven other known exceptions have been granted by the City Commission within the recent past, it appeared that whatever equities these other locations - as near as two blocks away and as far as four miles from this area - had in their favor, this property of Mrs. Simon's should be in at least as favorable a position. We couldn't find any logical guidelines that had been followed in the past in granting these exceptions. We therefore proceeded to obtain an application for a variance; completed the same, and submitted it to the City Planning Department asking that the property at 234 East Fremont be granted a variance from the ordinance prohibiting unrestricted gaming outside of the privileged zone. I was told at that time that the particular ordinance in question here was a Licensing Ordinance rather than a Zoning Ordinance, and that application would have to be made at the City Licensing Department rather than at the Planning Department. I made my request to the City Licensing Department and was told that a license application could not be given me because of the fact that the property was not zoned for unrestricted gaming. Faced with this dead-end, it appeared that my only form of redress was by filing the application presently before this Commission. I thank you for this opportunity to be heard on the matter and hope that you will afford myself and Mr. Claiborne the opportunity to fully express our views on why this property should be rezoned to permit unrestricted gaming on the premises. I will, at this point, refer to Mr. Claiborne.

Commissioner Franklin: I welcome this opportunity - I think it's the first time I've ever seen you appear as "associate counsel".

Mr. Claiborne: I was wondering how who were going to look sitting up there on that rostrum - you look pretty good, George.

Attorney Harry Claiborne: A lot of memories enter my mind today. The first civil case that I - our first case, in fact, as a private lawyer that I ever worked on involved Pol Simon, handled by John J. Cope. Since then there has been a lot of water under the bridge and a lot of interesting things have occurred in Las Vegas, particularly in the downtown area. I want to say right in the beginning that I didn't come here today to start cracking heads of people who operate the gaming establishments in downtown Las Vegas. Most of them are my friends. I don't represent any of them and I would venture to guess that after today, the prospects would be very slim that I will in the future. Nonetheless my allegiance would go back, I guess as most lawyers do when they practice many years in the community, with those we like to call the old-timers and pioneers of this community. I have read a lot in the papers the last few days and when I was asked to help Peggy Simon in this matter, I was happy to do so; much of which I think has been unnecessary. That's why I said I didn't come here to crack anybody's heads - criticize anybody - because such is the nature of competition, or should be in the business world - that people really should not have too many complaints who are doing well in a community whose fathers - and that's what I refer to you gentlemen - have shown them nothing but tender consideration in all of their endeavors. This, in my opinion, this whole thing has been blown out of proportion. Committees of bankers, I understand, have gotten together at somebody's request (I don't know who) and they voiced their fears; the owners of the downtown casinos, they have voiced their fears about an extension of arcades all over the City of Las Vegas - that this is the start of an "arcade city". One phrase was used "trying to create a Coney Island" in downtown Las Vegas. That isn't the purpose. Our purpose, simply, is this - reasonably and understandably. The Simons have owned this property since 1928. I recall when I was a cop in this town that there was a service station on that corner and that I used to stroll down from Wimpey's Restaurant down by the service station when I was working as a policeman in the City. I remember Peggy pumping gas at that station, as does everybody else in this community. At great expense and at a time then when the City was growing and the town was in need, particularly of office buildings - and this is unbelievable - when I started to practice - my colleague Herb Jones was here and I know what we heard because he represents all these fellows who wear the \$90.00 alligator shoes and \$300.00 suits - when I left Herb over in the D.A.'s office and went forward in private practice, believe it or not, there wasn't a single office in this town available. I finally found an office over the Las Vegas Club. About that time, as I recall, in 1948, Pop Simon built what is now the Simon Building and he utilized it downstairs as restaurant - he rented it as a restaurant and used the upstairs as office space which they rented until our friend from the bank, who I understand made some kind of opposition to this, began to build their buildings - in keeping with private enterprise and in the spirit of competition. Ans, of course, the last rental of the Simon Building as the Internal Revenue Service and when they moved out, that was the end of office rentals as far as that building was concerned, no longer offering the attractions that the other office buildings in this town have to offer - particularly the banks. You can't get away from the fact that the downtown clubs have broken every restaurant man in the City of Las Vegas in the downtown area, and I'm talking about from the El Cortez all the way down to where the Union Plaza is - almost. I am talking about independent

restaurantmen - because they can't compete. Bob Baskin was in the restaurant business all of his life in Las Vegas, Nevada, and a capable and competent man and he couldn't do it. He couldn't buck the competition of the El Cortez right next door. And he closed down. Where the drug store is on the intersection of 4th Street, where the drug store is now, there was a restaurant there for many years - couldn't cut it - finally went out of business and now it's just a drug store. MacDonald's has gone in and I understand - and this is purely hearsay - that they're not making it. Tom Panos is not making it in the restaurant business there - and I am quite certain of that, and I don't represent him - because they can't compete. Now, logic teaches me that a man who owns property has to utilize it - and I've heard Mr. Saylor say this many times - to the highest potential for its use in light of its location. So what does she do with this building? Particularly in view of the taxes on the front footage on this street? Does she continue to operate the upstairs portion, unoccupied, and lease the portion for a restaurant that can't economically survive under the competition? Now, nobody - nobody's being crying about the people in the restaurant business having to close, but everybody - including myself - figures if he can't make it in business, it's too bad. Yet the very people who are in business, and in the toughest kind of business in the world - the gambling business - and probably the most heartless business in the whole world - and where competition is furious - can more fully, or should more fully, appreciate competition in business than anybody else. And surely that can't be the reason because Mrs. Simon wishes now to convert that building into a slot machine arcade - location certainly couldn't be an opposition point for anybody because it's less than a hundred feet from the Fremont. In fact, it's fifty feet from the Fremont Hotel and it's right across the street from the Four Queens. I know, Mayor Gragson, that you have a dream. Like all of us, we dream, and I know you've got a dream for downtown because I've read the statements you've made and it appears to me that you have a dream - that you want nothing downtown but hotels. That's well and good and I don't think it hurts anybody to have dreams and aspirations and I think it's laudable that the Mayor of the City should have dreams and aspirations for the City. The probability is that is why you are sitting where you are sitting now - people recognize that you have dreams and aspirations for this City. But also citizens who have spent their lifetimes here have dreams and aspirations too. And their dreams and aspirations, individually, for themselves and their families and their welfare and the welfare of their properties, is just as important as civic dreams and aspirations, and just as real and existing to them as the dreams that Tommy Callahan has for the Four Queens and his family, and just as real and existing as the dreams that Ted Binion has for his place or that Buck Blaine and Charlie King have for the Nugget and their respective families. The hard fact is that in view of the taxes, and in view of the situation that exists, that she must do something with this property and if we are to be in keeping with what is called the sound principle of business and zoning, as I understand them to be, she has to utilize this property to its highest potential, and that's exactly what it would be. We're not asking - and never have - and don't intend to ask this Commission, as this Commission has been asked before, to extend the lines of gaming helter-skelter all over this City, as it is now. I wouldn't have the guts to come in here, as gutty as I'm supposed to be, and ask you to extend the lines down to Ernie's Tavern on Tonopah Highway. I don't know who the lawyer was that represented him in that, but

I've got to say he takes the first place for guts in this County - and I compliment him. But he got it on. And I'm not complaining about it because we don't have that fear as far as competition is concerned, apparently, as those that are economically doing well. And let me tell you something - this business you read about - how terrible the economy is in the gaming industry in the downtown area, I personally don't believe is true, because I stroll downtown every day and it's hard for me to believe when you can't even get in a place without turning sideways, with people pulling the handles of slot machines and gaming at the tables, that the man could be doing very badly. And what I don't understand is - how these clubs can give away Cadillac automobiles - \$50,000.00 drawings - month after month and be suffering to the extent they say they are going to suffer in the event some little, stinking arcade is built down there in the Simon Building at the corner of 3rd and Fremont Streets. It's pure poppycock. That they are hurting that badly. I can see your viewpoint, Mayor, that you don't want to extend it down there because you would rather encourage hotels to be built, but I don't know of any other hotels that are on the planning board, save and except the Golden Nugget, and I don't know where any of the rest of them would go, because the Four Queens has bought practically all of the property on their side of the street on 3rd Street, save and except the drug store, Smith & Chandlers and my law office (which I hope they don't buy while I'm up here) and the Golden Nugget owns the whole block on Second Street. The other side of the street is filled and so I don't know where all of these magnificent hotels are going to go on - or go up - unless, of course, they go up in an area outside of the gaming area. I just wonder if it would not be helpful to the overall situation - that maybe from someone who has been here a long time and who remembers or, at least, would review the situation. The redline district in Las Vegas first came about immediately after the 1931 passage of the Act in the State Legislature that legalized gambling in the State of Nevada. Immediately thereafter there was a Council meeting, after the Act was passed, and by resolution they created the first what is referred to by us commonly what is now as the redlined area in Las Vegas, but granting a license by resolution to six operators in the downtown area. One applicant - a fellow by the name of Grimes - which was the subject matter of the celebrated lawsuit Grimes vs. City of Las Vegas (you must be very familiar with it, Mr. Gripenrog) had made application for a gaming operation out at Twin Lakes Lodge which, at that time, was called the Lorenzi Lodge, and the City took up the seven applications and decided that they would grant the six that were downtown. And so, by resolution, they excluded Grimes' application because it was located out of this area and because the Police protection was inadequate and the budget for the Police Department was not sufficient for them to hire sufficient personnel to properly police that area. Thus became the first instrument, first act, on the part of the City of Las Vegas to designate a particular area - in 1931. It operated on that basis until 1947 - if my research is correct, and it is very difficult to research these things because there's a great absence of papers and records and documents and minutes - but from the best calculations that I can find, the next first real legal act was in 1947, at this time a City ordinance was passed, which created the same district and the same six operators were operating in as a redlined district and as the gaming area in Las Vegas, and is practically the same area of downtown where the gaming now exists. In 1965 minor changes were made in this and the ordinance which we now refer to as Ordinance No. 1301 (and most people think it was the first ordinance which, of course, it

