MINUTES

Las Vegas, Nevada
July 5, 1972

A Regular Meeting of the Board of City Commissioners of the City of Las Vegas, Nevada, held this 5th day of July, 1972, was called to order by His Honor, Mayor Oran K. Gragson, at the hour of 10:00 a.m., with the following members present:

Mayor	Oran K. Gragson
Commissioner	George E. Franklin
Commissioner	Harold F. Morelli (excused at 2:55 p.m.)
Commissioner	Alexander Coblentz, M.D.
Commissioner	Hank Thornley

STAFF PRESENT

Assistant City Manager	William E. Adams
City Attorney	Earl P. Gripentrog
Administrative Assistant	Kenneth A. Bouton
Director of Public Works	Richard P. Sauer
Director of Planning	Donald J. Saylor
Director of License & Revenue	J. E. Dutton
Director of Finance	Marvin A. Leavitt
Fire Chief	J. D. Miller
Procurement Officer	J. C. Cathcart
City Clerk	Edwina M. Cole

INVOCATION

The Invocation was given by Rev. Dan R. Newburn, Homesite Baptist Church:

"Heavenly Father, we are thankful that you have called us to these responsibilities. We pray that the day after we have celebrated the birth of this Country with much noise and enthusiasm that You might be with us as we go about the quiet business of governing this City. This we ask in our Lord's name. Amen.

PLEDGE OF ALLEGIANCE

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

AWARD OF CONTRACTS

BID No. 72.23 - ANNUAL TRAFFIC PAINT CONTRACT - FISCAL YEAR 7/1/72 THRU 6/30/73 (Public Works)
(Estimate: None)
BID ITEMS 1 THRU 5

Commissioner Franklin moved that the recommendation of the City Manager, the Procurement Division and using department for award of contract under Bid Items 1 thru 5 of Bid No. 72.23 to BENNETTS PAINTS for the low bid in the amount of $11,455.40, be APPROVED, and the Procurement Division authorized to proceed.

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

AWARD OF
CONTRACTS

(continued)

BID ITEMS 6 AND 7 - BID No. 72.23
(Estimate: None)

Commissioner Franklin moved that the recommendation of the City Manager, the Procurement Division and using department that the proposal of Pervo Paint Company under Bid Items 6 and 7 of Bid No. 72.23 be rejected by reason of failure to meet the required field tests, be APPROVED.

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

Commissioner Franklin: I have one question. This is our annual contract where we buy the red paint, the yellow paint, etc. for the curbs and this type of thing?

Mr. Cathcart: Yes.

Commissioner Franklin: Our City employees do the actual painting?

Mr. Cathcart: Yes.

Commissioner Franklin: In driving out on West Charleston and West Bonanza and so many places in this town, I still find signs every so many feet saying "No Parking At Any Time" - one right after another - all adjacent to a red-painted curb. To me, that is a waste of money one way or the other. Everybody knows you don't park at a red curb, so we should have one or the other. I mean the signs are in massive volume - all right by a red curb. Do we need them both?

Director of Public Works, R. P. Sauer: No - we'll check it out -

Commissioner Franklin: Doesn't that situation exist?

Mr. Sauer: I believe it does - I will check with Mr. Bossi and see what the story is - there may be some special reasons why, but I'm not aware of them -

Commissioner Franklin: I checked on West Charleston and Bonanza on Sunday when I was checking zoning matters and in block after block after block there are four or five signs per block saying "No Parking At Any Time" and every curb painted red. One of them is a waste of money - I don't know which. I would like some information back from Mr. Bossi - if we have already bought the signs maybe we can't do much about it, but maybe we wouldn't paint those particular curbs this year under our paint contract.

Commissioner Franklin moved that the recommendation of the City Manager, the Procurement Division and using department for award of contract under Bid Items 6 and 7 of Bid No. 72.23 to VEGAS PAINT COMPANY for the low bid in the amount of $6,070.00, be APPROVED, and the Procurement Division authorized to proceed.

AWARD OF CONTRACTS

(continued)

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

BID No. 72.31 - 8,700 FT. 2-INCH IPS PIPE FOR SIGN ERECTION - ALTERNATE BID ONLY (Public Works)
(Estimate: $4,000.00)

Commissioner Morelli moved that the recommendation of the City Manager, the Procurement Division and using department for award of contract under Bid No. 72.31 to HOPPER, INCORPORATED, for the low bid in the amount of $4,219.50, be APPROVED, and the Procurement Division authorized to proceed.

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

BID No. 72.32 - 1-1/2 TON TRUCK WITH 38-FT. HYDRAULIC PLATFORM (NEW) FOR TRAFFIC ENGINEER (Public Works)
(Estimate: $13,500.00)

Commissioner Thornley moved that the recommendation of the City Manager, the Procurement Division and using department for award of contract under Bid No. 72.32 to FAIRWAY CHEVROLET for the low bid in the amount of $14,999.00, be APPROVED, and the Procurement Division authorized to proceed.

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

BID No. 72.33 - ANNUAL FIRE EXTINGUISHER CONTRACT - FISCAL YEAR 7/1/72 THRU 6/30/73 (Fire Department)
(Estimate: $1,251.90)

Commissioner Thornley moved that the recommendation of the City Manager, the Procurement Division and using department for award of contract under Bid No. 72.33 to AMERICAN FIRE & SAFETY for the sole unit bid received in the amount of $1,269.45, be APPROVED, and the Procurement Division authorized to proceed.

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

BID No. 72.36 - ONE (1) EA. STEP VAN WITH ALUMINUM BODY FOR THE ANIMAL SHELTER (City Garage)
(Estimate: $5,800.00)

Commissioner Thornley moved that the recommendation of the City Manager, the Procurement Division and using department for award of contract under Bid No. 72.36 to FAIRWAY CHEVROLET for the low bid in the amount of $5,499.00, be APPROVED, and the Procurement Division authorized to proceed.

AWARD OF CONTRACTS

(continued)

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

BID No. 72.38 - WORK UNIFORMS - 7/1/72 THRU 12/31/73 (Fire Department)
(Estimate: $12,375.00)

Commissioner Morelli moved that the recommendation of the City Manager, the Procurement Division and using department for award of contract under Bid No. 72.38 to UNIFORMS, INCORPORATED, for the sole bid received in the amount of $13,585.00, be APPROVED, and the Procurement Division authorized to proceed.

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

BID No. 72.39 - CLASS "A" UNIFORMS (Fire Department)

Mr. Cathcart: This is an additional item - we didn't finish the evaluation until just a little while ago - we received only two bids - from Howard Uniforms and Uniforms, Incorporated. We checked with the other suppliers to find out why they didn't bid - the low bidder also did not bid one of the items - which was the work jackets under this Class "A" and even in deducting the jackets in evaluating the bids, the out-of-State bidder was still low - there was some 32.5% increase in last year's bid and this year's prices, which is very unreasonable, and we would recommend rejection of all bids with permission to readvertise.

Commissioner Thornley moved that the recommendation of the City Manager, the Procurement Division and using department for rejection of all proposals under Bid No. 72.39, be APPROVED, and permission granted to readvertise.

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

COMMENDATION - FIREWORKS DISPLAY

Commissioner Morelli: Your Honor, while we are on the subject of the Fire Department - I see that Chief Miller is here - I would like to take this opportunity to thank him and all the firemen for their great effort last night on the fireworks display at the Las Vegas Stadium. It was a great evening and we appreqiate it - we had 15,000 people there - it was a remarkable display.

BID No. 72.55 - ANNUAL STREET SWEEPER BROOM CONTRACT - FISCAL YEAR 7/1/72 THRU 6/30/73 (City Garage)
(Estimate: $17,500.00)

Commissioner Morelli moved that the recommendation of the City Manager, the Procurement Division and using department for award of contract under Bid No. 72.55 to RODER EQUIPMENT COMPANY for the low bid in the amount of $14,167.10, be APPROVED, and the Procurement Division authorized to proceed.

AWARD OF CONTRACTS

(continued)

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

BID No. 72.56 - THIRTY-FIVE (35) STREET LIGHT STANDARDS - REPLACEMENTS (Public Works)
(Estimate: $5,768.00)

Commissioner Thornley moved that the recommendation of the City Manager, the Procurement Division and using department for award of contract under Bid No. 72.56 to CONSOLIDATED ELECTRICAL DISTRIBUTORS for the low bid in the amount of $5,539.00, be APPROVED, and the Procurement Division authorized to proceed.

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

RFQ No. 126-609 - REFLECTIVE SHEETING (Public Works)

Mr. Cathcart: We would recommend rejection of the bid of Minnesota, Mining & Mfg. Co. It was the only bid received. We have discovered that by changing the quantities slightly there would be a considerable cost saving to the City and we request permission to readvertise. We would also change the specifications to make it a little more competitive to other bidders.

Commissioner Coblentz moved that the recommendation of the City Manager, the Procurement Division and using department for rejection of all proposals under RFQ No. 126-609, be APPROVED, and permission granted to readvertise.

Commissioner Franklin: Minnesota, Mining & Mfg. pretty much has a monopoly on reflective sheeting anyway, don't they?

Mr. Cathcart: Yes they do -

Commissioner Franklin: You are changing this over so that other companies having a comparable item will bid?

Mr. Cathcart: They will be 3-M products. 3-M products have a longer life material - especially here where we have the tremendously hot sun - 3-M does protect other dealers in the sense that they adhere to price . . .

Commissioner Franklin: One of the sore points with me on our license plates when they went to reflective license plates was that you had to deal with the 3-M Company -

Mr. Cathcart: The patent has run out -

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

AWARD OF CONTRACTS

(continued)

BID No. 72.54 - DIESEL TRACTOR AND LOADER - REPLACEMENT (City Garage)
(Estimate: $5,250.00)

Commissioner Morelli moved that the recommendation of the City Manager, the Procurement Division and using department for award of contract under Bid No. 72.54 to BAT RENTALS for the low bid, with trade-in, of $4,600.00, be APPROVED, and the Procurement Division authorized to proceed.

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

PERMISSION TO ADVERTISE FOR BIDS

SPRINKLER SYSTEM ADDITIONS - MUNICIPAL GOLF COURSE - MATERIALS ONLY (Public Works)
(Estimate: $8,700.00)

Commissioner Franklin moved that the recommendation of the City Manager, the Procurement Division and using department for permission to advertise for materials only to be used at the Municipal Golf Course sprinkler system, be APPROVED, and the Procurement Division authorized to proceed.

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

SANDHILL INTERCEPTOR - WASHINGTON (ON SANDHILL) TO CHARLESTON (Public Works)
(Estimate: $412,750.00)

Mr. Cathcart: This is one we had before you before asking for HUD approval - if it came through we could go ahead. Approval has not come through for 50% participation and this would be for a total City cost in the amount of an estimated $412,750.00.

Commissioner Franklin: I want to know why.

Mr. Sauer: This is included in the memo I submitted for your folders -

Mayor Gragson: In essence, HUD cannot, and it is in the statute that unless the EPA approves it and it is in the statute that EPA cannot approve it unless the water discharged from the Plant meets their standards, and it does not, and perhaps never will from the Plant we have today, but it is on the statute. Our Congressmen - our Senators - and all, went to bat on this. If it hadn't been a statute requirement it perhaps could, and would, have been granted -

Commissioner Franklin: As I understand it, there will be over 90% of all the projects in America that aren't going to be approved because they aren't meeting those water standards either -

Mr. Sauer: That's about the size of it - the only thing is - HUD says it's EPA's responsibility and EPA says it's HUD's. Now we've had this thing into the Government for three years - and we've had it approved - the monies were set aside - and suddenly EPA says - we can't allow this because you're adding water to Lake Mead. We're not adding one quart of water to Lake Mead. We are just re-routing the present water - the sewerage, if you will, so that it can more expeditiously put into the Sewerage Plant. We're not adding any more and it is my firm contention that we're being discriminated against - if you want to put it that way.