isn't) is the designated area that we are now talking about. Now, from time to time after that, the ordinance was amended. I don't say from time to time - the best research that we can make - there was only one amendment to this ordinance and that was to allow the Lady Luck to open down on the south side of 3rd Street. That was done by an amending ordinance and right after that amended ordinance was passed another amended ordinance was passed to place the area right back where it was before. All of the other changes, if my research is correct, and I believe it to be - such as Ernie's Bar, as I have mentioned, and Foxie's and Sarno's Big Wheel and Honest John's and Lucky's Casino and the Jack Pot Casino - all of those exceptions to the rules - exceptions to the protected area - the redlined area in the City of Las Vegas - was done by a hodge-podge of resolutions, some of which are grossly confusing - exceedingly ambiguous - and when you start reading the minutes of what some of the things that Commissioner Mirabelli was talking about - and some of the resolutions - it's almost beyond comprehension. I don't mean to try to paint a picture that any of these people are not law-abiding and competent. I'm just saying that is the aftermath of what happens. It was all done, though, by resolution, and most of them done by resolution by saying - we will lift the limitation on slot machines from the number - by number. I don't know - I hope I'm a fairly good lawyer - at least all the things I have learned in the practice of law - that procedure is grossly inadequate, legally, in my opinion. I don't know how you amend an ordinance by a resolution withdrawing a limitation on slot machines and what the legal effect of that is, but the fact is - that's where we're down to at this stage. Now, what is required of the City if they want to maintain an area - what is required? The Supreme Court of the State of Nevada has said that - in several particular cases - they said in Grimes and they also said in the Prim case in Reno - certain things have to exist, one of which is consistency. The second one is reasonableness. And there is a standard under the Law that is required of all actions in this regard, and there has to be some standard rule. In other words if John Jones makes an application, and you approve it, and then Jim Johnson makes a similar application, and you deny it, if you're arbitrary - if you haven't followed some fixed pattern or rule, and that rule must be reasonable - otherwise the Law says you're arbitrary in your actions and they won't allow you to do it. Now, that's built on this theory in this Country, I think - that people have to be considered as a whole and with respect to their rights - dealt individually with, and that the same rule has to have equal application with everybody, and that's to keep abuses from arising - abuses to our citizens and abuses in government and corruption in those kinds of things that you read about in some of the other cities, and that understandable. Now, that's all that we are seeking, really, in this case. We are not trying to uproot the Four Queens - The Fremont - the Golden Nugget - the Union Plaza - the Horseshoe - or any of the rest of those places. We're not trying to put them out of business. We don't even plan, I don't think, when that place opens to give away a single Cadillac, and there won't be \$50,000.00 given away - I don't think - because I don't think this will stand it. All we want is what we think is reasonable. The property has been there all this time - the best purpose for which it could be utilized would be that purpose - they have paid taxes on this property all these years - when some of these guys now who are operating these other places that are complaining were sitting in back rooms shooting craps on a blanket in Cleveland, Ohio; Newark, New Jersey, Chicago, Illinois and St. Louis - and there's not a damn

thing wrong with that. I'm glad they came here and made enough to build all these places. But the point is that she was here . . . she has a building - a piece of property - which she can no longer put to it's past use and it is in the gaming area. You can draw lines if you want to but the building is there and in the near future, if the Four Queens continue to progress and continue to make money, as I hope they are now making, and with the indications are - since they are buying up those stores down right across the street will be the Four Queens. I'm not asking you to extend the line to Twin Lakes or over on Sahara or down to the intersection of Boulder Highway or anywhere else. This area is already in the gaming district - not in your redlined district, but in the gaming district - about 100 or 150 ft. right now from the crap tables in the Fremont Hotel. It's reasonable in my opinion - it's logical and we're not going to yell that . . . we think it is reasonable and logical, and certainly I don't see that anybody can get hurt or anybody can get damaged. For that reason (as I have said before) I don't understand why the clamor. We don't have any publicity agent working for us - we don't have anybody that can run in a little squib in the paper every once in a while that will frighten, or back off, any Commissioner - or try to do that - we don't have that kind of money to spend. We're going to spend it in remodeling that building and getting it ready for the purpose the building is best used for and we are hopeful that you will help us in it. No accusations are made of anybody - you, or anybody in the gaming business. We just simply have a building - we want it brought within where we think it should be, and it's simply that. We're willing to compete with all the rest of the people, just as they were willing to compete with their competitors when they entered that business. And let me tell you something right now - there wasn't one single concern that the First National Bank had, or the Bank of Nevada, or any of the rest of these banks had of how it was going to effect any man who had a little office building like Simons had at the time they were building all of these office buildings, because they recognized the business principle that if you can't hack the competition, that's too bad, and that's the way it works. So we want your help. We have come in here, we hope gentlemanly about it because we think we have a good article to sell. I hope we've sold it.

At the hour of 11:45 a.m. Mayor Gragson declared a 5-minute recess.

Meeting reconvened at the hour of 11:55 a.m. with the full Board and staff present.

Mayor Gragson: Is there anyone else who would like to be heard on this matter?

Commissioner Franklin: With Mr. Jones' concurrence, in just a moment, I might be able to save - I know you have a lot of valuable clients, as Harry pointed out - even though Harry pointed out, he also wears alligator shoes - I think it might save some time. I would like to comment on something that Harry said, Herb, that might save you a lot of time. A lot of the things that Mr. Claiborne pointed out are absolutely 100% true as far as our gaming regulations are concerned. This morning we, illegally, as far as I am concerned, approved a whole flock more of additional slot machines. The whole gaming regulations in the City are a hodge-podge and a polyglot. Frankly, they can take us to Court, I think, just on the redlined area itself - the descriptions of the

two districts set forth in our Code - I can't make them come together for a boundary. I think our redline is improperly described at the present whether we want to expand it or increase it. That's number one. Number two, under our Code as it exists now, you can't issue more than a slot machine outside of this restricted area, and we have hundreds of locations in the City with two, three and up to fifteen slot machines outside the restricted area. The whole thing is such a jumbled mess right now that I, frankly, intend to move - and this will be before or after your presentation if you so want to make it - I intend to move that the City Commission as a committee as a whole continue on in what we are doing right now for a minimum of sixty days, with a moratorium for at least sixty days on any unrestricted licenses, until we complete a complete study of our entire gambling ordinances, which would include defining the redlined area in a proper way, where it's not subject to legal attack as to a gambling/zoning matter, and also going into these other questions of the issuance of licenses outside of the area. Right now, as far as I'm concerned, every one that Harry mentioned that are off - whether they are Jay Sarno's or Abe Fox, or the rest of them, where there was a variance of our ordinance by a resolution, there was an improper action. They can't vary an ordinance by a resolution. In the first place, an ordinance is intended to give public notice to the people that are involved. If you are going to change it, those people are entitled to some kind of notice. A resolution can be passed at one meeting of the Council with no notice to anybody. I think the whole thing is - right now - so many exceptions have been granted that this Board should be given the right of 60 days for further study - a complete moratorium for 60 days - and come back and set a time for hearing for all of you to be heard at that time on what our proposals are going to be. I grant you, when the red lines were created it was done for a selfish reason to protect certain individuals. It now has a proper governmental purpose to acquire additional income - to acquire taxes - to acquire payroll in connection with a license being issued. But I don't think you are going to get any action out of this Board today. I've been sounding out some of them on an informal basis - either to grant or not to grant, or to modify or amend until we complete a thorough study which I think will take at least sixty more days - and put some good governmental thinking back of it. I intend so so move - but if you want to be heard first.

Commissioner Thornley: I am delighted that Commissioner Franklin is coming around to what I have been trying to say all along. And that is - we are attempting to live with an impossible hybrid maze of a combination of ordinances and resolutions, which was not the doing of this Commission and until we can get it all spelled out - the red line - and get these things in order - this resolution thing - I question this as much as George does, and I am not of legal training. It is far reaching - if we are really going to plan the downtown area sensibly, then we first have to get our books in order - our laws in order - our ordinances and regulations and I think this includes Bingo licenses and everything. I wholly concur with Commissioner Franklin that we should take at least sixty days to completely study this matter. It is too serious a matter for us to make a decision on here today.

Attorney Herb Jones; Thank you gentlemen and Mayor and in view of your remarks, I will probably shorten up my presentation

and not take an hour as Mr. Claiborne did. But in matters of this kind I have followed Harry Claiborne before and I have made the same expression - it's like slapstick comedy trying to follow Dean Martin. You have to do something - whatever you can - to alleviate, or eliminate, some of the ideas which were planted by Harry, because they'll be in there and stick a long time. I'm not sure that I can do so, but I will just briefly sum up a few of the things I feel should be brought to your attention and not take up the hour I feel I am entitled to because of Harry's presentation. First, of course, I took a very hasty check of all of these people here who are from the gaming places downtown, and there are no alligator shoes among them today. I was seated here waiting to come before you and I took a look at the soles of my shoes and, Harry, for your information I do have a hole in the bottom of my shoe. With that in mind I just wanted to eliminate the possibility that - and, of course, you get the impression from Harry's presentation - obviously he instills these little thoughts - which are beautiful, I think - that this is a case to go with the alligator shoes - this is a case of the big people picking on the little people. I have lived here as long as Harry and I have been impressed with the Simon family being the big people all of my adult life, and most of my minor life, so this is not a case of the big people picking on the little people. There is only one problem that is before you today and that is the question - you did have a redlined district - that redline district was set up back as far as 1931. It was put in ordinance form in 1947, gentlemen. Mr. Claiborne cited, and I'm sure accurately, because we both recall when the building was built that the building was put into an office building in 1948. So please keep in mind that these poor people built their building outside of what was then, and what still is, the redlined area of the downtown Casino Center. Going into history, as Mr. Claiborne did, because he and I have shared a hamburger together at Wimpey's on many occasions, so there's nothing new about he and I both knowing where the service station was . . . back in the days before the Fremont Hotel came in and built and spent I don't know how many millions of dollars - I didn't get these figures accurately but, of course, I don't think any of us can buy the place today because if we just had to pay the construction costs there aren't many people who could buy it for what it cost to just build it; let alone the millions and millions of dollars, gentlemen, which have been spent by the Fremont Hotel. And, incidentally, for the record, as this is being recorded and Mr. Claiborne and I both probably know the reason it is being recorded, I represent only one client here today. I represent the Fremont Hotel only, and no one else. I am speaking for and on behalf of the Fremont Hotel. I may comment, of course, about the downtown area as a whole because, like Harry, I have seen it grow from two or three small places to what it is today. But my client, and I am speaking on behalf of the Fremont Hotel, Inc. who operate the Fremont Hotel. I would like to give you a little example of what we are talking about - after those millions were spent in 1955 to construct the Fremont Hotel. I have no accurate figures, but I think you as ordinary business people and being in some of the businesses you are in, will know that when I state that we probably spend somewhere between \$300,000 and \$500,000 a year to advertise the Fremont Hotel only and that, of course, would not be talking about the Cadillacs that might be given away or any of the other special interest situations that we use in the form of advertising to bring the people down to Las Vegas to compete which, of course, if we did have a Cadillac to give away at the Fremont Hotel, if you granted the place next

door, half the people coming to get the Cadillac would, of course, go in next door into what he called "a little arcade joint", 50 ft. away. If you take then into consideration the fact that we have been open there, I think, since 1955, and if you take the low figure of \$300,000 (which is know is ridiculous to the amount we actually spend) you get up into many, many millions of dollars, gentlemen, that we have spent to make it possible for him to come in here and ask you to extend the redlined district downtown so that the person who built, knowing where the redlined district existed, could now take advantage of the millions and millions of dollars that we have spent to help you with your downtown area. And, of course, I happen to know that every man seated here - two of you are new but three of you are old - and I know that all of you took this position because you have a pride in this community and a pride in what the community means to you and me. So when you take into consideration that Mrs. Simon, and her father (whom I knew) . . . we all remember the downtown area and what it was until the Fremont Hotel - and Eddie Levinson had - Mr. Claiborne used the word "guts" and I presume I am entitled to do so - guts enough to come down town and to make you a downtown community center - to make your downtown something. I don't need to explain to you gentlemen what the comparison was between the Strip and the Downtown area. I don't need to tell you what the comparison was for years and years - even after Fremont built what they built - and then on top of that, we had other people who had intestinal fortitude enough (I'm going to be more polite than Harry) to come down and build the Mint Hotel, the Union Plaza Hotel, the Four Queens Hotel. Now, all of those hotels except the Plaza, the Fremont and the Four Queens, gentlemen, are in the designated area. This is the thing I believe - in the same old eloquence - Harry has the same old habits - he and grew up in the same type of school - I was born just north of the Arkansas/Missouri line in the Ozarks and he was born just south of it, and we both believe in the old adage - when you try a case, if you've got the facts, try the facts; if you've got the law, try the law and if you don't have either, drag a skunk around the courtroom and maybe you can get the scent off onto the wrong trail. Harry and I both do that and he has forgotten and has been dragging around the these chambers today the skunk to get you away from the fact that downtown, at the present time - you have an ordinance whether it is good or bad - whether it is accurate of whether it isn't - that says that anything east of the middle of 3rd Street would be taboo unless you build a 100-room hotel. That's presumption. On the basis that they would be protected if they went down there to do that the Fremont spent many millions of dollars - the Four Queens came in and spent many millions of dollars - the Union Plaza came in and spent twenty or twenty-five million dollars. This, gentlemen, is the facts - not the skunk - because the whole fact of presentation today is that you do have an ordinance whether it's good or bad, that we have spent many millions of dollars (excuse me - you should furnish water up here) for the downtown area - to promote that downtown area, and they wish to now come in right alongside of us - right alongside of the Fremont Hotel - and take advantage of that area. I have noticed a number of times that you people talk about parking - you have always talked about the parking area down there. Gentlemen, where are these people going to park? The customers that they are going to bring downtown? If they have customers, and you know they are going to have customers because they are going to wait until we give away a Cadillac and then they are going to run them into this place - but the

Fremont Hotel has its own parking, and has had, and has spent many, many millions of dollars to get that thing so you can drive right in and park - the Horseshoe Hotel has parking - the Golden Nugget spent many millions of dollars for a parking area - the Plaza spent millions of dollars for parking - the Mint put in their parking. So, gentlemen, you have a situation where we are going to take advantage of the fact that there is parking down there and then they will have no place to put these people. I feel very strongly about the fact that you could not have any further development in the downtown area if you go along with this suggestion. I will refresh your memory and I know that at least four of you on this Board up here recall that when we put in the last portion of the Fremont Hotel - I'm sure you remember going by there when we had the big piledrivers there - we dug a basement that went down twenty or thirty feet and drove the piles into the ground to make the foundation for a 30-story building, or what we call a tower to add more rooms. Do you think we are going to add more rooms if we can go down the street and rent Ronzone's? At millions of dollars to add that tower? That we are - if you go ahead and do what you have been asked to do - to ignore the fact that the rule is that you have 100 rooms? Do you think we are going to add a tower to that Hotel when we can go right down and rent what we all know as the old Ronzone Building, which is open right now? I don't know that we can - I'm giving you an example. Do you think we are going to spend those millions if we can go across the street and buy up one of those places across the street? Gentlemen, you would kill the development of whatever development there might be in the downtown area. I cannot speak for anyone else, but I can rebut - and Mr. Claiborne has made the statement that he knows of his own knowledge that the Four Queens has bought up a bunch of land around there - I can only assume that it would be the fine management that the Four Queens has that he must plan on having some more construction or why would he spend millions of dollars or hundreds of thousands of dollars in buying land? Do you think that Tommy Callahan's good judgment is going to go down and build those buildings or do any improvement in the downtown area on the Four Queens when he can go down into the next block? Gentlemen, it doesn't even make sense that you would go into these expenditures if you could get yourself an arcade that will produce, with no help, and very, very low overhead, as much as your place will and with all the overhead you have. It doesn't make sense because all those places downtown are still going to have those tremendous expenses - those tremendous advertising budgets - they must have. I would suggest that you go around and find out what the advertising budgets of these people are that are promoting yours and my downtown, and I'll lay you two to one right now that you will find that it is over a million dollars a year being spent to bring those people down - for them to be trapped in Mr. Claiborne's place. He says that's fair competition? He says that's an unfair situation for us to have to build all these rooms and unfair to hold him away from that place? He's asking for something that is not at the present time he's entitled to. Under the existing law he is not entitled to have an extension unless, of course - and we're happy to have him do it - because if he builds 100 rooms there on the property where the Melodie Lane is at the present time, he will then have to support that 100 rooms with the advertising campaign and all the other things that go along, and he will help bring some people down that we can probably trap - that will come into our place of business, but

if he is going to have just a "joint" (as he termed it) - a little arcade, then the only thing will be that those people will have to slough onto his place and he won't spend dime one for advertising - he won't have to - he will probably put one small neon sign out there and let the traffic go by and the ones will drift in. Gentlemen, he, of course, also quoted law and for the record (know we are making a record with regard to the law) and he says that you have to have consistency and he says that you have to have reasonableness, and then he quotes you a group of situations where there had been variances. He lead us to believe when he started out talking that there were no real problems on this thing and then he left the little hint, of course, when he got through he cited his law cases and he got through and he left the needle right where it belonged - or right where he wanted it - in there with you worrying about what you're going to do is a legal act or not - the needle was left in real deep and it's irritating. What I would like to suggest to you is that there has never been anything inconsistent insofar as Fremont Street is concerned. You show me one place that has been built on Fremont Street - I don't even go down this far, but I understand there is one down around 10th Street where the man had to join together a big motel to put it together so that he could be within the room requirement of 100 rooms. On Fremont Street there has never been an inconsistency. With regard to reasonableness, there is a little matter also of recognizing - again, for the legal record - you have the right to make the laws regarding a privileged business. I have been on both sides of the situation. I have been up here screaming in many more ways than one, on both sides of the problem, but you always face the same thing when I look one of you in the eye, and you always come back with the remark - we have the right to do it because it is a privileged business and we can do as we see fit. And, unfortunately for me, when I'm on the wrong side of that particular problem, you're right. The law has been tried many, many, many times and nobody, I don't believe, has overcome the problem that you people have the right that you people have the right to make regulations, rules, zones, whatever you wish to do when you deal in a privileged business. Gentlemen, keeping in mind that you have that right - you can take that needle out a little ways because when you make whatever decision you gentlemen make - whatever rules and regulations you make - whether it's for me or against me, or for the people who have spent almost a minimum of \$50,000,000 in developing your downtown area, and my downtown area - whatever decision you make for or against those people, just keep in mind that you are probably going to be able to be sustained so don't let the needle irritate you too much and don't let anybody talk about taxes to you because I had a case just recently to fight the assessment on the Fremont Hotel. You can take a look at it right now and we're paying many hundreds of dollars a front foot more taxes than the businesses right alongside of us who are not in the gaming business - and even in those days you weren't even supposed to be able to tax on the use of property, but they found a way. So, gentlemen, when you think about this poor situation where these people are being deprived of the privilege of putting in their arcade, just remember at the time they built that building they already knew what the rules were - they knew they were building it outside the zone - that they have had since 1947 (some 20 years) and have probably have gotten the cost of that building back fifty times in that length of time and now they are not suffering because they cannot run a restaurant there. We ask you gentlemen to please keep in mind that you have an obligation on both sides of this picture. Thank you for listening to me - As I said, I shortened this up a little bit - I took copious notes

on what Mr. Claiborne stated but I see no reason to go into them in view of the fact that you are going to take 60 days anyway and that this will probably be back.

Mayor Gragson: Is there anyone else who wants to be heard?

Mr. Tom Callahan (Four Queens): I'm in bad company today . . . I would like to explain to Mr. Claiborne that the shoes came from Foster's Shoe Store and cost \$37.50; that the pants came (they are doubleknit) Allen & Hansen and cost \$25.00 and the coat came from the Mens Shop at the Frontier Hotel for \$60.00. My objection to this situation here is that while a hotel - in the case of the Four Queens - has a five million dollar payroll with 600 employees. They may not all have been born here, Harry, but there are 600 employees here. They represent a five million dollar payroll. Of the five million dollar payroll, a half a million of that is allotted to the slot machine department, or about 10%. So, in essence, what I'm saying is that if it was a slot arcade you would have about 10% of the people working at the Four Queens - you would have 60 instead of 600. Other than that - jobs make jobs. If five million dollars is generated in a payroll, it's got to spread all through the City - it's got to find jobs for somebody else in some other area, whether it be a grocery store or whatever. As far as the little people is concerned, the little guy to me is the guy who gets up at seven in the morning, goes to work, comes home at five at night - I think this is the kind of guy we are trying to help. We're trying to find them jobs and trying to help them. Mr. Claiborne said the downtown operators are crying because they don't have any business. If he's heard it, I never have. I say the Four Queens is doing very well and I have to assume the rest of them are. So it's not a question of "crying wolf" because of what is happening in the sense that we won't make any money. The question is - how many jobs can we make? How much payroll can we get into the town and how much ad valorem tax can we get? For the sake of argument there is 300 ft. from 2nd to 3rd Street on Fremont. The Four Queens sits on 150 ft. of it, or half. Their building and land taxes amount to \$109,000. The balance of the block, which represents from the Four Queens to 3rd Street, their total is \$14,982 against \$109,543. We all know that the City is in dire need of revenue - here's a difference of \$95,000, fellows. I say - make them build a hotel - get as much money as we can - I want more rooms downtown - I couldn't care less. Thank you.