Commissioner Coblentz: The application didn't explain that apparently, and that's where the problem is..

Mr. Sauer: The application explained it entirely and we have been in touch with their people and talked to them but, still and all, we're not able to get anywhere with this grant request -

Commissioner Coblentz: You're going to have this when it comes to water being sold to the Nevada Power Company - I have some data here pertaining to this problem - and this is one of the reasons why you are not getting this money here.

Commissioner Franklin: I haven't read that yet, and I'd sure like to know if we going to give up some $200,000.00 of Federal funds on their misapprehension that we are going to put more water in- it seems to me we should try to be more persuasive and convincing - and we're not - and that seems to be the only objection.

Mr. Sauer: We've tried this. We've talked to the HUD people and the EPA people - the Mayor has talked to them and we've written innumerable letters, but through it all we were told flat out in the last letter that this would not be approved.

Mayor Gragson: We have written numerous letters - have personally talked with Under Secretary Hyde - wrote our two Senators and Congressman letters - had people from HUD and EPA up here and everybody tells me that it is the statute that was passed by Congress - that neither of these agencies now have the authority under the statute to change those requirements, and it was emphatically placed to where a two-year-old could understand that it was not the additional sewerage that was polluting, but I can tell you now that I don't know where you will go for any greater influence than our two Senators and Congressman, Hyde and the others -

Commissioner Franklin: How about the President?

Mayor Gragson: I believe in six or eight months you would have it, but if you wait six or eight months your added costs in construction and other things is going to off-set your savings on this.

Commissioner Franklin: One thing I want to make plain - it is not being disapproved because of location - because of design - nothing to do with the Plant - the one and only reason is because of the quality of water going into Lake Mead - and that's the only reason -

Mr. Sauer: That's correct -

PERMISSION TO ADVERTISE FOR BIDS (continued)

Commissioner Franklin: Doesn't the water from the water system also end up in Lake Mead? Didn't the City of North Las Vegas just get a substantial Federal grant for a water system?

Mr. Sauer: A water system - not a sewer -

Commissioner Franklin: Doesn't the water end up at the same place?

Mr. Sauer: Yes . . . under a little different circumstances.

Commissioner Franklin: We do have adequate money in our Sewer Fund that can only be used for sewer purposes in any event - it can't be used for any other purposes - it must be used for that?

Mr. Sauer: That's right -

Mayor Gragson: We were even back in Washington, D. C. We went in and talked with them in the Secretary's office and there is no question but what they know what the conditions are.

Commissioner Franklin: Well, as I pointed out, if this policy is followed uniformly throughout the country it will just about knock down all sewer grants - right?

Mayor Gragson: They just about have, and in some areas they have shut down building permits.

Commissioner Franklin: And they're still appropriating more money - I just checked - for more grants for sewer purposes and they won't allow you to spend the money.

Commissioner Morelli moved that the recommendation of the City Manager, the Procurement Division and using department for permission to advertise for bids for the Sandhill Interceptor - Washington (on Sandhill) to Charleston, be APPROVED, and the Procurement Division authorized to proceed.

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

UB-14 HUD Projects - ADDITION OF GARY DEXTER PARK (Public Works)

Mr. Cathcart: This is a request under the UB-14 Federal Projects - we've had five previously - we now have the Gary Dexter Park landscaping - they were able to combine it into a total package of six items, which would increase their estimate to $192,000.00, so we are asking for a total of the six projects.

Commissioner Thornley: How much of this would be HUD money?

Mr. Cathcart: 50/50 participation.

Commissioner Thornley moved that the recommendation of the City Manager, the Procurement Division and using department to advertise for bids to cover the addition of landscaping for the Gary Dexter Park, under UB-14 HUD Projects, be APPROVED, and the Procurement Division authorized to proceed.

PERMISSION TO ADVERTISE FOR BIDS (continued)

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

ANNUAL HEATER REMIX CONTRACT (Public Works)
(Estimate: $19,000.00)

Commissioner Thornley moved that the recommendation of the City Manager, the Procurement Division and using department to advertise for the annual heater remix contract, be APPROVED, and the Procurement Division authorized to proceed.

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

REPLACEMENT PARTS FOR No. 2 PRIMARY SEDIMENTATION BASIN (1958 PLANT) - (Public Works)
(Estimate: $3,000.00)

Commissioner Thornley moved that the recommendation of the City Manager, the Procurement Division and using department to advertise for bids for replacement parts for the No. 2 Primary Sedimentation Basin, be APPROVED, and the Procurement Division authorized to proceed.

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

SERVICE AND MATERIAL WARRANTS Approved

Commissioner Thornley moved that Service and Material Warrants Nos. F-504296, F-504298,
F-504299,
F-504300, and
F-504304 thru F-504504, in the amount of $1,725,371.99, 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.

PAYROLL WARRANTS Approved

Commissioner Thornley moved that Payroll Warrants Nos. 28588 thru 30230, for the Pay Period ending June 17, 1972, in the amount of $362,500.76, 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.

SHORT TERM FINANCING RESOLUTION Adopted

REQUEST PERMISSION TO PUBLISH NOTICE OF INTENTION TO ACT ON $1,300,000 SHORT TERM FINANCING RESOLUTION AT REGULAR COMMISSION MEETING OF JULY 19, 1982

Mayor Gragson: You are all familiar with this?

Commissioner Franklin: This is to replace money that was originally set aside out of sale of City-owned land to the State that was earmarked and should have been used on the new City Hall, but was used to meet City employees wage increases.

Commissioner Franklin moved that the following NOTICE be APPROVED and Staff authorized to proceed:

"NOTICE IS HEREBY GIVEN THAT:

"WHEREAS, the City of Las Vegas is constructing a new City Hall Complex at the corner of Las Vegas Boulevard North and Stewart Street, Las Vegas, Nevada; and

"WHEREAS, the City of Las Vegas needs an additional One Million Three Hundred Thousand Dollars ($1,300,000.00) to complete the construction of the aforesaid City Hall Complex; and

"WHEREAS, the City of Las Vegas has received the sum of One Million Three Hundred Sixty One Thousand Seven Hundred and Fifty Dollars ($1,361,750.00) from the State of Nevada for the right-of-way for the Interstate off ramp which was earmarked at a special meeting on October 15, 1970 for the new City Hall Complex; and

"WHEREAS, at a meeting of the Board of City Commissioners held on March 3, 1971, the aforesaid One Million Three Hundred Sixty One Thousand Seven Hundred and Fifty Dollars ($1,361,750) was approved to be used to augment the 1970-71 Budget to avoid a deficit for said fiscal year; and

"WHEREAS, the City of Las Vegas is interested in borrowing One Million Three Hundred Thousand Dollars ($1,300,000.00) for its construction fund, which must be borrowed during the coming fiscal year; and

"WHEREAS, the Board of City Commissioners of the City of Las Vegas desires by Resolution to apply for short-term financing for the said One Million Three Hundred Thousand Dollars ($1,300,000.00) payable over five (5) years in installments of Two Hundred Sixty Thousand Dollars ($260,000.00) per year, principal paid annually plus interest at a rate of Seven Percent (7%) or less paid quarterly, pursuant to N.R.S. 354.618 for the purpose of completing the construction of the aforesaid new City Hall Complex; and further

"NOTICE IS HEREBY GIVEN THAT:

"1. The Board of Commissioners of the City of Las Vegas intends to act on this Resolution at its regularly scheduled meeting in the Council Chambers, 821 Las Vegas Blvd., North, Las Vegas, Nevada, on July 19, 1972 at 10:00 a.m.

"2. The short-term financing sought may be the sum of One Million Three Hundred Thousand Dollars ($1,300,000.00) payable over five (5) years in installments of Two Hundred Sixty Thousand Dollars ($260,000.00) per year, principal paid annually plus interest at a rate of Seven Percent (7%) or less paid quarterly, pursuant to N.R.S. 354.618.

"3. Said Board may therein declare the necessity and will authorize said short-term financing for the purposes of effectuating the completion of the construction of the new City Hall Complex."

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 minutes of the following meetings of the Board of City Commissioners be APPROVED BY REFERENCE, and the Mayor and Clerk authorized to sign:

REGULAR MEETING	MAY 17, 1972
RECESSED REGULAR MEETING	MAY 19, 1972
REGULAR MEETING	JUNE 7, 1972
SPECIAL MEETING	MARCH 9, 1972

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

Z-45-72
Approved as
Amended

ZONE CHANGE Z-45-72 - TEDDY RICH ENTERPRISES

Director of Planning, Donald J. Saylor: This is the application of Teddy Rich Enterprises for a change in zoning from R-1 to R-T for additional land for its Mobile Homes Park. This orange piece (wall map) has been approved - this is where the R-1 is going. As the result of taking this away from the original proposed Mobile Homes Park, they wanted to get two small pieces aditionally to compliment the area left when this was taken away. It involves these two little pieces which are a part of the overall proposed Park design. At the time this was approved we explained that a request would be made for these two pieces. There were no protests at the Planning Commission meeting. The Planning Commission has recommended approval in conformance to all of the requirements of the original zoning and I understand that you want to add the further condition that construction of the Mobile Home Park shall not start until construction of the single family homes also starts.

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

(No response)

Commissioner Morelli moved that the recommendation of the Planning Commission under Z-45-72, be APPROVED, subject to the following conditions:

1. Conformance to the Plot Plan on file in the Planning Department.

2. Conformance to the conditions of approval of the overall Mobile Home Park as required under Z-18-72.

3. Construction of the Mobile Home Park shall not commence until construction of the single family homes in THE MEADOWS SUBDIVISION has commenced.

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

PUBLIC HEARINGS

10:30 A.M.

Mayor Gragson announced this to be the time, date and place set for the following Public Hearings, and declared such time to be open.

U-14-72 (HO)
Approved subject to Condition

APPEAL FILED BY STEVE K. FRANCIS - U-14-72 (HO)
(Abeyance from meeting of 6/21/72)

Appeal to action of the Board of Zoning Adjustment in denying his request for a Home Occupation Permit to allow a gunsmith shop on property located at 4619 Garden Place, between Decatur Blvd. and Hayes Place, in Land Use Zone R-1.

Mr. Saylor: This is an appeal of an action by the Board of Zoning Adjustment concerning a Home Occupation proposed to allow a Gunsmith Shop on property in an R-1 zone - in Hyde Park. You will remember that we reviewed this with you at your last meeting and it appeared there would be a split vote so you held it over for a full Board. At the BZA meeting it was indicated that there would be customers coming to his house. However, before you at the last meeting I believe the applicant indicated that he would not allow customers coming to or from this address. I advised you at the last meeting that there were four protests at the BZA meeting and that two people were in accord with it, one of which, I think, is the next door neighbor.

Mayor Gragson: I believe the applicant stated that he couldn't control all people from coming to his home, but that he would make every effort to make his pick-ups and deliveries.