Mayor Gragson: Is there anyone else who wants to be heard?

Attorney Harry Claiborne: I want to say one word, Mayor. I remember Herb Jones was down here one night and (holding up glass of water previously handed to Attorney Jones - funny how dry a guy's throat gets when he speaketh with a forked tongue) - I was down here one night and Herb Jones had a client called the Stop 'N Go, or the Lucky Store, or some one of these little places and he was trying to get a liquor license for this poor guy, and you'd have thought to hear old Herb tell it that General Motors was going to come through with fifteen bulldozers right through the wall and run down this poor old guy as he sat in this Council meeting - the Council - and everyone here present at the time. You should have heard him cry about this little old guy in this little old stinking store called Stop 'N Go trying to compete with all these powerful and rich people, and the speech he made on private enterprise and competition I wish I had today because it would be very revealing. First he says it's going to kill the whole area. Lord God if we aren't on shallow ground when this arcade

would kill all Las Vegas downtown. How's it going to kill it? I don't understand that - how it's going to kill it. You walk down the street - you look in an arcade and all you see is slot machines. You walk and you look in any window on Fremont Street and all you see is slot machines. You look in the Horseshoe Club and all you see is slot machines. You look in the Golden Nugget and all you see is one million slot machines - all you can see through any window in any of those places is row after row after row of slot machines. Back in the back you will find a 21-table and the more attractive part of that business - the girls with the short dresses, etc., walking around and carrying the trays, but all you can see through the windows is slot machines, and that's all you'll see when you look through the window of our place - is slot machines. I don't know how you're going to kill it. I don't understand that kind of talk. As far as an advertising budget is concerned, I don't guess we'll have much advertising budget back there, and I don't want to feel like a poacher when these people open up in business - that we're taking advantage of them. I know they have an advertising budget because I keep reading about what all . . . how terrible this thing is . . . in the newspaper, so I know they must have a hell of a budget in order to be able to get some of that stuff in. I'm not accusing the newspaper men of taking something for it - I'm just saying they've got a good staff and they make sure that the right information gets in the right place. I just want to end by saying this - this whole thing . . . of course, Herb's argument reminds me of this story - it's altogether governed by where you are under the circumstances. There was a Chinese father and he had these three sons and he walked in and lined the three boys up one day and said - which one of honorable sons push outhouse over cliff? And they stood there with great dignity but none of them confessed or volunteered a single statement and he said - honorable sons no heard about great American, George Washington? Great American, George Washington, said "I chop down cherry tree". Great American, George Washington's father say - Who chop down cherry tree? Great American George Washington say - I cannot tell lie - I chop cherry tree down. Great American George Washington's father take him to bossom and love him for telling truth. Great American George Washington become President of great country, the United States of America. He said - which one of honorable sons push outhouse over cliff? Number two son stepped forward and said - honorable father, I push outhouse over cliff. With that, the Chinese father jumped on him and beat the b-jesus out of him - knocked him down on the floor and kicked him two or three times to the horror of number one and three sons. Number one son said - father, I don't understand. You tell story about Great American, George Washington's father take him to bossom when he tell truth, yet you beat number two son unmercifully for telling truth. Why? He said - because honorable George Washington's father not in cherry tree when chopped down. So, it depends on where you are and where your allegiance lies.

Commissioner Franklin: I think this Board has, for well over a month now, been giving very serious consideration to all the questions raised here today. We have even had the points of view of people who are not directly involved, and I think we are just part-way through with what I consider to be a pretty much in-depth study of these problems.

Commissioner Franklin moved that the City of Las Vegas declare a 60-day moratorium on the issuance of any unrestricted Gaming Licenses, and that the Mayor appoint the entire Commission as Committee as a whole to continue with this study during that interim 60-day period; to come forth with some standards so that everyone will know what their investment is going to be worth; what they can depend on, and come forth with a formal program insofar as City gaming should be.

Roll call vote:

| | |
|-----------------------|------|
| Commissioner Franklin | Aye |
| Commissioner Morelli | Aye |
| Commissioner Coblentz | Pass |
| Commissioner Thornley | Aye |
| Mayor Gragson | Aye |

Mayor Gragson: I want to give you instructions now - to all Commissioners - that we are going to be meeting regularly on it and will probably be meeting both days and in the evenings, and I expect everybody to give the time necessary to this. And your comment that we heard others who weren't interested, I am of a different opinion. I think that this matter is of great interest to every citizen of Las Vegas, regardless of what business or profession they are in - whether they are working men, professional men or business men, this issue is of great importance and, therefore, of great interest to all of the citizens of Las Vegas.

Commissioner Franklin: I stand corrected, Your Honor. What I meant was that we had listened to people not directly involved in the gaming districts.

Mayor Gragson: Interested people will be notified when we are having these discussion meetings.

CHARLESTON
RAINBOW
UNIT No. 9-F
Final Map
Approved

Director of Public Works, R. P. Sauer: It is recommended that the Final Plat of Charleston Rainbow Unit No. 9-F be accepted. All engineering designs have been checked and accepted; fees have been paid and agreements signed for this subdivision.

Commissioner Coblentz moved that the recommendation of the Department of Public Works for acceptance of the Final Plat of CHARLESTON RAINBOW UNIT No. 9-F, be APPROVED, and the Department of Public Works authorized to proceed.

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

RELEASE OF BONDS
Approved

Mr. Sauer: It is recommended that the Performance Bonds posted for improvements as the following sites, be released. All work has been completed in accordance with City Standards and it is recommended that the work be accepted.

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Commissioner Thornley moved that the recommendation of the Department of Public Works for release of Performance Bonds on the following be APPROVED and the Clerk authorized to proceed:

Builder LESLIE H. SMITH
Location 1124 Maryland Parkway
Surety Hartford A & I
Amount \$700.00
Bond No. 3959191

Builder QUALITY CONSTRUCTION CO.
Location NE corner, Northbridge & Industrial
Surety Gulf Ins. Co.
Amount \$2,500.00
Bond No. 525355

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblenz, Thornley and Mayor Gragson voting aye; noes, none.

RELEASE OF
CONSTRUCTION
CONTRACTS
Approved

Mr. Sauer: The following contractors are requesting release of retention and bond following expiration of the 35-day lien period. All work has been completed in accordance with contract plans and specifications and it is recommended that the contract bond and retention be released.

Commissioner Morelli moved that the recommendation of the Department of Public Works for release of retention and bond on the following, be APPROVED, and the Clerk and Procurement Division authorized to proceed:

Contractor JARAMILLO LANDSCAPE &
SPRINKLER CO.
Bid No. 70.99
For: Construction of site improvements -
Doolittle & Rotary Parks - Bid Groups
III and IV
Notice of Completion Filed June 25, 1971
Release date July 30, 1971

Contractor J. R. JACKS TRUCKING CO.
Bid No. 70.130
For: Special Assessment District No.
490 - Bid Group I, Unit VIII
Notice of Completion Filed June 30, 1971
Release date August 4, 1971

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblenz, Thornley and Mayor Gragson voting aye; noes, none.

CONTRACT
CHANGE ORDER
Approved

BID No. 71.52 - CLV No. 852 - WELL CONSTRUCTION AT
LORENZI PARK

Mr. Sauer: The contractor, Patrick H. Thompson, requests an extension of fourteen (14) days contract time due to problems encountered in stabilizing the drilled hole which caved in twice and had to be redrilled. Our review of the conditions indicate the request as justified and it is recommended that an extension of fourteen (14) days be granted.

Commissioner Coblentz moved that the recommendation of the Department of Public Works that a 14-day extension of contract time under Bid No. 71.52, be APPROVED, and Staff authorized to proceed.

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

RIGHT-OF-WAY
ITEMS
Approved

Commissioner Thornley moved that the following right-of-way items, be APPROVED, and the Department of Public Works authorized to proceed:

EASEMENT

From: Union Pacific Land Resources Corp.
To: CITY OF LAS VEGAS
For: "N" L.D. 3884-2. Portions of E 1/2, Sec. 33, T20S, R61E and SW 1/4, Sec. 27, T20S, R61E and NW 1/4, Sec. 34, T20S, R61E
UNION PACIFIC INDUSTRIAL PARK
R-O-W

GRANT DEED

From: Charles Salton and Adele Salton, now known as Adele Flora Baratz
To: CITY OF LAS VEGAS
For: Portion of SE 1/4, Sec. 34, T19S, R60E
LORENZI BLVD.

GRANT OF EASEMENT

From: Frank O. Berta
To: CITY OF LAS VEGAS
For: Portion of Lots 6 and 7, Block 1, McNeil Tract No. 2
ALLEY

SEWER EASEMENT

From: CITY OF LAS VEGAS
To: County of Clark
For: SERVICES TO JUVENILE HOME

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

CITY SEWER
SERVICE -
CONNECTION
Approved

Mr. Sauer: This is a request to connect to the City sewer line at the southwest corner of W. Charleston Blvd. and Lindell for a service station site. It is recommended that the request be granted subject to the usual conditions as to payment of fee, signing of a petition for annexation, etc.

Commissioner Coblentz moved that the recommendation of the Department of Public Works for permission to connect to the City sewer system from property located at the southwest corner of W. Charleston and Lindell Ave., be APPROVED, and Staff authorized to proceed.

Commissioner Franklin: Mr. Sauer, are we getting pretty close to our maximum capacity in our sewer lines?

Mr. Sauer: No. We have sufficient capacity because we have an interceptor line that runs up Charleston and it increases as we go along. It increases as we go along - Sahara - Charleston - Fremont - etc., so this line still has plenty of capacity in it.

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblenz, Thornley and Mayor Gragson voting aye; noes, none.

"CIRCLE PARK"
Report

Mr. Sauer: At the last meeting the Commission asked that we present an estimate for tennis courts - nite-lighted tennis courts - and landscaping construction - that is, the automatic sprinkler systems outside of the tennis court area at Circle Park. We have done this and it is a rough estimate because no design has yet been made. The estimated of the night-lighted tennis courts would be \$65,000 -

Commissioner Franklin: How many courts?

Mr. Sauer: Four (4), and the cost of the automatic sprinkling system, outside of the tennis court area, would be \$15,000 additiona. I don't know whether there is any further action required, or not.

Commissioner Franklin: Could you give me a comparison of the cost of one outdoor night-lighted softball diamond - what is the cost, approximately, for one lighted softball diamond?

Mr. Sauer: I would say around \$35,000 -

Commissioner Franklin: Once you have the time, give me a comparison on the total cost of a baseball diamond, lit at night, compared to a tennis court lit at night.

CITY HALL
COMPLEX
Report

Mr. Sauer: The next item is a report from the Architect relative to the 13-day extension to the Del E. Webb Corporation on the City Hall complex. This was occasioned by the questioning of some of the Commissioners, as well as the Mayor, as to the necessity for this 13-day extension. There is a \$1,500.00 per day liquidated damage charge for any overage that the contractor may require at the end of the contract. Therefore this 13-day extension would amount to the \$1,500 per day times thirteen. As you know, we have an Architect who is the City's representative, and the Steering Committee, in this action - in other words, the Department of Public Works, theoretically, looks after the construction - does nothing except with the recommendation, and by the recommendation, of the Architect. I have asked Mr. Ed Hendricks to come up and explain to the Commission, particularly those who have a question, as to why this 13-day extension was granted and just where we stand at the moment in regards to it.

Mr. Hendricks: I hope I will not be put in the position where I must read this document. I will reverse the order as outlined by Mr. Sauer. At the present time a Change Order has been executed amending the contract by and between the City of Las Vegas and the Del Webb Corp., authorizing them an additional thirteen (13) days of construction time on top of the original eighteen (18) months. An amendment to a contract between two

parties can only be counteracted by another amendment. The action of a legal amendment to a contract cannot be arbitrarily set aside by a motion in front of a Commission. The reason for the thirteen days was based -

Commissioner Franklin: This Board, but their motion action, can grant a change in a contract for 13 days, then why did you say it can't be done when it comes to . . .

Mr. Hendricks: The City Commission, acting as a whole, in the interest of the City, which are the people, signed - over the signature of Mr. Sauer - amending the contract . . .

Commissioner Franklin: But it came for the approval of this Board afterwards . . .

Mr. Hendricks: That is correct, but if you disapprove it now, I am reasonably sure that Mr. Webb & Co. wouldn't disapprove it, and it takes both parties to the contract to agree or disagree before the contract can be re-amended. I think I am correct. The question under consideration is whether that was a strike or whether it was a lock-out, has never been determined. We reviewed this yesterday at a Steering Committee meeting and I think (which Mr. Franklin attended) - again, I'm an architect, not an attorney, but I understand that until a final decision by the judge is forthcoming, the point of discussion as to whether or not the thirteen days was legally correct - because we did base it on the fact that it was allegedly a strike. At the time the plumbers, and that was the trade that we were discussing, walked out and/or were walked out, as the case may be determined, the work that was being done by them at that time was the relocation of the water and the sewer. Until those utility lines were relocated, no general excavation could occur on the City Hall project. Until the general excavation could occur, no foundations could be poured. Until no foundations could be poured, no walls could be built. Consequently, in effect, the entire construction project was stopped for nine (9) working days. The order was handed down on the - the temporary decision - 17th of June, which was a Thursday. Now it's impossible to mobilize plumbers' excavation equipment between Thursday and the next Friday morning. Consequently no work was done until the following Monday - four (4) days later. The nine (9) plus the four (4) is the thirteen (13). Since we are dealing by contract with calendar days - not working days - we must then consider Saturday and Sunday although, realistically speaking, no work would have been done on Saturday or Sunday anyway, but the terms in the cold light of the contract we have to deal in terms of calendar days. Along with this, the general conditions to the contract state, under Article 19, Paragraph E - let me give this to you very briefly because this can be reviewed by the City Attorney, or anyone else . . .

. . . it is further agreed that time is of the essence of each and every portion of this contract and of the specifications wherein a certain and definite length of time is fixed for the performance of any act whatsoever, and wherever in the contract an additional time is allowed for completion of any work, the new time affixed by said extension shall be of the essence of this contract.

Mr. Hendricks: What we're saying here is that if we have to extend the time for the plumbers to get back and complete the excavation so the remaining work can be done, that time must be added to the total time of the contract. There are extenuating circumstances, of course. Let's say this happened later when the building was under construction. Had this happened then and had the forming work been able to continue - had concrete been able to be poured, or placed, at a later date, then our position, representing the City of Las Vegas and acting in what we hope to be in the best interests of the City of Las Vegas, would have been maybe to award only a portion of the requested thirteen (13) days because we couldn't feel at that time (again, this is a hypothetical case) that the entire job was shut down. However, at the time under consideration of this, there was no real phase of the work that could proceed because the next logical step was the mass excavation for the foundations and basement, and that could not go until the utilities were relocated. So, based on that, we approved and, in fact, drew up, the Change Order, or amendment, which amended the contract, signed it and recommended to the Director of Public Works that he sign it, which he did. It was also signed by the proper authority for the Del E. Webb Corp. and therefore both parties amending the contract. You have a legal amendment to the contract and it stands until -

Commissioner Coblentz: It has already been accepted - the thirteen days?

Mr. Hendricks: I was asked to come in here at 10:15 a.m., sharp, and explain this -

Mayor Gragson: You were asked because there was some question brought up as to whether we had been given the proper information. Namely, were the plumbers locked out or was it a plumbers strike. If the plumbers were locked out, then we'll have another look at it. It was approved but it was asked by one of the Commissioners to bring it back before the Board for clarification.

Commissioner Coblentz: He has to wait for a court decision as to whether it was a strike or lockout.

Commissioner Franklin: Why didn't we wait for the court decision before we granted the thirteen days? But, in any event, you now feel that if the court should rule it was a lockout you will have no problem in getting another Change Order on these thirteen days?

Mr. Hendricks: It would be my recommendation to the City that such a Change Order be executed.

Commissioner Franklin: And you are aware that every Change Order - every delay - we grant will cost the taxpayers \$1,500 for every day?

Mr. Hendricks: And we are very, very stingy about granting extensions.

Commissioner Franklin: Let me ask you - in a letter from the project manager of Del Well he makes a statement . . . he is talking about delays . . . establishes the principle that a delay to a part of the project equals a delay to the whole project. Do you buy that as our Architect?

Mr. Hendricks: In certain cases. In this case I would buy it because it did delay everything else. I also cited the general conditions . . .

Commissioner Franklin: If work on the project were delayed and one branch of a subcontract and only 10% of the employees were delayed, and 90% continued on to work, would you feel they would be entitled to the delay occasioned by 10% of the employees?

Mr. Hendricks: No, if that were the case.

Commissioner Franklin: That's all I want to clarify. We are talking about substantial money - we are talking about a contract that is just starting when they try to accumulate all these extra days delay they can and when the final, critical period comes in, every day we can be costing the taxpayers \$1,500.00 -

Mr. Hendricks: I agree 100%.

Mr. Sauer: I would like to bring up one more point along this same line. There has been a policy that the City Commission approved many years ago in which the Department of Public Works, through the City Manager, would normally approve all small change orders - less than 10% of the total contract - in the interest of time because many instances, if they are not approved, would cause additional time and therefore money. However, if it would be the desire of this Commission from now on all Change Orders for any amount of money whatsoever will be brought to this Commission before they are approved. There was a little question, I believe, with regard to approval of some Change Orders before the Commission saw them.

Commissioner Coblentz: Is it possible to get a copy of the proposed Change Order two or three days in advance?

Mr. Sauer: It might be. I have one here to the tune of \$27,000 -

Commissioner Coblentz: What time did you get that request?

Mr. Sauer: Yesterday. As a matter of fact I got all the information accumulated this morning. It came up before a board yesterday. As a consequence, in the event a Change Order might be required at three o'clock this afternoon, we would then have to call a special meeting for tomorrow. Otherwise there would be a day's liquidated damages accrue and in some instances this could delay the job - I'm not talking just about the City Hall job - I'm talking about all jobs -

Commissioner Franklin: You go up as high as \$2,500 on informal bids?

Mr. Trelease: \$2,500 on informal -

Commissioner Franklin: We might even have a legal opinion on it, but I would say that any Change Order over \$2,500.00 - because a Change Order is a new contract - anything over \$2,500.00 should come, legally, before this Board. That way it won't interfere too much . . .

Mayor Gragson: If we can legally do it, I would like to waive the time period required to call a special meeting, so if a need arises rather than the delay I can call a special meeting within a few

CHANGE ORDER -
REVISED POLICY
Approved

hours -

City Attorney, Earl P. Gripentrog: You would have to amend the ordinance.

Mr. Trelease: Right now it requires that you give 24-hour notice.

Mayor Gragson: Does it require to make the action we take legal at that meeting?

Mr. Trelease: That's my understanding of it - you can't act on anything unless you give 24 hours' prior notice.

Commissioner Franklin: Do you ever have anything over \$2,500 that we couldn't wait twenty-four hours on that you can think of Mr. Sauer - that would cause irreparable harm?

Mr. Sauer: Normally, I think we usually have time to act on these. Sometimes you don't but, normally, yes.

Commissioner Coblenz: How often have you had this happen in the last year? If you have one a year, we can always get on the telephone and get together.

Mr. Trelease: We have them quite often -

Commissioner Franklin: You could have one every day on the new City Hall -

Mr. Sauer: We would anticipate quite a large number on the new City Hall because a structure of this magnitude is bound to be subject to change orders. There will be many, many, many of them before the construction is completed.

Commissioner Coblenz: What time of the year would you anticipate these?

Mr. Trelease: You could have one this afternoon.

Mr. Sauer: I have one right here. I was going to wait until I reviewed it more carefully, but this is a recommendation from the Architect for a 5-day extension.

Mr. Hendricks: No, it's not. I object to that. It's an explanation of why there may be a possibility that the contractor will request it. He has not requested it yet, but you asked me to give you advance notice -

Mr. Sauer: That's right. It would not be out of line. In other words . . .

Mayor Gragson: That can wait.

Mr. Sauer: That's right, but these can come up every few days. I have a problem that was brought up at the Regional Street & Highway Technical Committee meeting yesterday. To start off with, we have approved the construction of Maryland Parkway from Stewart all the way down to Vegas Drive. This is funded by the Regional Street & Highway monies and will greatly benefit the City of Las Vegas. We have a ground-rule in the Regional Street & Highway Technical Committee that there will be no improvements - utilities - taken care of by Regional Street funds. That is - any sewer within the City of Las Vegas will be

taken care of by them - any water line in North Las Vegas is taken care of by them, etc., etc. We do not have a water system in the City of Las Vegas, but in Maryland Parkway there are six lines that must be relocated, amounting to approximately \$27,000.00. The Regional Street & Highway Commission will not fund those relocations. They should be funded by the Water District. The Water District, in the correspondence I have had with them (it is quite lengthy) has said that they do not think it is their responsibility. As a consequence, in the final analysis, will have to go to court. Our only thought now is to provide a Change Order to allow a bid, and I think it might have to be a bid - I have Mr. Brechler here, the Managing Engineer for the Regional Street & Highway Commission - who might go into that but, if we wait to go to court to determine whose responsibility this is, it might be a year and a half and we would then have to stop the project now. I would like to recommend that we approve the expenditure of the \$27,000.00, as estimated, and then go to court and try to recover from the Water District and I don't know how successful that's going to be. We haven't been very successful in the past but, in any event, we're at the point now where we either have to approve the expenditure of the \$27,000.00 or stop the project, on which the notice to proceed will be given within the next week. If we do that, the contractor of course will then have the opportunity to come back for an amount of money equal to the profit he had in the job.