Mr. Saylor: For the benefit of Commissioner Morelli, this is an application for a Home Occupation - it is in a single family area - the Ordinance does allow Home Occupations. This one was denied by the Board of Zoning Adjustment - one reason, I believe, was that the applicant indicated that there would be customers coming to his house. At the meeting before the City Commission he indicated that he would try to avoid this to the greatest extent possible. There was also some indication by the Board relative to the matter of allowing gunshops in a single family area in that it may be attractive to somebody wanting to break in to get a gun.

Commissioner Franklin: I think my motion, when we had the tie vote, was that it be conditioned so that he would have to pick up all guns brought to his house, and that he would have to deliver them - no pick-up or delivery by owners of the guns.

Mayor Gragson declared the Public Hearing on U-14-72 closed.

Commissioner Franklin moved that the appeal filed by Steve K. Francis under U-14-72 (HO) be GRANTED subject to all pick-up of guns and delivery of guns to be performed by the applicant - no customer traffic in connection with this Home Occupation.

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

A-1-72 AND A-2-72 Approved

ANNEXATION A-1-72

Property located southwest of Vegas Drive and Michael Way

ANNEXATION A-2-72

Property located on the south side of West Oakey Boulevard between Torrey Pines Drive and South Jones Boulevard

Mr. Saylor: The next two items are Public Hearing on two proposed annexations and, of course, under the moratorium issued by the Legislature, the only way we can entertain annexation action is by 100% petition, so we do not anticipate any protest from the people involved. A-1-72 is a 10-acre parcel out on Vegas Drive and Michael Way. It is undeveloped. A-2-72 is an 80-acre parcel in the southwest part of the City south of Charleston and a short distance west of Decatur. There is no proposed development immediately for this parcel (wall map) that I'm aware of. However, there is proposed development on a portion of this land (wall map) and, incidentally, this also includes the Medico Clinic for which we just gave permission to extend the sewer line. This is the Public Hearing on both of these items, as required by State statute, in case there is anyone here who wishes to protest.

Mayor Gragson: Is there anyone present who wants to be heard in opposition to proposed A-1-72 and A-2-72?

(No response)

Mr. Saylor: The reports have been placed on file with the Clerk and everything is in order up to this point.

Mayor Gragson declared the Public Hearing on A-1-72 and A-2-72 closed.

Commissioner Coblentz moved that Annexation A-1-72 and Annexation A-2-72, 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.

Mr. Saylor: Now, in order to get the annexations consummated ninety (90) days prior to the next General Election, and I believe in the case of this one (wall map) this is important because they want to get development started, so it will be necessary that an ordinance be referred to Committee at your next meeting. However, in order to get it published prior to August 8th, it will be necessary to have a special meeting sometime after your July 19th meeting and prior to July 28th.

Commissioner Franklin: Mr. City Attorney, could we have the Mayor name a Committee for a proposed ordinance right now? Then you present that ordinance to the Committee rather than waiting for the next meeting - could we do it that way?

City Attorney, Earl P. Gripentrog: That is no problem.

Mayor Gragson appointed Commissioners Franklin and Thornley as the Committee for recommendation on the proposed ordinance to consummate Annexation A-1-72 and Annexation A-2-72.

Z-46-72
Approved

ZONE CHANGE Z-46-72 - GEORGE E. WHITE

Mr. Saylor: This is the application of George White for a change in zoning from R-1 to R-3. It involves two lots located on the west side of 7th Street just south of Clark. This is Clark (wall map) and this is 7th Street. This entire area through here is zoned R-1 primarily occupied by single family dwellings - a few bootleg second dwellings on some of the lots. These are the two lots in question, one lot removed from the corner. It presently has two homes on it - one on each lot. The request for the rezoning is to allow the construction of six apartment units across the rear of the property abutting the alley. The Planning Commission has recommended denial. They felt that this is still essentially R-1 in character and although the Master Plan does recommend medium density for this area, that does not necessarily mean that it has to be done at this time and they felt that in this particular location the R-1 character should be preserved. There was a letter of five (5) protests and one letter of approval.

Mayor Gragson: Is the applicant here and want to be heard?

Attorney Milton Keefer: I am representing Mr. George White who is present here today. Mr. Saylor indicated that the issue involved here apparently is whether or not this particular area - this particular block - is still essentially R-1 in character. My examination of the area and the premises and the adjoining properties indicate that it has actually changed. As indicated, the Master Plan does recommend medium density, and this is what has happened. The people in the area are not generally interested in the one block between Clark and Bonneville on south 7th. As indicated by Mr. Saylor, there were five protests and one letter of approval. Mr. Bill Johnson, who lives across the street, has been contacted - he had to leave town but said we could use his name as a person who found no objection to this particular use for the rear portion of the property. There are eleven other double lots - these are 25 ft. lots - but in each instance, I think, two lots are owned by one person - eleven other persons on that particular block are uncommitted or disinterested. Now, if you can recall being in the area recently, you will remember that on 6th Street - that street has gone both multiple occupancy - there are apartments on it - there's the Cole Travel Agency and on the corner of Bonneville, the Peter Pan Play School. Directly to the rear of this property is an antique shop - it faces on 6th Street with delivery space at the rear. Actually, the entire area from Fremont, or Carson, to Gass, or Charleston, is gradually changing in character. This morning I drove down 8th Street and I noticed that two houses from the corner on one side on 7th Street there is a new office building with a sign up "Offices for Rent" with parking in front of it. Across the street is the insurance office of Payment & Sears. 6th Street, as you know, from Charleston practically up to Fremont has gone commercial, really. It is not just multiple units and generally in the area, as indicated by Mr. Saylor, there are bootleg rental units. In fact, there is one right next door. I don't know whether it was rezoned or bootlegged, but there are two 2-bedroom apartments right directly next door and surprisingly enough, this is one of the letters of protest - I guess economic competition might be involved here. And at the rear of that same piece of property, which would be adjacent to the rear of Mr. White's property, is another apartment, so there are three apartments on the property next door to him. Across the street to the south a little bit is an old home that has been turned into an old folks, or aged, home. This hasn't come to light in any way to protest. It is our opinion that the general area here is not changing, but has changed. Mr. White has owned these premises - he doesn't live there - he rented the two homes on the front part of it and if you have seen them you will notice that they are well-kept - the lawns and landscaping are in good condition, and that's true of the property next door which is rented. These rentals on the back will certainly not interfere with the aesthetic condition of the front portion and certainly won't change the area in any material way. We request your very studied consideration of this change and we hope that you, too, will feel that it is a changing condition that is going to prevail throughout that entire area for several blocks also - that area has already changed. If you have any questions of me or Mr. White, we will endeavor to answer them.

Mayor Gragson: This is indicated on the Master Plan as being compatible for multiple units?

Mr. Saylor: Right.

Mayor Gragson: Is R-3 considered as medium density?

Mr. Saylor: R-3 is considered as medium density -

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

(No response)

Commissioner Coblentz moved that the application of George E. White under Z-46-72, be APPROVED subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.

2. Conformance to the Plot Plan on file in the Planning Department.

3. Dedication of necessary rights-of-way and signing an agreement and posting a bond for the installation of offsite improvements as required by the Department of Public Works.

4. Conformance to the requirements of the Fire and Building Departments.

5. Conformance to the Housing Code.

Commissioner Franklin: To discuss something that isn't necessarily on this zoning itself - I have just received a HUD Report put out on the Las Vegas housing area - as a matter of fact, I just got it last week - it indicates that for the period August, 1971 to August 1973, our requirements for multiple housing was approximately 800 units - a 2-year period, with some very strong precautionary language that if we exceed those requirements by any amount, we might be putting ourselves back into the 1962/63 situation. I think we have so much land now already zoned for multiple units - R-3 and R-4 - and I think already this year we have exceeded that 800 units - I just think we're building an economic situation we may regret. Obviously we don't have to continue re-zoning where we have existing R-3 and R-4 land. Only for the reason that we are getting ahead and could create another economic situation in multiple dwellings, I'm going to vote "no". Those figures also show we have an overall 5.4% vacancy factor in apartments. That also is getting to be a red flag as far as I'm concerned -

Commissioner Morelli: I drove through the area and the character of the neighborhood is still R-1. I agree with George - I think if we allow these spot apartments going up all over town we might find ourselves in a little bit of trouble, so I will vote "no".

Commissioner Thornley: I share the concern of my fellow Commissioners insofar as the over building of multiple dwellings is concerned. Don, what is our occupancy ratio at this time - as far as vacancies in apartments are concerned?

Mr. Saylor: It's right around 5% -

Commissioner Thornley: This is an area in which this Commission is more or less on record as advocating apartment-type construction, where the Master Plan calls for it, but the idea of providing more living quarters in this immediate area for employees in the downtown section - and for that reason, and inasmuch as the Master Plan does call for it, even though there is no timetable set, I would have to vote in favor of it.

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

Mayor Gragson: I voted in favor of it because I think private enterprise may get overboard, but in the end it is going to take care of its own problems.

Commissioner Coblentz: Let me make a statement now - if we are going to control these people who have small areas of land they want to develop, they should not be stopped, but I think all of these big housing developments with 400, 500 or 600 apartments should be stopped for a while.

Commissioner Franklin: I do too.

Z-47-72
Abeyance

ZONE CHANGE Z-47-72 - WARD WENGERT

Mr. Saylor: This involves the Ward Wengert house on Charleston. It is my understanding that there is some point of discussion relative to dedication of the right-of-way and the applicant has requested that this be held in abeyance until your next meeting so they can get together - the applicant - the prospective purchaser of the property and the Department of Public Works to get together on this right-of-way situation.

Commissioner Franklin: I see about half of them sitting in the audience - I wonder why . . .

Mr. Saylor: I told them they had better be here because I couldn't guarantee that you would hold it in abeyance -

Commissioner Franklin: We have some one else here - Daryll, are you here in connection with this? Do you have a problem in zoning on your property adjoining this, don't you? They seem to be singling you out, or something? While you're here . . .

Answer: The problem is - I bought my property way back in 1949 - I have been up here seven times and have been denied every time - there are three of us - the Wengert house, Jack ________________ and myself, which calls for this, and yet the City has denied us time after time and yet they go out in the boondocks and zone - in 1950 I made a prophecy before this Board that if we didn't settle down and zone the property within the City on main thoroughfares that they would buy the stuff out in the County, and that's exactly what's happened. So, inasmuch as I'm here, even though they voted against me several times I would still have to say that I'm definitely in favor of this, because no one wants to live on Charleston Blvd. At least, I don't. I've got my apartments way back in the back - mine is R-4 - and then the City in 1953 or 1954, changed it back to R-1. So I was already there - I had to go back to R-1 but they couldn't kick the apartments out, so I say I am definitely for it because Charleston Blvd definitely is a commercial street.

Commissioner Coblentz moved that the application of Ward Wengert under Z-47-72 be held in ABEYANCE to the July 19, 1972 meeting of the Board to allow time to resolve a right-of-way problem.

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

Z-48-72
Approved

ZONE CHANGE Z-48-72 - ALBERT C. MERKIN, M. D.

Mr. Saylor: This is the application of Merkin from R-1 to C-1 for property located out on East Sahara -this is Burnham (wall map) - this is Sahara - Spencer over here. The frontage - approximately half the distance between Sahara and the rear of the single family homes, was zoned under a Resolution of Intent for commercial purposes quite some time ago. At the time, the City Commission took the position that the frontage along Sahara - East Sahara - was appropriate for commercial or professional office use. The property immediately to the west is vacant - the frontage is - the north half is still vacant but has been approved for the Post Office complex (shown on this part in green - wall map). The original intent of the Staff and Planning Commission and, I believe, the City Commission, was to bring this half way back to the homes which left room for another street in here and another row of single family homes on each side. However, the approval of the Post Office at this location has circumvented that potential pattern. Dr. Merkin owns the entire parcel - he is asking for the change in zoning on the north half of it to allow the development of an office complex. This shows the proposed layout - two 1-story commercial buildings in the front - two 2-story office buildings about in the center and then two 3-story buildings right here (wall map) - a little further north and then another 2-story over in here. This shows the elevation of the proposed development. There was a strong protest factor at the Planning Commission meeting. We have platted the protestants on the map to show where they are located - as you can see, with the exception of this one lot on the corner, all of the people backing up to it have protested. The protests were directed essentially, I believe, toward the fact of the two 3-story buildings in the rear which would obstruct the view of these property owners, plus violating their visual privacy in their rear yards. The Planning Commission noted that at the time the Post Office was approved, even though we sent out notices to substantially more people in a much greater area, there were no protests to that particular approval. The Planning Commission has recommended approval of the application subject to several conditions.

Mayor Gragson: Once more, please give us the height of those buildings -

Mr. Saylor: 1-story along Sahara - 2 stories (wall map) - 3 story here and another 2-story here -

Mayor Gragson: Then the high ones are back near the residences -

Mr. Saylor: The high ones are toward the rear - I believe it was stipulated they would be within 165 ft. of the rear property line - of the single family homes -

Commissioner Franklin: And the single story are on Sahara?

Mr. Saylor: That's right -

Commissioner Franklin: I thought we were talking only about the back half of this -

Mr. Saylor: That's right - this half of it is already zoned for commercial - the only thing under consideration is the north portion - this part from here on up (wall map) -

Commissioner Franklin: We are talking about three units on what is being sought today?

Mr. Saylor: Right -

Commissioner Thornley: Under R-1 they could put up two and a half stories -

Mr. Saylor: Single family homes are allowed to go two stories, or a total height of 30 or 35 ft. -

Mayor Gragson: Could the developer reverse the heights?

Mr. Saylor: That was discussed at the meeting - they indicated that, in terms of the development, that it was necessary to have the lower buildings in front and the higher buildings in the rear.

Commissioner Franklin: So that the higher buildings view wouldn't be blocked by the single story buildings up front, but the residents - who have been there all these years - are going to have their view blocked by the 3-story right next to them.

Commissioner Coblentz: What can they see from there?

Commissioner Franklin: I don't know -

Commissioner Franklin: You say there is a Resolution of Intent on the front part - right?

Mr. Saylor: Right -

Commissioner Franklin: You say that was quite some time ago?

Mr. Saylor: Right -

Commissioner Franklin: How long?

Commissioner Coblentz: About two and a half years ago -

Commissioner Franklin: Then it's no longer in effect -

Mr. Saylor: There was no time limit on that - this was done prior to the time of the adopted procedure of an automatic time limit -

Mayor Gragson: And it was done in the procedure that that was commercial-type property and not residential type - it's part of your Master Plan -

Mr. Saylor: Right - it was done at the time when both the Planning Commission and the City Commission took the position on East Sahara.

Commissioner Franklin: Was there a petition by the individual who now owns the property to come in for that rezoning, or was it done strictly on the City's behalf?

Mr. Saylor: I don't remember - I would have to get the file on that - it was quite some time ago -

Commissioner Franklin: I was just trying to find out if there was some indication at that time that he personally asked for that zoning for commercial - that he would not seek any other zoning on that back half - that's what I'm trying to find out -

Commissioner Morelli: Didn't we make a stipulation, too, about landscaping in the back to further the privacy of those people?

Mr. Saylor: Yes - there was a landscaping strip along the north end of here (wall map) where intensive landscaping would be installed - it was indicated as "mature landscaping" and then they indicated the remainder of the distance between that and the rear of the buildings would be parking and, of course, there would be some landscaping immediately to the rear of the buildings.

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

(No response)

Commissioner Franklin: 51 protests and nobody here?

Mayor Gragson: I would like to have that reversed -

Commissioner Thornley: What's the height of the Post Office building?

Mr. Saylor: It's a 1-story building.

Jim Williams: I am with National Community Builders and I would like to show you what the project looks like. We are, of course, for the project - we are purchasing the property from Dr. Merkin. Mr. Saylor, if you would like to pass these out (brochures) - I'd like to show you a project that we've done exactly like it in San Diego. There are two copies of each of the photographs - I think it's a unique concept and that's why I would like to familiarize you with it -

Mayor Gragson: Let me ask you - you don't want to reverse the heights?

Mr. Williams: No - we feel that is impossible as far as the success of the project is concerned - we do need the exposure -

Commissioner Morelli: Is the applicant here?

Mr. Williams: I represent the property owner -

Commissioner Morelli: You aren't the property owner though -

Mr. Williams: We will be purchasing the property - we have it in escrow -

Commissioner Thornley: In the past we have been rather sticklers in having the applicant - the owner - present - to get his feelings on the matter -

Mr. DeSure: The applicant - Dr. Merkin's house burned down last night and that's the reason he is not here.

Mr. Williams: I will represent Dr. Merkin on any questions you might like to ask. The Office-Park Concept is, as I mentioned, somewhat unique. We feel that it represents good planning practices - the Planning Commission has agreed with us that the set-back allowances of these office parks themselves, along with the open space, and the vast amount of landscaping is . . .

Mayor Gragson: What is that tower?

Mr. Williams: What it is - it's the logo, or the identifying factor in front of the office park - we like to give the office park a theme -

Mayor Gragson: And it's up there at Sahara -

Mr. Williams: Yes - it's at the corner of Burnham Street and Sahara -

Mr. Saylor: It's right here (wall map) - it's right in the middle - a short distance from Sahara - there's a swimming --

Mr. Williams: All the green areas there are landscaped areas - we have the entrance at this point (rendering) and the logo has - we will have a cascading waterfall below it - we feel that the concept of green open space - and also water - is a necessary element to provide an identifying factor of the office park itself. The concept of the open space in the center would also allow - at this point right up here - you can't see it as well on this - this will be a picnic area, which will have a covered cabana and there will be a pond which we feel will be conducive to a meeting of the people who are within these office buildings. It is a professional office space so the concept would be based only on an 8-hour day. These office buildings would be occupied by CPA's - attorneys - they will not have facilities for doctors themselves - it requires special plumbing for this type of facility which we do not propose -

Commissioner Franklin: You will also have no external advertising signs, as indicated on the photograph?

Mr. Williams: It will be this logo - there will be no other signs - we will have an identifying feature on the logo itself to let people know what it is - we will call it the Park Sahara Office Mall -

Commissioner Franklin: But the individual occupants will not be advertising by way of a sign of any kind?

Mr. Williams: They will not -

Commissioner Morelli: You will have some kind of a directory?

Mr. Williams: Yes, we will have a directory in each of the buildings. Also, this will be a 4-phase project - it will be four years in the building. We do this because our marketing department tells us that there is a demand for office space but we don't want to put any more than say, 50,000 sq. ft. on the market at any one time. We are very keyed to the demand for office space, and our first construction will involve two buildings themselves - it will start on the most westerly portion of the property and we will build the 1-story building and 2-story buildings first - it will be catering only to professional office people so there will be no trades insofar as retail people in the office space . . . on Sahara, the 1-story buildings we will try to obtain committments from banks and other professional people who would cater to frontage right on Sahara itself.

Commissioner Franklin: Your contemplated deal with the Doctor takes in the entire parcel and not just that you are seeking rezoning on today -

Mr. Williams: The whole parcel - yes. I might mention - the protests that we received were based only on the 3-story office building itself - we have presented a diagram which I think really visualizes better than I could say, how the 164 ft. setback does affect the property owners. BTM, our engineers, are representing us, so I think our representative could probably tell us better than I can -

Engineer: A 3-story building, in this particular case, set back 164 ft. from the property wall - being a 6 ft. high wall - eye level would be about 31 ft. In checking the scale at that wall the point at which it would hit the house is 25 ft. back from the setback line - the line of sight would hit 2 ft. 2 inches above the ground, and it will raise on up, like 10 ft. is almost

4 ft. - 15 ft. is 4 ft., 6 inches, so when they are halfway in their back yards, the line of sight would be somewhere in this neighborhood (diagram). As mentioned before, this is an 8-hour project, not a 24-hour operation. I might state this proposal stems only from the 6 ft. wall - we do intend to put in mature landscaping - some will be evergreens so it will be year-round protection in addition to the wall itself - the diagram is based only on the 6 ft. wall - the Post Office would block the view much more than this -

Mayor Gragson: Are there any other questions?

(No response)

Commissioner Morelli moved that the recommendation of the Planning Commission under Z-48-72 be APPROVED, subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.

2. Conformance to the Plot Plan on file in the Planning Department.

3. Dedication of necessary rights-of-way and signing an agreement and posting a bond for the installation of offsite improvements, as required by the Department of Public Works.

4. Conformance to the requirements of the Fire and Building Departments.

5. Landscaping shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping, shall be cause for revocation of a business license.

Commissioner Franklin: I think it's good zoning and the fact that none of the protestants showed up impresses me a little bit too, so I will vote "aye".

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

Z-49-72
Approved

ZONE CHANGE Z-49-72 - IMMANUEL COMMUNITY CHURCH/ FIRST CONGREGATIONAL CHURCH

Mr. Saylor: This is the application of the Immanual Community Church for a change in zoning from R-1 to R-3 for property located, in part, along 25th Street and then extending east toward 27th Street. The church is located on this parcel (wall map) - this is vacant - single family homes here fronting on this street - single family homes backing up to 25th Street along both sides here - commercial zoning at the corner here and here. The elementary school - Walter Bracken - is located here. The property to the north is zoned R-4, but undeveloped. The request for the change in zoning is to allow the apartment house development as shown on here (wall map) - 108 units. It was represented at the Planning Commission meeting that it is expressly for a senior citizens project wherein people under 62 years of age could not rent in the development thereby guaranteeing that as far as any impact in terms of population, traffic and school attendance, etc. would be mitigated to a great extent by the age limitation on the rental. The Planning Commission has recommended approval and there were no protests at the Planning Commission meeting.

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

(No response)

Commissioner Franklin: Is this for resale, or is the Church itself going to act itself to put this project in?

Mr. Saylor: It is my understanding that it is to be sold -

Commissioner Franklin: And there is no way we can guarantee that this would be used for a senior citizen facility?

Mr. Saylor: They - the prospective builder - indicated that they would be willing to have some stipulation of that kind put in there, but if the project is built, and the demand factor is not there for that age limit, just as a matter of common sense and practicality, it's pretty hard to . . .

Commissioner Coblentz: Don't you think it's better that they sell it to some building outfit who are going to pay taxes, rather than give it to the Church which doesn't pay taxes?

Commissioner Franklin: Churches do pay taxes on commercial property -

Mr. Saylor: I was simply trying to answer Commissioner Franklin's question as to the guarantee of the occupancy - I don't believe this can be guaranteed in any way, once it is built.

Commissioner Franklin: I was interested in that senior citizen aspect because that same HUD survey . . . this would be almost a quasi public housing - even though it would be privately owned it would be meeting a demand - that HUD survey indicated that there was in addition to the 700 or 800 multiple units, a demand for some type of continued public . . .