Mayor Gragson: I am going to make one suggestion: If this was our utility - if the City derived any revenue from it, it would be ours. My recommendation is, and I think, if need be, we should have a special meeting of the Regional Street & Highway Commission, to authorize Mr. Brechler to proceed with this and for the Regional Street & Highway Commission to take the matter to court with the Water District because this isn't a utility of the City of Las Vegas. If it was our sewer lines, yes.

Mr. Sauer: I would like to suggest first - this thing has been kicked around between the City of Las Vegas and the Water District - of broken water lines and hundreds of thousands of dollars in repairs that the City has had to pay . . . the present Water District administration might find some point of agreement. If the City Commission, or its representative, would meet with the Water District we might be able to . . .

Mayor Gragson: What about the Regional Street & Highway Commission - what about the Technical Committee of the Regional Street & Highway Commission? If this was our utility (North Las Vegas has the water - Henderson has the water - Boulder City has the water) then that would be the City's responsibility under the agreement with the Regional Street & Highway policy. Otherwise, I think the Regional Street & Highway should assume the responsibility that you are asking us to. If not, I would suggest a special meeting of the Regional Street & Highway Commission be called and I will put this forth to that body.

Mr. Brechler: This was being handled by the Regional Street & Highway Commission, but here a short time ago your City Attorney said that any action that would take place within the City must be carried on by the City Attorney. Since these lines are within the City of Las Vegas, this precluded us from taking any action against the Water District to straighten this out.

City Attorney: You are not saying here what I told you at that time. My statement was - on the condemnations - that where they lie and abut in the name of the City, they must be brought by the City and by the City Attorney. If the City had to bring this action, again the Regional Street & Highway should pay for this because it is being done by the City - expending City funds and City time for a project of the Regional Street & Highway Commission.

Commissioner Franklin: The City should be the one to do it because otherwise the County Commission - and the Regional Street & Highway Commission is by County ordinance - and I think we have more of an interest to have the City do it and be refunded by prevailing on the Water District because the County Commission, not the Regional Street & Highway Commission, would have to bring the action as there is no legal body of the Regional Street & Highway Commission except as created by County ordinance. What about these water lines they are putting in in permissive easements? They are coming in here and yet when we want cooperation, we get nothing, and yet they are using our easements, etc. I think we ought to just sit down and bump a few heads and get something reasonably worked out with them first before we proceed . . .

Mayor Gragson: I think so too, but I don't want to hold this up - I don't think the City of Las Vegas should authorize it. I think that the Regional Street & Highway Commission should authorize it and then we will go to court, if need be, on behalf of Regional Street & Highway -

Mr. Brechler: Would you like a special meeting called to bring this up? We have a meeting scheduled for next Wednesday -

Mayor Gragson: Will it delay the project if we wait until then?

Mr. Brechler: We are not yet ready to issue the Notice to Proceed. We probably would be the first part of the week.

Mr. Sauer: I don't think it would delay the project, per se, because the contractor won't move in then.

Mayor Gragson: If this was our utility and we have, as you well know, very little capital improvement money that we can tie up, even while we go to court on it, if we knew we could recover.

Mr. Brechler: It would hold the project up only at the most three days.

Mayor Gragson: Then please put it on your agenda for Wednesday (August 11, 1971).

Mr. Trelease: On the matters of the Change Orders, we need to know about the \$2,500.00 policy to come before the Commission and we would like a vote on it.

Mayor Gragson: We have the Staff who have the know-how and I would recommend on Change Orders under \$2,500.00 not to exceed in any case 10% of the contract.

Commissioner Coblentz moved that the recommendation of the Mayor that the Department of Public Works be permitted to authorize Change Orders not in excess of 10% of the contract amount, or \$2,500.00, be APPROVED, and Staff authorized to proceed.

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

WITHIN GRADE
SALARY INCREASES
Approved

Commissioner Thornley moved that the following within grade salary increases as recommended by department heads and concurred in by the Civil Service Board of Trustees, be APPROVED, and Staff authorized to proceed:

| NAME | DEPARTMENT CLASSIFICATION | RANGE | NEW STEP | NEW AMOUNT |
|-----------------------|---|-------|----------|------------|
| BLANTON, Karen L. | Municipal Court - Court Clerk | 23 | III | 272.31 |
| VINSON, Bertha M. | Municipal Court - Inter. Clerk | 21 | IV | 261.31 |
| DERBYSHIRE, Jennifer | Lic. & Rev. - Parking Enf. Officer | 25 | II | 284.31 |
| GEHRIG, Donna | Finance - Account Clerk | 24 | V | 310.31 |
| CHRISTOPHER, Harry | Police - Sergeant | 57 | V | 489.77 |
| JACKSON, Wilbur C. | Police - Sergeant | 57 | V | 489.77 |
| RAFFERTY, Donnie J. | Police - Sergeant | 57 | IV | 470.77 |
| ADAMS, Randy | Police - Patrolman | 52 | V | 405.77 |
| CARPENTIER, Dennis P. | Police - Patrolman | 52 | II | 365.77 |
| COOK, Benedict V. | Police - Patrolman | 52 | V | 405.77 |
| HAMMONS, Julius L. | Police - Patrolman | 52 | II | 365.77 |
| HARDEN, Craig M. | Police - Patrolman | 52 | V | 405.77 |
| HORN, Robert E. | Police - Patrolman | 52 | V | 405.77 |
| KEISER, Robert R. | Police - Patrolman | 52 | II | 365.77 |
| KRENN, Robert | Police - Patrolman | 52 | V | 405.77 |
| MAHAR, Donald L. | Police - Patrolman | 52 | II | 365.77 |
| MILLER, Gregory G. | Police - Patrolman | 52 | V | 405.77 |
| OLDHAM, Brandon L. | Police - Patrolman | 52 | VI | 420.77 |
| PARK, Charles E. | Police - Patrolman | 52 | V | 405.77 |
| PREBREY, Donald L. | Police - Patrolman | 52 | V | 405.77 |
| REMLINGER, Jon R. | Police - Patrolman | 52 | V | 405.77 |
| SCHWARZ, Lawrence T. | Police - Patrolman | 52 | V | 405.77 |
| SNIPES, Joseph H. | Police - Patrolman | 52 | II | 365.77 |
| SUDBURY, Charles R. | Police - Patrolman | 52 | V | 405.77 |
| SULLIVAN, John L. | Police - Patrolman | 52 | V | 405.77 |
| SWEIKERT, David M. | Police - Patrolman | 52 | V | 405.77 |
| THOMPSON, Alden D. | Police - Patrolman | 52 | V | 405.77 |
| LEWIS, Andren D. | Animal Shelter - Kennelman | 22 | III | 261.31 |
| WARREN, David R. | Police - Patrolman | 52 | V | 405.77 |
| WAUGH, Roy S. | Police - Patrolman | 52 | V | 405.77 |
| WILSON, Tulmadge | Police - Patrolman | 52 | V | 405.77 |
| HENRY, Walter J. | Police - Tech. Services Officer | 50 | IV | 365.77 |
| NESBITT, Lucille A. | Police - Inter. Typist/Clerk | 21 | III | 261.31 |
| WEBB, Gale | Police - Inter. Typist/Clerk | 21 | II | 240.31 |
| BENNETT, Russell | Animal Shelter - Animal Control Officer | 25 | IV | 310.31 |
| WALKER, Dale L. | Animal Shelter - Kennelman | 22 | II | 250.31 |
| CLARK, William E. | Fire - Fireman | 52 | V | 405.77 |
| GRIPP, Charles M. | Fire - Fireman | 52 | III | 378.77 |
| MURPHY, Marion L. | Fire - Fireman | 52 | V | 405.77 |
| SHELBURNE, Raynor R. | Fire - Fireman | 52 | V | 405.77 |
| SNYDER, David G. | Fire - Fireman | 52 | II | 365.77 |
| EDWARDS, Leonard J. | P/W - Sanitation Chemist | 32 | IV | 424.31 |
| WEBB, Michael B. | P/W - WW Plant Operator | 27 | II | 310.31 |
| HARRIS, Henry | Cemetery - Laborer | 22 | II | 250.31 |
| GIRDLEY, Johnny B. | P/W - Motor Sweeper Operator | 27 | III | 324.31 |
| ZACKERY, Marland | P/W - Motor Sweeper Operator | 27 | V | 354.31 |
| STANDLEY, Billy G. | P/W - Laborer | 22 | III | 261.31 |
| DULLUM, Roy H. | Garage - Mechanic | 29 | II | 339.31 |
| BLACK, Lloyd L. | Garage - Serviceman | 24 | V | 310.31 |

| | | | | |
|--------------------|---------------------------------|----|----|--------|
| McFALL, Charles | P/W - Maintenance Carpenter | 30 | V | 405.31 |
| NARIZNG, Boris | P/W - Rodman/Chainman | 25 | V | 324.31 |
| CARTER, Charles A. | Park - Sr. Park Maintencenceman | 26 | IV | 324.31 |
| MOORE, James R. | Park - Laborer | 22 | II | 250.31 |
| TRENT, Bruce | Recreation - Specialist | 31 | V | 424.31 |
| MILKO, Michael E. | Golf Course - Starter | 22 | II | 250.31 |

FIRST INCREASE SINCE PROMOTION - BASED ON SERVICE DATE - CIVIL SERVICE RULE 230.3a

| | | | | |
|-----------------------|----------------------------------|----|-----|--------|
| LINTON, John | Fire - Engineer | 54 | VI | 453.77 |
| HAMPTON, Warren G. | Park - Maintencenceman | 24 | III | 284.31 |
| McGILL, Arthur F. | Park - Maintencenceman | 24 | II | 272.31 |
| KING, Lawrence S. | Park - Maintencenceman | 24 | III | 284.31 |
| PISHNAK, Robert | P/W - Streets - Gen. Maintenance | 23 | II | 261.31 |
| McDOWELL, Horace | P/W - Streets - Gen. Maintenance | 23 | II | 261.31 |
| LANDRETH, Clarence E. | Police - Lieutenant | 59 | IV | 508.77 |
| MAY, Pamela | Police - Sr. Steno/Clerk | 24 | V | 310.31 |
| CASADOS, Joe | P/W - Street Foreman | 30 | IV | 387.31 |