Mr. Saylor: They anticipate a committment from HUD, I believe under 236, which does restrict occupancy, etc., but at this point in time I understand the committment is merely anticipated - there is no way of knowing whether they will get it . . . incidentally, if it is approved, and they have agreed to this - Staff pointed out that they propose a driveway right across from the school - at this point (wall map) - we discussed this with their design people and they indicated they would be willing to not have access from either this street or 27th Street - that they could provide it all out on to Searles.

Mayor Gragson: What does that do for fire protection?

Mr. Saylor: There would be more than one way to get into the property.

Commissioner Coblentz moved that the recommendation of the Planning Commission under Z-49-72, be APPROVED, subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.

2. Conformance to the Plot Plan on file in the Planning Department.

3. Dedication of necessary rights-of-way and signing an agreement and posting a bond for the installation of offsite improvements as required by the Department of Public Works.

4. Conformance to the requirements of the Fire and Building Departments.

5. Landscaping shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping shall be a cause for revocation of a business license.

Commissioner Franklin: Until I can get more studies on this impact on multiple housing, I'm going to vote "no".

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

At the hour of 11:15 a.m. Mayor Gragson declared a 5-minute recess.

Meeting reconvened at the hour of 11:20 a.m. with the full Board present

Z-50-72
Approved

ZONE CHANGE Z-50-72 - DR. ROBERT H. PARKER

Mr. Saylor: The next item is the application of Dr. Parker for a change in zoning from R-1 to R-4 for property located at the southeast corner of Bonneville and 10th Street. This is Bonneville (wall map) - this is Bonneville - the property to the north is zoned R-4 - to the east is R-3 and then further east is R-4 again - essentially single family zoning in this area except one lot that is zoned for a 4-plex. May I explain - although we carry it as a request from R-1 to R-4. there is, in fact, an existing Resolution of Intent on it to allow R-3 development. That development didn't take place I think essentially on the basis the applicant found it was not economically feasible. There are two single family homes on the property - the applicant proposed to remove those two single family homes and put apartment house development on the entire parcel. The request for R-4 would have allowed 18 units. However, as a result of the discussion at the Planning Commission meeting, it has been amended to provide only 14 units. The applicant has agreed to that amendment. As you can see (wall map) by putting the total units requested on the property there would have been very little open space - most of it would have been occupied by buildings and parking. By removing 4 units - and I believe it's these four (wall map) it will provide additional open space. As I indicated, the applicant has agreed to that condition.

There were five protests at the Planning Commission meeting.

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

(No response)

Commissioner Thornley moved that the recommendation of the Planning Commission under Z-50-72, be APPROVED subject to the following conditions:

1. Plot Plan to be amended to permit fourteen (14) units. The four (4) units on the northwest portion of the property to be deleted.

2. Resolution of Intent to be restricted to a twelve (12) month time limit.

3. Dedication of necessary rights-of-way and signing an agreement and posting a bond for the installation of offsite improvements, as required by the Department of Public Works.

4. Conformance to the requirements of the Fire and Building Departments.

5. Landscaping shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping shall be cause for revocation of a business license.

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

VAC-4-72

PETITION OF VACATION - VAC-4-72 - PATRICK J. SEDILLO, ET AL

Mr. Saylor: This is an item on which you must set a date for Public Hearing:

Petition of Vacation to vacate alleyway generally located on the north side of Fargo Avenue between Crestline Drive and Miami Street.

Planning Commission recommends approval, subject to the following conditions:

1. Satisfaction of the requirements of the various City departments.

2. Satisfaction of the requirements of the various utility companies.

3. Vacation shall not be recorded until all of the above conditions have been satisfied.

Commissioner Thornley moved that the recommendation of the City Attorney to set a Public Hearing on VAC-4-72 for 10:30 a.m., August 16, 1972, 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.

VAC-5-72

PETITION OF VACATION - VAC-5-72 - MR. AND MRS. V. A. CARLSON, ET AL

Mr. Saylor: This matter must also be set for Public Hearing.

Petition to vacate Howard Drive lying south of Holly Hill Avenue and located between Lot 13, Block 1 and Lot 14, Block 2 of Dawson Park No. 5.

Planning Commission recommends approval subject to the following conditions:

1. Satisfaction of the requirements of the various City departments.

2. Satisfaction of the requirements of the various utility companies.

3. The vacation shall not be recorded until all of the above conditions have been satisfied.

Commissioner Thornley moved that the recommendation of the City Attorney to set a Public Hearing on VAC-5-72 for 10:30 a.m., August 16, 1972, 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.

Z-40-66
Abeyance

PLOT PLAN REVIEW - Z-40-66 - MEL COOPER

Mr. Saylor: This request for a plot plan review is under the name of Mel Cooper because that was the name on the original application. However, it's the people who own the Lotus Inn property that are making the request. This is Las Vegas Blvd., South (wall map) - this is the parcel occupied by the Lotus Inn. Originally it occupied the frontage along Las Vegas Blvd. which was zoned C-2 for quite some time. They then came in with a request for C-1 zoning on this rear parcel and this one, which brought the proposed motel operation in close proximity to existing single family homes along Fifth Place and homes and vacant lots on this small cul-de-sac. There was a great deal of protest at the time the zoning was approved and it was approved subject to several conditions, one of which was conformance to a plot plan. This shows the plot plan of the development with the existing motel units, one of which runs along this rear line. They are now proposing to erect a laundry building, staying the same distance from the east line - 39 ft. - coming to within 5 ft., however, of this line (wall map), and it is to be a 1-story building. The reason we bring this back before you is because there was a protest factor on the original zoning, and we feel it is better that you are apprised of these things rather than have the thing built and then somebody come in and criticize you for allowing it when, in fact, you knew nothing of it.

Commissioner Franklin: On this plot plan review, none of the property owners are aware of this meeting?

Mr. Saylor: Right -

Commissioner Franklin: And if I'm not mistaken, some of those houses backing up - there on South Fifth Place - are very expensive and exclusive homes, aren't they?

Mr. Saylor: Yes -

Commissioner Franklin: And on that cul-de-sac also?

Mr. Saylor: Yes -

Commissioner Franklin: We ~~talking~~ are talking about a laundry - my thinking is that I would like to hold this in abeyance and notify every property owner that could be affected by it so at least they have a right to come and protest. To put a laundry in there without the people at least being notified gives me the chills.

Mayor Gragson: I concur because the zoning was predicated upon that exact plot plan.

Commissioner Franklin moved that the request for a plot plan review under Z-40-66 to allow a laundry building on property generally located approximately 300 ft. east of Las Vegas Blvd., South, and 560 ft. south of Park Paseo, be held in ABEYANCE pending notification to all property owners who would be affected by the proposed use. Planning staff to proceed.

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

STREET NAME CHANGE
Date set for Public Hearing

BOULDER HIGHWAY (commonly referred to as Fremont Street) FROM CHARLESTON BLVD. TO THE EASTERLY CITY LIMITS - TO BE NAMED "FREMONT STREET"

Commissioner Franklin moved that the recommendation of the City Attorney to set 10:30 a.m., August 16, 1972 as the time for Public Hearing of the proposed street name change from Boulder Highway to Fremont Street, 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.

STREET NAME CHANGE
Date set for Public Hearing

RANCHO DRIVE, RANCHO ROAD, TONOPAH HIGHWAY - FROM SAHARA TO THE NORTHERLY CITY LIMITS - TO BE NAMED "RANCHO DRIVE"

Commissioner Franklin moved that the recommendation of the City Attorney to set 10:30 a.m., August 16, 1972, as the time for Public Hearing of the proposed street name change from Rancho Drive, Rancho Road, Tonopah Highway, from Sahara to the northerly City Limits to be named Rancho Drive, 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.

U-28-72
Date set for
Public Hearing

APPEAL FILED BY KENT BRITTLE - U-28-72
to action of the Board of Zoning Adjustment in denying his application for a USE PERMIT to allow a mail order business for stamps and coins, and to allow clock repair and the making of ceramics, from his residence on property located at 4404 St. Andrew Circle between Snead Drive and Thompson Circle, in Land Use Zone R-1.

Commissioner Franklin moved that the recommendation of the City Attorney to set 10:30 a.m., August 2, 1972 as the time for Public Hearing of the appeal filed under U-28-72, 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.

V-27-72
Date set for
Public Hearing

APPEAL FILED BY CARROLL P. FRANCIS, AGENT FOR J. MAC CONNELL, TRUSTEE - V-27-72
to action of the Board of Zoning Adjustment in denying an application for a VARIANCE to allow 6,000 sq. ft. lots where a minimum of 6,500 sq. ft. lots are required, on property located on the north side of Washington Avenue between Pecos Street and Sandhill Road, in Land Use Zone R-1.

Commissioner Franklin moved that the recommendation of the City Attorney to set 10:30 a.m., August 2, 1972, as the time for Public Hearing of the appeal filed under V-27-72, 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.

V-33-72
Date set for
Public Hearing

APPEAL FILED BY FIRST SOUTHERN BAPTIST CHURCH - V-33-72
to action of the Board of Zoning Adjustment in denying its application for a VARIANCE to allow the construction and maintenance of a double faced illuminated on-premise sign, containing 48 sq. ft. where 15 sq. ft. is permitted, and an overall height of 20 ft., where only 6 ft. in height is permitted, on property located at 700 E. St. Louis Avenue on the south side of E. St. Louis Ave. in Land Use Zone R-1.

Commissioner Franklin moved that the recommendation of the City Attorney to set 10:30 a.m., August 2, 1972, as the time for Public Hearing of the appeal filed under V-33-72, 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.

V-34-72
Date set for
Public Hearing

APPEAL FILED BY TRINITY TEMPLE - V-34-72

to action of the Board of Zoning Adjustment in denying its application for a VARIANCE to allow an on-premise sign containing an overall area of 100 sq. ft. where only 15 sq. ft. is permitted, and to a height of 26 ft. 10 inches where only 6 ft. is permitted, on property located at 1000 E. St. Louis Avenue, between Maryland Parkway and Cordova Street, in Land Use Zone C-V.

Commissioner Franklin moved that the recommendation of the City Attorney to set 10:30 a.m., August 2, 1972, as the time for Public Hearing of the appeal filed under V-34-72, 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.

V-36-72
Date set for
Public Hearing

APPEAL FILED BY WARREN W. SACKETT - V-36-72

to action of the Board of Zoning Adjustment in denying his request for a VARIANCE to allow a reduction of off-street parking spaces from 36 to 30 on property located at 1920, 1922 and 1924 Fairfield, on the northwest corner of Fairfield Avenue and St. Louis Avenue, in Land Use Zone R-4.

Commissioner Franklin moved that the recommendation of the City Attorney to set 10:30 a.m., August 2, 1972, as the time for Public Hearing of the appeal filed under V-36-72, 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.

OLD SEWER PLANT

PROPOSED UTILIZATION OF THE OLD SEWER PLANT - MOJAVE AND HARRIS

Mr. Saylor: I have sent you a memo on this matter. In case you haven't seen it, this is a picture (wall) of the existing and abandoned sewer plant. I have had one of the people on my Staff prepare for you a rendering showing one of the ways this could be made to look in case it could be utilized for public use. This is a plan of the overall area - this is Bonanza (wall map) - Washington - Mojave - this is the approximate location. As I pointed out in the memo we are proposing a branch library in this immediate area. At this point in time, of course, we don't know whether it would be economically feasible - we felt that perhaps some consideration should be given to it - if we are going to spend money to build a new library and spend money to tear this down conceivably those amounts might make it economically feasible. But at this point in time there is no way I could give you that information. We also understand there is a safety factor involved in that children have been playing in the abandoned facility and evidently it is quite dangerous. Of course, this has existed this way for about twelve years with children in the neighborhood, but I understand the problem has been compounded by the recent completion of the public housing development in here, and immediately across the street, which has substantially increased the number of youngsters -

Mayor Gragson: That will never be used again -

Mr. Saylor: Not for a sewer facility - no.