LESS THAN ONE YEAR SINCE LAST INCREASE - CIVIL SERVICE RULE 450.2

| | | | | |
|--------------------|----------------------------------|----|-----|--------|
| BELT, Jimmy A. | Fire - Fireman | 52 | IV | 390.77 |
| LISTER, Dorothy A. | Fire - Sr. Steno | 24 | III | 284.31 |
| BRUNSON, Carl | P/W - Parking Meter Repair | 27 | V | 354.31 |
| BRADLEY, William | P/W - Inter. Clerk | 21 | II | 240.31 |
| HUDDLESTON, Tom | Fire - Fire Prevention Inspector | 54 | IV | 420.77 |
| MAC EACHERN, Angus | Personnel - Analyst | 31 | II | 370.31 |

APPOINTIVE SALARY INCREASES - AUGUST 1, 1971 - PROMOTIONAL TO FILL EXISTING VACANCIES

| | | |
|------------------|-------------------------------------|--------|
| ROSS, R. Ian | City Attorney - Asst. City Attorney | 793.07 |
| BUCKLEY, Joan D. | City Attorney - Chief Civil Deputy | 703.85 |

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

DISTRICT HEALTH DEPARTMENT
Request for Funds
Abeyance

City Manager, A. R. Trelease: On top of my folder when I arrived at the meeting was the following letter from the District Health Department:

"August 3, 1971

"Las Vegas City Commission
Attention: Mayor Oran Gragson

"The laws of Nevada now permit the maintenance treatment of heroin addicts as part of the continuing fight to control drug abuse and related crime. The high cost of heroin addition and its growing presence is believed by law enforcement personnel to account for as much as 50% of all crimes against property. Presently in Las Vegas burglaries and other such crimes are a costly and damaging problem for the community.

"In order to aid in this endeavor, the District Board of Health is seeking to establish and operate a methadone maintenance clinic. Our staff has prepared an application for federal funds, but local monies will also be needed.

"Our already hard-pressed financial status causes us to seek operating funds for this program, from other than the already-committed local revenues which we receive.

"As appointees of the City of Las Vegas to the District Board of Health, we respectfully request that the City Commission follow the lead of the other cities and appropriate monies to assist in establishing this vitally needed program. \$10,000 would considerably aid us in establishing this program.

"Your early consideration of this matter would be most appreciated."

/s/ M. A. Clemens, Member
District Board of Health

Mr. Trelease: My information indicates that you each have a copy of this letter. Since the State has created a Methadone Clinic they are asking the various entities to contribute. If you have read the paper - the City of Henderson donated \$500.00 -

Commissioner Franklin: I wanted to bring it up today anyway - what I would like to recommend that we should use some legal method. I think we can reduce some of our law enforcement costs substantially and assist citizens by actively participating in this methadone program, and even though we would only participate financially, I still think Mr. Gripentrog, that we should explore the possibilities for an agreement under our NRS 277 - a cooperative use agreement where we are allowed to supply money. I think, Your Honor, we should probably make a motion to direct the City Manager and the City Attorney to confer with the District Health Officer to set up some kind of guidelines in the way of a cooperative use agreement. In the methadone program, if we get one hundred out of three thousand addicts on methadone we are going to more than justify any expenditure of funds.

Mr. Trelease: I think the other entities in the County - North Las Vegas and Henderson - all of them - have donated.

Commissioner Franklin: Yes, they are donating and this I have some serious doubt about - whether we have a right to donate where we have a right to enter into a cooperative use agreement.

Mr. Trelease: What I am concerned about is the amount they are asking from us and the small amount they got from Henderson.

Commissioner Franklin: We can leave that open . . . but I do think we ought to institute some kind of a cooperative use agreement to come up with the portion that will enable them to get Federal matching funds . . . We should meet with Dr. Ravenholt with a view to coming up with a use agreement.

Mayor Gragson: And I would suggest that if there is a formula over which we do not participate in these matters, that you not go over that formula.

CLAIMS AGAINST
THE CITY
Denied

Commissioner Franklin moved that the recommendation of the City's insurance adjuster and the City Attorney for denial of the following claims against the City, be APPROVED, and the Clerk authorized so to notify claimants:

Claim No. 588

| | |
|----------|---|
| Claimant | Jack Damrow in behalf of Nancy Damrow |
| Damage | Cut on bottom of left foot - Hyde Park Pool |
| Amount | \$32.50 |

Claim No. 642

| | |
|----------|--|
| Claimant | Don G. Vanossche |
| Damage | Personal properties improperly confiscated |
| Amount | \$75.00 |

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

ORDINANCE
No. 1531
Referred
(M and F)

ORDINANCE AMENDING ZONING ORDINANCE - RESIDENTIAL ESTATES SECTION re TENNIS COURTS

An ordinance entitled: "AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, SECTION 9, SUBSECTION (A), PARAGRAPH 4, SUB-PARAGRAPH (d) OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, TO PROVIDE SETBACK REQUIREMENTS FOR TENNIS COURTS IN REAR YARD AREAS; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH" was read by title by the City Attorney who recommended that it be referred to Committee. (1st reading)

Mayor Gragson appointed Commissioners Morelli and Franklin as the Committee for recommendation on Ordinance No. 1531.

ORDINANCE
No. 1532
Referred
(M and F)

Re ALCOHOLISM SPECIALIST OFFICE

An ordinance entitled: "AN ORDINANCE TO AMEND TITLE I, CHAPTER 10, SECTION 3, SUBSECTION (E) OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, TO PROVIDE THAT THE ALCOHOLIC ADVISORY BOARD SHALL CONSIST OF EIGHT (8) MEMBERS AND THAT TWO (2) MEMBERS SHALL BE APPOINTED FROM EACH OF THE FOUR (4) LISTED PROFESSIONS; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH" was read by title by the City Attorney, who recommended that it be referred to Committee. (1st reading)

Mayor Gragson appointed Commissioners Morelli and Franklin as the Committee for Recommendation on Ordinance No. 1532.

ORDINANCE
No. 934-192
Referred
(M and F)

REZONING ORDINANCE - Z-10-69

An ordinance entitled: "AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, SECTION 3 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, by AMENDING THE LAND USE PLAN MAP ADOPTED BY THE CITY OF LAS VEGAS AND CHANGING THE ZONING DESIGNATION OF SAID MAP" was read by title by the City Attorney, who recommended that it be referred to Committee. (1st reading)

Mayor Gragson appointed Commissioners Morelli and Franklin as the Committee for Recommendation on Ordinance No. 934-192.

ORDINANCE
No. 1533
Referred
(T and C)

ORDINANCE TO PROVIDE FOR PUBLIC HEARINGS BEFORE THE BOARD OF ZONING ADJUSTMENT ON HOME OCCUPATION PERMIT APPLICATIONS

An ordinance entitled: "AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, SECTION 24, SUBSECTION (C), PARAGRAPH 5, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, TO PROVIDE FOR A PUBLIC HEARING BEFORE THE BOARD OF ZONING ADJUSTMENT ON HOME OCCUPATION PERMIT APPLICATIONS; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH" was read by title by the City Attorney, who recommended that it be referred to Committee. (1st reading)

Mayor Gragson appointed Commissioners Thornley and Coblentz as the Committee for Recommendation on Ordinance No. 1533.

CONDUIT
Report only

A PUBLIC SERVICE ORGANIZATION

Mr. Gripentrog: Mike Stillman and Doc Schwartz are here to address the Commission.

Mike Stillman: At the outset I would like to mention that we are not looking for any financial assistance whatsoever. Our primary purpose in being here is to make you aware of CONDUIT is, in its inception, counseling organized to negate delinquency under inter-community training and primarily to show you that there are people in the community who not only care, but who can help the youth help themselves. We are acting as a non-profit catalyst between the people who can give this help and the people who need it. Our Board presently consists of Dr. Tresaise in charge of Behavioral Sciences Department at the University of Nevada; Bill Diess, President of the Police Benovolent Assn. and Don Gillispie who is a Sergeant on our City Police Department, Robert Schwartz and myself. We have put together under the program, lay guidance people from the University, the City Attorney's office, the County Attorney's office, the City Police Department and the Sheriff's Department and the local business community, in an overall picture to negate any circumstances that would lead to chronic emotional problems and for arrest. The entire program is now operating and the phone number is 382-5403 and it is operational eight hours a day now and in the fall when we get the assistance of the University students, it will be operational, hopefully on a 24-hour basis. That, in essence, is our program. If you have any questions we will be glad to answer them.

Question: What does CONDUIT mean?

Answer: Counseling Organized to Negate Delinquency Under Inter-community Training.

Mayor Gragson: The City Attorney's office is involved in this - is that correct?

Mr. Gripentrog: We are willing to assist if there are any problems -

Mr. Stillman: It's basically to avoid the communication gap - we don't feel there is a generation gap -

Commissioner Franklin: It's a relief-valve type of thing - communication with disturbed people who might, in preventing crimes because they will communicate with certain of their peer groups or communicate with people they feel have a common base of knowledge. I think the idea back of it is very good . . .

Mayor Gragson: Thank you, gentlemen. Needless to say the need is there and we wish you every success.

ORDINANCE
No. 1534
Referred
(C and T)

An ordinance entitled: "AN ORDINANCE TO AMEND TITLE X OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, TO AMEND CHAPTER 14, SECTION 1, TO REVISE SCHEDULE IV THEREOF REGARDING THROUGH STREETS; TO AMEND CHAPTER 14, SECTION 3, SUBSECTION (B) OF SAID TITLE TO REVISE SCHEDULE V THEREOF REGARDING STOP STREETS; TO AMEND CHAPTER 17, SECTION 11 OF SAID TITLE TO REVISE SCHEDULE XIII THEREOF REGARDING PARKING IN ALLEYS; TO AMEND CHAPTER 17, SECTION 12 OF SAID TITLE TO REVISE SCHEDULE VI THEREOF REGARDING PARKING IN ALLEYS; TO AMEND CHAPTER 17, SECTION 24 OF SAID TITLE TO REVISE SCHEDULE VII THEREOF REGARDING PARKING ON CERTAIN STREETS; TO AMEND CHAPTER 17, SECTION 27 OF SAID TITLE TO REVISE SCHEDULE X THEREOF REGARDING PARKING TIME LIMITED ON CERTAIN STREETS; TO AMEND CHAPTER 18, SECTION 2 OF SAID TITLE TO REVISE SCHEDULE XII THEREOF REGARDING PASSENGER LOADING ZONES; TO AMEND CHAPTER 25, SECTION 2 (C) OF SAID TITLE TO REVISE SCHEDULE I THEREOF REGARDING 30 MPH SPEED ON CERTAIN STREETS; TO AMEND CHAPTER 26, SECTION 2 OF SAID TITLE TO REVISE SCHEDULE III THEREOF REGARDING ONE-WAY ALLEYS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION THEREOF AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH" was read by title by the City Attorney, who recommended that it be referred to Committee. (1st reading)

Mayor Gragson appointed Commissioners Coblentz and Thornley as the Committee for Recommendation on Ordinance No. 1534.