Mr. Sauer: The entire overall development is of reinforced concrete and as has been mentioned in the memo, the digester, for example, is completely enclosed - no windows - no doors - the same with the sedimentation tanks, etc. The problem which creates the safety hazard, as Mr. Saylor has pointed out, are the sediment tanks -

Mayor Gragson: If it's never going to be used it is going to have to be torn down some time, or should be -

Mr. Sauer: I think Mr. Saylor's proposal is not to tear it down -

Commissioner Coblentz: Why don't you make a feasibility study on this - see what the costs will be - either way -

Mr. Sauer: We don't intend to tear all the buildings down because it would be far too expensive, but the problem is immediate - these sedimentation tanks are some 15 ft. deep with causeways running in to them and across them - the children get on there and if they should fall, it would be 15 ft. down to the concrete base - so we would anticipate tearing only those buildings down - those causing the safety problem to the children - cleaning up the sedimentation tanks and let the rest of them remain -

Mr. Saylor: We can get together on this -

Mayor Gragson: It would make an ideal botanical garden -

Mr. Saylor: This is part of what is proposed on this layout -

Mayor Gragson: Staff will get together and bring back to us a complete cost report.

EAST BONANZA PARK
Progress Report

Mr. Saylor: The reason I bring this to you at this time is that we have received word of approval - unofficially at this point - of our Legacy & Parks application, which included Phase II of East Bonanza Park. Incidentally, this (wall map) is the location of East Bonanza Park. Phase I is to be built by the Housing Authority and incorporate the southwest corner of the Park area. I believe they are going to award bids on that tomorrow - assuming that the bids come in within the total estimated cost - I think it is $275,000 - Phase II will involve several things - a total amount of $180,000 - bringing the sewer line over to the proposed ball diamonds - construction of one ball diamond - construction of this additional area in here (wall map) and completion of this part of Pahse I, which had to be left out because of the cost factor. So we should be under way with both Phase I - which is to be done by the Housing Authority - and Phase II within the very near future, and Phase II is 50% Federally funded.

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CHARITABLE SOLICITATIONS PERMITS
Approved

APPROVED BY THE SOLICITATIONS REVIEW BOARD

Commissioner Morelli moved that the following applications for Charitable Solicitations Permits, be APPROVED, and the Director of License & Revenue authorized to issue:

HOME OF THE GOOD SHEPHERD AUXILIARY - Tickets to Annual "Red, White & Blue" Ball; Raffle Tickets and Sale of Advertising in Program

WEST CHARLESTON LIONS CLUB - Tickets to Lions All-Star Football Game

B'NAI B'RITH WOMEN No. 415, LAS VEGAS CHAPTER - Tickets to a Pan and Gin Rummy Tournament

SIRS OF LAS VEGAS, NEVADA - A Telethon

CLARK COUNTY MINISTERIAL ASSN. - Tickets to a Musical

SO. NEV. INDEPENDENT YOUTH ATHLETIC ASSN. - Raffle Tickets

ROSE GARDEN CLUB - Sale of "Las Vegas Valley Gardening" Book

EPSILON SIGMA ALPHA INTNL SORORITY, ALPHA EPSILON CHAPTER No. 1999 - Bike Ride

BASIC HIGH SCHOOL YEARBOOK - Sale of Advertising

BASIC HIGH SCHOOL NEWSPAPER - Sale of Advertising

MUSCULAR DYSTROPHY ASSN. - Annual Campaign

FRATERNAL ORDER OF EAGLES No. 1213 - Tickets to a Luau

CITIZENS FOR JIMMY GAY TESTIMONIAL - Tickets to a Testimonial Dinner

NATIONAL BATON TWIRLING ASSN. - Sale of Advertising

SALVATION ARMY ADVISORY BOARD - Tickets to Annual Installation Dinner

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

CHILD CARE FACILITIES
Approved

APPROVED BY THE CHILD WELFARE BOARD

Commissioner Thornley moved that the following applications for child care facilities, be APPROVED, and the Child Welfare Officer authorized to proceed:

MARIANTHI S. BRITTON 329 Lehman Drive FAMILY CARE HOME - NEW	Five (5) children days
LEOLA McCURRY 6333 Rassler Avenue FAMILY CARE HOME - NEW	Three (3) children days
LYNN MORENO 2500 E. Oakey Blvd. FAMILY CARE HOME - NEW	Four (4) children days

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

GAMING - ADDITIONAL Approved

Commissioner Thornley moved that the following applications for additional games under existing Gaming Licenses, be APPROVED, and the Direc tor of License & Revenue authorized to proceed:

GOLDEN NUGGET, INC. 129 Fremont Street 1 BINGO GAME - 283 SEATS	Golden Nugget, Inc.
GOLDEN NUGGET 129 Fremont Street 4 SLOTS	United Coin Machine Co.

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

RETAIL TOBACCO - ADDITIONAL Approved

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

ARBY'S ROAST BEEF 315 S. Decatur Blvd.	W & W Vending Co.
BAGDAD MOTEL 2211 Las Vegas Blvd., South	W & W Vending Co.
CENTAUR MINI DEVICES 2405 Industrial Road	W & W Vending Co.
CINEMAS 1-2-3- 410 E. Fremont Street	W & W Vending Co.
CONTINENTAL GOLF SCHOOL AND DRIVING RANGE 250 S. Decatur Blvd.	W & W Vending Co.
ENCO STATION 1601 "D" Street	W & W Vending Co.
FARMER'S DOTTER 1024 West Owens Ave.	W & W Vending Co.
FARMER'S DOTTER No. 2 300 E. Stewart Ave.	W & W Vending Co.

FLICK THEATRE 719 Fremont Street	W & W Vending Co.
RED GARTER CASINO 234 Fremont Street	W & W Vending Co.
SILVER STATE TIRE & AUTOMOTIVE 1811 S. Commerce Street	W & W Vending Co.

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

LIQUOR - ADDITIONAL
Approved

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

GOLDEN NUGGET, INC. 129 Fremont Street TAVERN	Golden Nugget, Inc.

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

LIQUOR
Approved

DELETION OF PARTNER

Commissioner Thornley moved that the following applications for deletion of partner under existing Liquor Licenses, be APPROVED, and the Director of License & Revenue authorized to make the appropriate changes:

OLD RANCH HOUSE 3369 Thom Boulevard TAVERN	From: Lawrence/Marie La Penta To: Lawrence La Penta	 100%
HOME BAR SUPPLY 2023 E. Charleston Blvd.	From: Kenzie Constantine Marian B. Brown To: Kenzie Constantine	 50% 50% 100%

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

LIQUOR - NEW
Approved

*LARRY'S RANCHO VILLA 2401 W. Bonanza Road TAVERN	Larry's Rancho Villa, Ltd. Lawrence LaPenta, sole Officer/Stockholder

*Subject to the approvals of the Planning, Building, Fire and Health Departments.

Commissioner Franklin: We just approved him for taking over sole ownership of The Old Ranch House and on an operation like that I think it should have the supervision of a responsible licensee - I am opposed to two licenses.

Commissioner Franklin moved that the foregoing application for a new Liquor License, be DENIED.

Mr. La Penta: The reason for the fact that I have kept working at my job as a captain at the Stardust is because of various problems as the result of the divorce. I have owned and operated the Old Ranch House & Supper Club for a number of years now very successfully. I have very responsible employees and I am the owner/manager. I am on the premises about as much as any man can be. We have to keep late hours - we have to take care of our bodily needs - I am there every day of the year even on my nights off, but I have to because it doesn't make enough money to pay me to quit my job yet. It may never, but it's a good restaurant -

Commissioner Franklin: We've already approved you for that -

Mr. La Penta: Yes, I understand that. Now, as regards the new business, I would like to be able to leave my work as a captain - since the Old Ranch House can't support me - I pay $5,000 a year in child support payments alone - consequently this new business is an opportunity for me to be on my own and supervise both businesses and allow me to accomplish what I've been trying to do for many years - be a businessman. I would appreciate your consideration in that regard and as soon as this place is open I will leave my work and will be on the job at both places. But I can't make it with one - there's not enough money in it. I intend to leave the Stardust as soon as I get this place open.

Mayor Gragson: Unless we have an ordinance - and if we feel we should have, we should develop an ordinance - to where an owner can own only one - but until then, it is permissible - as it has been over the past - and I don't think we can deny the application for the reason that he is going to own more than one bar.

Commissioner Coblentz: I don't see anything wrong with this -

Commissioner Franklin: This is a privileged license and we should demand at least some personal supervision by the responsible licensee. It has nothing to do with you, Larry - I vote against it every time there is multiple licensing -

Commissioner Thornley: Something we have discussed before - and that is a periodic review of these licenses - then if we have a problem involving multiple ownerships we can take steps by not renewing the license -

Commissioner Franklin: It shouldn't be a routine renewal - a liquor or gaming license, and particularly liquor, should be granted individually each year - or for the licensing period - and we can get reports from the Police Department which would indicate proper management and then either deny or grant it on an annual basis, depending upon their conduct with the Police Department.

Commissioner Thornley: Rather than penalize the good operator at the expense of the bad operator -

Roll call vote - on motion for denial:

Commissioner Franklin	Aye
Commissioner Morelli	No
Commissioner Coblentz	No
Commissioner Thornley	No
Mayor Gragson	No

Mayor Gragson: Now we will need a motion made in the affirmative.

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

LARRY'S RANCHO VILLA 2401 W. Bonanza Road TAVERN	Larry's Rancho Villa, Ltd. Larry La Penta, Sole Officer'Stockholder

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

LIQUOR - NEW
Approved

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

FIRESIDE INN 3535 Tonopah Highway TAVERN	Bonnie J. Carette	100%

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

LIQUOR AND RETAIL TOBACCO
Approved

CHANGE OF OWNERSHIP

Commissioner Thornley moved that the following application for change of ownership under existing Liquor and Retail Tobacco Licenses, be APPROVED, and the Director of License & Revenue authorized to proceed:

ALBERTSON'S LAS VEGAS FOOD CENTER No. 637 1570 North 25th Street PACKAGE LIQUOR	From: A.F.C., Inc., a wholly owned subsidiary of Albertson's Inc. Warren McCain, Pres. etal
ALBERTSON'S LAS VEGAS FOOD CENTER No. 639 840 North Decatur Blvd. PACKAGE LIQUOR	To: Albertson's Inc. - parent corporation of A.F.C.,Inc.

ALBERTSON'S, INC.
J. A. Albertson, Chairman of Board/Director
J. L. Scott, President/Director
Robert D. Bolinder, Exec. V. P., Treas/Director
Warren McCain, V. P. - Operations
Dave W. Morrow, I. V. - Retail Sales
Paul W. Mouser, V.P. - Real Estate & Store Development
Gerald R. Russ, V.P. - Employee Relations
Minnie O. Armstrong, Secretary
T. E. Munson, V.P., General Counsel, Asst. Secretary
Kathryn Albertson, Director
J. B. Bonny, Director
R. V. Hansberger, Director
W. H. Langroise, Director
Barbara Rasmussen, Director

Thomas E. Roach, Director
L. S. Skaggs, Director
Dominic Sessa, Store Manager for Store No. 639
Jack Scopelli, Store Manager for Store No. 637

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

GAMING - NEW
Approved

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

THEE PLACE 2511 Teddy Drive 8 SLOTS	The Pen Corp. Joseph Melanson, Sole Officer/Stockholder

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

RETAIL TOBACCO VENDING - NEW
Approved

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

WESTERN BILLIARD VENDING 1802 South Main Street	Roy Coffman

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

PRIVATE DETECTIVE LICENSE - NEW
Approved

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

NEVADA PRIVATE PATROL, INC.	Steve Carson, Pres.	25%
1111 Las Vegas Blvd., So. No. 317	Wm. F. Woodward, V.P.	25%
	Donald R. Warren, Secy/Treas.	25%
	Wm. W. Brian, Dir.	25%

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

LIQUOR
Approved

REQUEST FOR EXTENSION OF CLOSURE

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

7-ELEVEN FOOD STORE W. Charleston at Antelope BEVERAGE OFF-SALE	Southland Corporation Robert Sally, Dist. Mgr.

(Approved 1/19/72. Requests additional 60 days - 7/17/72 thru 9/15/72)

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

CUBAN-AMERICAN CLUB
Abeyance
(Referred - F and T)

COMMUNICATION

Letter of request for the Cuban-American Club
From: Attorney Charles Deaner

"June 26, 1972

"Mayor Gragson and Board of City Commissioners

"I am the attorney for Guido O. Ravelo who, together with a group of Cuban-born Americans, is contemplating the purchase of the Sheriff's Possee's property on East Washington.

"The purchase is contingent upon the City Commission granting a Liquor License to the group to be used at the above location.

"The group is organizing a Cuban-American Club for social and cultural activities among more than 3000 Cubans residing in this area. Although the club will be primarily composed of Cuban-Americans, it is not intended that its membership be limited to them. The pattern they intend to follow is somewhat like the Italian-American Club organization on East Sahara.

"This letter is for the purpose of considering their application for a Liquor License, which they intend to file immediately. I understand that there are some restrictions on this type of License; therefore, would you please advise whether there will be any problems, assuming they meet all other qualifications in obtaining a license for that location."

/s/ Charles W. Deaner

Director of License & Revenue, J. E. Dutton: The Cuban-American Club people contacted me in regard to making application for a Club License for the use of their members and guests only. They are proposing to purchase the old Jeep Possee building down on Washington. The only problem is that the question was asked - are you affilliated with any national association or organization - this is part of the licensing requirements to obtain a Club License and "no" they are not. All the Cuban-American Clubs stand on their own and do not have a national affilliation with each other. Therefore this letter was brought on for the Commission's attention - if the Commission should see fit to grant them a Club License, it would require an Ordinance amendment.

Commissioner Thornley: This is a bona fide organization?

Mr. Dutton: It is a very good organization - yes.

Commissioner Thornley: As I recall the intent of that requirement of national affilitation was to prevent circumvention by psuedo organizations circumventing the law -

Mr. Dutton: That's right -

Commissioner Thornley: If the intent is complied with here, I see no reason to not approve it -

Commissioner Franklin: We would have to change the ordinance -

Mayor Gragson: Is the Cuban-American Club a national organization?

Mr. Dutton: Yes -

Commissioner Franklin: We do have an ordinance - we might give some consideration to requiring - not requiring a national affiliation - at least some existence of the Club for a period - say six months - before giving them a license because they might organize just to get a license -

Mayor Gragson: OK - we will ask for an ordinance change and I will appoint Commissioners Franklin and Thornley as the Committee for Recommendation.

THE HATCHERY
Abeyance

COMMUNICATION

Letter in regard to Amor Kerboua - "The Hatchery"
725 E. Fremont Street
From: Allan Earl and Amor Kerboua

"June 19, 1972

"Mr. Jean Dutton, License Department

"In furtherance of the conference which we held on Thursday, June 15, 1972, I am including below a complete outline of the business which Mr. Amor Kerboua would like to establish on Fremont Street here in Las Vegas.

"The sole owner of this establishment will be Mr. Amor Kerboua; he has no other partners, and he has no other people at this time who are contributing any money to put this business into operation. He currently is operating a teenage recreation and dance establishment known as "The Hatchery" at 725 E. Fremont. This present location would also be the location for a dance hostess type of establishment whereby customers would come into the establishment and pay so much per minute to dance with dance hostesses who would be hired by Mr. Kerboua for that purpose. This establishment would be for adults only, i.e., the age of twenty-one years and above. The name of the establishment would be "Las Vegas Roseland". The format of the establishment is patterned after those that already exist in Los Angeles, California. Mr. Kerboua at the present time intends to charge customers the sum of 15¢ per minute. The payment of this charge would be handled on a time clock basis, i.e., a girl would have a card and when she begins to dance with a customer she would mark the time, or it would be marked by a machine, and when that particular customer is finished dancing with that girl, the card would also be stamped and the fee would be paid at that time. The hours of operation for this business would be from 8:00 p.m. until 5:00 a.m. There will be no alcohol served on the premises at any time, nor will alcohol be allowed to be brought into the establishment and consumed. Soft drinks, cigarettes and possibly sandwiches will be served on the premises by waitresses. The girls themselves will be paid $1.65 per hour against one-half of the fees which they generate from their dancing activities. The music for the dancing will be provided by juke box, only; there will be no live bands that will perform in the establishment.

"In addition to the above details, there are certain things which Mr. Kerboua would enforce in order to keep the basic format of the establishment intact. As security, he will hire two security guards to police the establishment, and if more are necessary, he will hire them. All of the girls hired as hostesses will, of course, be required to have police cards. In addition, no hostess will be allowed to leave the establishment with a customer, either during or at the end of her shift. Any infringement of this rule will lead to immediate termination of the dance hostess involved. As previously mentioned, no alcohol will be allowed to be brought onto the premises and consumed. There will be no exhibition dancing or topless dancing allowed; none of the dance hostesses will be allowed to wear topless costumes while they are working in the establishment.

"If there are any other questions which either you or any members of your staff have as to this particular operation, please contact me and either I or Mr. Kerboua will answer your questions immediately. We appreciate your taking the time to meet with us the other day, and I am sure we will have some further discussions on this particular project in the future."

/s/ Allan R. Earl

Weiner, Goldwater, Galatz & Raggio, Ltd.

Mr. Dutton: The gentleman is here from "The Hatchery" with his counsel.

Allan Earl: The name of the establishment will be changed pending approval by this Commission of the license to Mr. Kerboua, to "Las Vegas Roseland", patterned after a similar establishment in Los Angeles. I am not sure what Mr. Dutton has communicated to you so I'm not sure what you have in front of you, but so that I could explain very briefly - Mr. Amor Kerboura came up with a format of having a dance hall hostess type of entertainment system on Fremont Street. I was, of course, concerned about this type of establishment and Mr. Kerboura and I sat down and talked about it for some time, and I think he has placed all of the regulations into his own agreement with the girls he has hired for the purpose and I think he has met any kind of requirement that the City Commission could have in order to make sure that this place is a clean and presentable type of entertainment in the City. There is going to be no liquor served on the premises - there is going to be no liquor allowed to be brought in and consumed - there is going to be no topless dancing of any kind, or any exhibition dancing. It's a simple type of establishment - I think some of you gentlemen would remember more than I - back in the 1920's and 1930's, I guess, they had this type of establishment where you simply come in and ask a young lady to dance and you pay so much per minute for the time you dance with her and that, very simply, is what the establishment is.

Commissioner Coblentz: What is your civic minded attitude toward this type of entertainment?

Mr. Earl: Dr. Coblentz, I'll be quite honest with you - I don't think - as a civic minded answer - I'll tell you that I do not believe that this establishment is anywhere close in reprehensible conduct to the dirty book stores and pornographic movies . . .

Commissioner Coblentz: It is right in the same building -

Mr. Earl: That's true but it's a different type of organization -

Commissioner Coblentz: I understand - there's a different name on it -

Mr. Earl: There might be a better location for it, but the format itself - there is nothing wrong with it at all -

Commissioner Coblentz: I used to go to Roseland years ago . . . and I know what I used to come out with -

Mr. Earl: There will be no live bands - it will all be done by juke box -

Commissioner Morelli: Won't you have some problems with the Union? The Musicians Union?

Mr. Earl: We may have to face that when the time comes -

Commissioner Franklin: At the present time, Mr. Dutton, there is no way you can deny under our existing ordinance, their application - right?

Mr. Dutton: We have been issuing permits on a daily basis - because this was a new type of business in the City of Las Vegas I thought it best to bring it to the attention of the Commission to find out what your wishes are.

Commissioner Franklin: You would not object if the City passed an ordinance putting into actual effect what he is saying he will do anyway?

Mr. Earl: No -

Commissioner Franklin: So that we then become the controlling factor in the conduct -

Mr. Earl: Absolutely -

Commissioner Franklin: No liquor on the premises - no girls leave the premises with clients . . .

Mr. Earl: That's right -

Commissioner Franklin: While it is not a privileged license I think it is one that is particularly vested with the public interest and, therefore, I think we do have the right to establish controls and regulations - we can't stop him now but I feel we should have a new ordinance that would impose some pretty tight conditions.

Mayor Gragson: Just what constitutes a dance hall.

Mr. Dutton: A public place where people dance to either record music or live music -

Commissioner Morelli: Could you bring your own date?

Mr. Earl: Not into the one proposed - no -

Mayor Gragson: I question seriously whether this constitutes a dance hall -

Commissioner Thornley: This is a taxi dance operation - completely different from a dance hall - it would require an ordinance - I don't think we have any provision for it -

Mayor Gragson: In a dance hall, you usually go there with who you want to dance with - at least, you can bring some one with you. In other words, this would be a dance hall that only men could frequent?

Mr. Earl: Yes - the way the format is set up now - yes -

Commissioner Morelli: They had an article in the paper not too long ago about Roseland in Los Angeles - up on Figueroa - it reverted back to the 40's during the war years when introverts and lonely men wanted to go and talk to a girl and hold a girl in his arms - that might be alright for a metropolitan area of seven million people - I think if you have to go and pay $2.25 to talk to a girl for three minutes, I think you've got a problem - you can talk to my wife for nothing - I think if you have to pay for this type of service - it is a service - I don't think there is all that strong enough of a need in this area.

Mr. Earl: Well, if this were any other town than Las Vegas, I think I would agree with you, but there are many people who pass through this area, from Los Angeles, who don't know anybody, and it certainly is not a harmful type of thing, and I'm sure there is some clientele for this type of thing. There were people there when the establishment opened and they have been doing business and Mr. Kerboura has not advertised hardly at all, waiting for the Commission to take action -

Commissioner Coblentz: The fact that you are using the name "The Hatchery" would lead one to believe if you are going to hatch something, it has to be fertilized -

Mr. Earl: The insinuation there I really don't think is fair -

Commissioner Coblentz: I'm not insinuating you - I'm just telling you -

Mr. Earl: Well, Dr. Coblentz, we're going to change the name - rather than do all that before the Commission acted - he already had an establishment there named "The Hatchery" - he didn't know whether the Commission was going to allow him to continue in business -

Commissioner Coblentz: May I suggest that we have an ordinance prepared as soon as possible and hold this in abeyance - so there will be no question about what Mr. Kerboura is going to do here - put all that in an ordinance so as to keep everything in line - that would satisfy you . . .