SIGN IN CITY

R-O-W

Approved subject
to condition

Mr. Gripentrog: I have one item not on the agenda which is a request by Lyle Bail Bonds. Lyle was in and has a place on Bonanza where he wants to put a sign, lateral to the building, which would encroach on City property which he deeded to the City when he bought that property. He is willing to enter into an agreement that at any time the City decides to use that property, he would tear down his sign. He needs the permission of the City to erect that sign.

Mayor Gragson: This would cause no visual obstruction and it would be a legal sign if he had the property, and until such time as the City has need for this property, which he deeded to the City without any cost, I feel it is a reasonable request.

Commissioner Franklin: Does this require the legality of his appearing before the Planning Commission, or anything like that?

Mr. Gripentrog: No. Commission approval would be sufficient.

Commissioner Franklin moved that the request of Lyle Bail Bonds to erect a sign in the City right-of-way for his Bail Bond business on Bonanza Road, be APPROVED, subject to an Agreement providing that said sign shall be removed at the request of the City.

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblenz, Thornley and Mayor Gragson voting aye; noes, none.

BEAUTIFICATION
COMMITTEE

Replacement
Appointed

Mayor Gragson: The Beautification Committee has submitted the name of George Goodman who was selected by the Southern Nevada Homebuilders Assn. to represent them on this Committee. Mr. Goodman would replace Mona Sheets who resigned.

Commissioner Franklin: I have no objection to Mr. Goodman. I wouldn't want, however, to set a precedent as far as I am personally concerned in following recommendations of committees themselves for someone to be placed on that committee because it might be creating a "country club" atmosphere among the members of a committee, and I think we should have opposing views in committees, many times, rather than complete agreement. I think George Goodman is a good recommendation, but I don't want to go on record as adopting any policy in following a recommendation by any committee.

Mayor Gragson: Usually we bring these up and if any member of this Commission has a recommendation, we put them on. If they don't, we act on the other.

Mr. Trelease: When these people come up for reappointment, should we ascertain whether they want to be reappointed or not?

Mayor Gragson: Yes - for our information.

Commissioner Franklin moved that the recommendation of the Beautification Committee that GEORGE GOODMAN be appointed to this Committee to serve the unexpired term of Mona Sheets, to July 20, 1974, be APPROVED, and the Clerk authorized to proceed.

Motion carried by the following vote: Commissioners Franklin, Morelli, Thornley and Mayor Gragson voting aye; noes, none.

(Commissioner Coblentz was temporarily absent from the Commission Chambers and did not vote)

HOUSING ADVISORY
BOARD

Members
Reappointed

Mayor Gragson: This Committee has been in existence for many years but to my knowledge, has never held a meeting.

Mr. Trelease: This is an appeal board where people can appeal matters that might develop under our housing code program, and we have yet to receive an appeal in that area.

Mayor Gragson: If anyone thinks the City is too rigid in its application of housing code regulations, they do have this opportunity to appeal, but we are required to have the committee.

Mr. Saylor: I may say this, however, the fact that this Committee has never met does not imply that the program is not successful. We have had tremendous success in the rehabilitation of substandard dwellings and the actual demolition of and removal of several hundred substandard structures. We have used the Housing Code, not as a club, but as a means of getting together with these people and trying to help them work out their problems, which we have done - evidently, quite successfully.

Mayor Gragson: Then I would make the recommendation that we reappoint Lou Licker and Mrs. Earl Johnson.

Commissioner Thornley moved that the recommendation of Mayor Gragson for the reappointment of LOU LICKER and MRS. EARL JOHNSON as members of the Housing Advisory Board for 3-year terms, expiring September 19, 1974, be APPROVED, and the Clerk authorized to proceed.

(Commissioner Coblentz returned to the Commission Chambers)

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

CITIZENS COMMITTEE
FOR COMMUNITY
IMPROVEMENT

Committee reduced
From 15 to 9 members

3-YEAR TERMS

2 appointments to replace the following (resigned):

Ben Hoffman - term expired June 18, 1971

Russell M. Hallet - term expires February 3, 1974

3 additional appointments, as follows:

George E. Harris - term expired June 18, 1971

Dr. John Montgomery - term expires August 7, 1971

Morrey Brodsky - term expires August 7, 1971

Commissioner Franklin: Do you have to have a recommendation that the size of this Committee be reduced?

Mayor Gragson: Yes we do. We have 15 on that Committee. It is definitely hard to get a quorum and this is a Committee that meets only occasionally - usually on call. I would recommend that Committee be reduced from fifteen (15) to nine (9). Members on this Committee must also be appointed to represent all segments and geographic designations of the City.

Commissioner Franklin: Was this Committee created by ordinance

or was it done by resolution?

Mayor Gragson: It is a requirement of the Federal Government in order to maintain our Workable Program status.

Commissioner Franklin: We have five right here who, if you don't reappoint, you have the Committee down to ten right now.

Mr. Saylor: I would like to interject this, however, that Mr. George Harris and Dr. Montgomery, whose terms expire, have been very active members of this Committee.

Mayor Gragson: We have had some with a very poor attendance record -

Commissioner Franklin: You might have the City Manager contact those with the poor attendance records and ask for their resignation - or at least talk to them - and you might get it down to nine members right away.

Mayor Gragson: All I would like to have now is an approval to reduce it to nine (9).

Commissioner Franklin moved that the recommendation of Mayor Gragson to reduce the membership on the Citizens Committee for Community Improvement from fifteen (15) to nine (9), be APPROVED, and Staff authorized to proceed.

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

ORDINANCE
No. 1528
Adopted

AMENDING POLICE DEPARTMENT SCHEDULE OF FEES
Committee: Commissioners Franklin and Morelli

Ordinance No. 1528 reported out of Committee favorably.

An ordinance entitled: "AN ORDINANCE TO AMEND TITLE III, CHAPTER 5, SECTIONS 2, 3, 4 AND 5 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, TO BRING FEES FOR POLICE SERVICES NOT COVERED ELSEWHERE WITHIN THE CITY ORDINANCE IN LINE WITH CURRENT COSTS TO THE CITY OF LAS VEGAS; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH" was read by title by the City Attorney. (2nd reading)

Commissioner Franklin moved that Ordinance No. 1528 be ADOPTED and the Clerk authorized to proceed with the required publications.

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson voting aye; noes, none.

ORDINANCE
No. 1529
Adopted

AMENDING TRAFFIC ORDINANCE
Committee: Commissioners Franklin and Morelli

Ordinance No. 1529 reported out of Committee favorably.

An ordinance entitled: "AN ORDINANCE TO AMEND TITLE X, CHAPTER 9 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY REPEALING SECTIONS 1 THROUGH 8 THEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH" was read by title by the City Attorney. (2nd reading)

Commissioner Franklin moved that Ordinance No. 1529 be ADOPTED, and the Clerk authorized to proceed with the required publications.

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblenz, Thornley and Mayor Gragson voting aye; noes, none.

ORDINANCE
No. 1530
Adopted

AMENDING SIGN AND BILLBOARD ORDINANCE
Committee: Commissioners Thornley and Franklin

Ordinance No. 1530 reported out of Committee favorably.

Commissioner Thornley: We want to move this out at this time with the Ordinance showing the 40 ft. height restriction, with the understanding that the Committee will continue to conduct hearings and arrive at an ultimate and complete ordinance. Perhaps this height limitation may be changed one way or the other, but we feel because of possible pending applications that it should be acted upon today and that it indicate some type of height restriction. This, however, may not be the final, permanent ordinance.

An ordinance entitled: "AN ORDINANCE TO AMEND TITLE XI, CHAPTER 3, SECTION 8, SUBSECTION (B), PARAGRAPH 1, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY ADDING THERETO A NEW SUBPARAGRAPH TO BE DESIGNATED PARAGRAPH (c) PROVIDING FOR HEIGHT RESTRICTION FOR OFF-PREMISE SIGNS; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH" was read by title by the City Attorney. (2nd reading)

Commissioner Thornley moved that Ordinance No. 1530 be ADOPTED, and the Clerk authorized to proceed with the required publications.

Motion carried by the following vote: Commissioners Franklin, Morelli, Thornley and Mayor Gragson voting aye; noes, Commissioner Coblenz.

ORDINANCE
No. 934-191
Adopted

REZONING ORDINANCE - Z-31-70 AND Z-58-70
Committee: Commissioners Franklin and Morelli

Ordinance No. 934-191 reported out of Committee favorably.

An ordinance entitled: "AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, SECTION 3 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY AMENDING THE LAND USE PLAN MAP ADOPTED BY THE CITY OF LAS VEGAS AND CHANGING THE ZONING DESIGNATION OF SAID MAP" was read by title by the City Attorney. (2nd reading)

Commissioner Franklin: Do these rezoning ordinances have to be referred to a recommending committee?

Mr. Trelease: Under the City Code, they do?

Commissioner Franklin moved that Ordinance No. 934-191 be ADOPTED and the Clerk authorized to proceed with the required publications.

Motion carried by the following vote: Commissioners Franklin, Morelli, Coblenz, Thornley and Mayor Gragson voting aye; noes, none.

LAND SALE
REGULATION
Tabled

Committee: Mayor Gragson and Commissioner Franklin

It was the consensus of the Committee that this Study Committee item be tabled, to recall by the Mayor.

There being no further business to come before the Board, at the hour of 1:40 p.m., Mayor Gragson declared the meeting ADJOURNED.

APPROVED


ORAN K. GRANGSON, MAYOR

ATTEST:


EDWINA M. COLE, CITY CLERK

APPROVED BY REFERENCE at a regular meeting of the Board
of City Commissioners held on the 15th day of
Sept., 1971