Mr. Earl: Yes it would -

Commissioner Coblentz: And it would satisfy the City.

Mayor Gragson: I can tell you my feeling on it - I don't think we should permit it - period - because I just think we are going in, and in and in . . .

Commissioner Franklin: The main area of concern by this whole Board, Mayor, is that we don't want any north shores like they've got in Frisco - we don't want any honky-tonk atmosphere anywhere - frankly, I would be inclined to go along with you but, in any event, we're going to need an ordinance prohibiting it -

Mayor Gragson: I'm not sure that this constitutes a dance hall -

Commissioner Morelli: In this memo from Jean Dutton, I understand that our City of Las Vegas Police Department is strongly opposed to any ordinance that would permit this - do we have someone present from the Police Department to get their opinion of this?

Lt. Compton: We are opposed to it - we have had reports from Police Departments . . . and they are having their problems with it -

Commissioner Morelli: What kind of problems are they having?

Lt. Compton: . . . and Lesbians -

Commissioner Morelli: In other words, we might be attracting from the tourist trade that might come in here, an undesirable type of element coming into a local place like this?

Mr. Earl: Gentlemen, I would like to point something out - I know the trend of this conversation - the type of activity you are talking about is as repugnant to me as it is to you, but I might point out from a legal point of view that you are pre-judging this entire establishment -

Commissioner Morelli: I don't think we're pre-judging it - I think we're trying to make sure we aren't making a mistake because we'll be required to answer for it - you're making the money - we're not - all we're getting would be a lot of grief and heat so we have to protect ourselves as well as the public - that's what we're here for -

Mr. Earl: As long as there is nothing on the books, I think he has the right to at least try to start the establishment. If the reports are bad and it doesn't work out, then you can stop it , but to stop it before it ever starts, I think is a violation of due process of law -

Mayor Gragson: I am not going to ask the City Attorney to make a ruling at this point but will you research, if you already haven't - does this type of operation constitute a dance hall?

City Attorney, Earl P. Gripentrog: I don't see any reason that the Commission is required to pass this - there is no right to it - we have no ordinance covering this - certainly it is not a dance hall as contemplated by the City -

Commissioner Coblentz: We should hold it in abeyance until we can review the entire situation -

Commissioner Franklin: Can we find out - would you check and see if we can prohibit a business as represented by them - not what we think it will be - but whether we have the right to prohibit this type of business, one aspect of it - number two, then if we don't have the right to totally prohibit it, then do we have the right to establish stringent regulations on this type of business because it is particularly vested with a public interest, and hold this in abeyance until we get this information from the City Attorney's office -

Mr. Gripentrog: As far as we are concerned, this constitutes a priveleged license. Everything that we require on a priveleged license I think this type of activity would come under - things like work cards - Police investigation - I think all those things should be required -

Mr. Earl: All of the girls do have Police cards - security guards have been hired by the owner to be sure these things take place properly -

Commissioner Coblentz moved that the communication from Allan Earl and Amor Kerboua in regard to "The Hatchery" at 725 E. Fremont Street, be held in ABEYANCE.

Mr. Earl: May I ask the Commission - Mr. Kerboua can still continue to do business, I take it?

Mr. Dutton: I am using the Dance Ordinance - charging him $25.00 a day -

Commissioner Franklin: While we are waiting for our legal opinion at our next meeting could we have some pretty tight surveillance to see how it is being operated?

Mr. Dutton: I believe the Police Department has been in attendance there a number of times since they opened -

Mr. Earl: Might I mention one more thing before discussion - the dance hall ordinance for the $25.00 a day really, I think, was passed in those type of situations where you get together and hold a dance just one night and you pay $25.00 for the permit. This is not that type of establishment -

Commissioner Thornley: That's exactly what we've been saying.

Mr. Earl: The $25.00 -

Commissioner Thornley: It is not covered by our dance hall ordinance - you have confirmed what we have maintained - it is not this type of establishment - you just said so yourself - in fact, I'm not even in favor of him continuing operating there - until we have a determination -

Mayor Gragson: A man who would frequent the place - is he permitted to be there without dancing? Or are they escorted out?

Mr. Earl: No - they have to dance . . . they just couldn't come in and sit there all night, I would assume -

Commissioner Coblentz: They have to keep in motion -

Mr. Earl: Absolutely - yes - now, I don't want to mislead you - if they want to sit and talk to the young lady instead of dancing with her, that's fine -

Mayor Gragson: But they have to participate - in other words - if they go in there it would cost them 17¢ a minute.

Commissioner Franklin: There is a motion by Commissioner Coblentz to hold it in abeyance. However Commissioner Thornley has recommended that it be closed down during the abeyance, so I will make that in the form of an amendment to the motion.

Mr. Earl: I would strongly oppose that type of action from a legal point of view -

Commissioner Coblentz: We didn't expect you to do otherwise -

Mr. Earl: You could provide adequate surveillance of the project - you could have the Police come in and tell you what they saw, and that's important - you are not concerned about the format - you are concerned about the possible ramifications - so, give it a chance to work and then see -

Mayor Gragson: I'm not so sure that you know exactly what we are concerned with, because I'm concerned a little bit beyond the format.

Commissioner Thornley: I don't see how we can condone an operation over which we have no control and have no ordinance to provide control at this time -

Roll call vote on motion for abeyance and closure during abeyance:

Commissioner Franklin	Aye

Commissioner Morelli: How do we stand legally on this - not being in operation?

Mr. Gripentrog: My opinion would be as stated by Commissioner Thornley - that we have no ordinance to permit this type of thing - I don't know how we can permit them opening without the sanction of the Commission.

Commissioner Morelli	Aye
Commissioner Coblentz	Aye
Commissioner Thornley	Aye
Mayor Gragson	Aye

Mr. Earl: I take it that I will be notified when you are going to work on the ordinance . . . may I ask a question so that I will understand exactly the action you took here - you are going to hold this in abeyance -

Mayor Gragson: We are holding any action in abeyance, but in the meantime, the operation ceases.

Mr. Earl: Alright, now may I point out - I think we've got to have some kind of a guidline - you can let it die right here and Mr. Kerboua - all of the money he has spent to go through with this is lost - you could leave it right here - Mr. Gripentrog could take six months to come back -

Commissioner Franklin: It is held in abeyance until the next meeting. At that time he will come back with a legal opinion as to what our rights are - then we determine if we want an ordinance prohibiting - we will have the Attorney's opinion by our next meeting -

Mr. Earl: Is it also true that Mr. Kerboua is not allowed to open this establishment during this next two weeks?

Mayor Gragson: That's right.

LIQUOR
Denied

CHANGE OF BUSINESS NAME/CHANGE OF LOCATION

From:
Zebra Room
No. 9 W. Charleston Blvd.
To:
*Godfather Inn John B/Irma Tocco
1801 W. Charleston Blvd.
TAVERN
*Subject to the approvals of the Planning, Building, Fire and Health Departments.

Mayor Gragson: We have counsel here for Mr. Tocco.

Ralph Denton: Mayor and members of the Council, may the records show the appearance of Ralph Denton, attorney for the applicant, Mr John Tocco. After listening to your last matter I would take it that this would be a relatively simple thing. I understand that the zoning is proper - that the Police Department and the other agencies of the City have recommended that this be approved. As I understand the facts, Mr. Tocco presently has a license at No. 9 West Charleston dba under the name of the Zebra Cocktail Lounge. He now has acquired the property at 1801 W. Charleston which, as you all may recall, is where the old Scottie's was, and seeks now to move the cocktail lounge from No. 9 W. Charleston to 1801 W. Charleston Blvd. As I say - I understand the zoning is proper - all of the regulatory agencies of the City have reviewed it and find it and find no objection. Consequently, we would respectfully request that the application be granted.

Commissioner Morelli: What does the Master Plan call for down there, Mr. Saylor?

Mr. Saylor: Commercial -

Commissioner Franklin: I think we have someone standing who wants to be heard, Mayor -

Unidentified Speaker: In addition to those petitions which you have in front of you that were presented by my client, I have some other petitions I would like to file with the Commission. Now, concerning the application - as I read your agenda - it says "subject to the approvals of the Planning, Building, Fire and Health Departments". I don't know whether or not a Variance or a Use Permit in a C-1 Zone is required to have a cocktail lounge or not, but beyond this I think I should point out to the Commission that as I understand the intent of the licensing ordinance of the City of Las Vegas, that due to the population quota of the licenses, there is an economic consideration in the granting of any new license or the servicing of any particular area. With respect to the area involved there are five existing cocktail and liquor licenses within the vicinity. With an application under your next item for a package and liquor cocktail license to be employed in the shopping center at the corner of Rancho Road and West Charleston Blvd. - one recently was opened around the corner on Highland, at approximately Alta and Highland, in this vicinity. Now this application would be on the south side of Charleston Blvd. in the vicinity of the homes in Scotch Eighty and other large residential developments there. I recognize, and I'm sure that you gentlemen on this Board recognize, that every time any new development with respect to doctors' offices, apartments or other development which is a radical change from the existing environment in this vicinity comes up, there is a tremendous number of protests in the area. I also recognize that West Charleston Blvd. is one of the most highly traveled areas in our City - that some type of merging from the highly-traveled to the residential is required. Recently, as I understand from the news media, an application in this vicinity for an apartment project by Dr. Le Lee was denied for the protection of the home owners in the vicinity and primarily for this reason I assume that a license on the south side, which would be the only license for a cocktail lounge on the south side of Charleston Blvd. from the Underpass to the area of the new Charleston/West Shopping Center in the vicinity of Hyde Park, would be the only one available. I think that the radical change in this immediate area is something that you should consider, together with the economics of the existing businesses there, and I appreciate what Mayor Gragson previously stated in the meeting - that private business has the tendency of taking care of itself - but this is an existing business in a licensed area that wants to transfer to an area that appears to be more fertile than where he presently is, and in this respect on behalf of my clients and the other cocktail lounges I have been approached by on West Charleston Blvd., we urgently suggest that you reject the change of location and the name.

(The immediate foregoing presentation made by Attorney Gene Matteucci in behalf of his client, Frank August)

Attorney Denton: I hope, gentlemen, that I can be somewhat brief in replying to Mr. Matteucci. I was interested to note that Mr. Matteucci did not state who he was appearing for. I wonder if the record could show who he is representing -

Mr. Matteucci: I am representing my client, Frank August.

Mr. Denton: Alright, Frank August is a business man in that area?

Answer: Yes he is -

Mr. Denton: And what place does Mr. August have?

Mr. August: I own Frankie's . . .

Mr. Denton: And isn't it true that most of these petitions were taken right in the competing bar right across the street among customers?

Mayor Gragson: This I don't know -

Mr. Denton: They had these petitions sitting on the bar . . . the very practical aspect of this matter is simply this. The present Zebra that is operated by my client is situated right there at the corner of Charleston and Main. You are all familiar with it - it is a very, very congested area - parking is limited. Within the last two years five licensees have moved out of that area. Now I certainly cannot quarrel with Mr. Matteucci because my client wishes to move to a better area. There's no question about that. He wouldn't move if that weren't true. But this really is a simple application. This man has been licensed in the City of Las Vegas since 1963 - he wishes to move a few blocks away - yet for the life of me, I find it difficult to understand why this isn't routine. There is a cocktail lounge right across the street and on behalf of my client I seriously and respectfully request that his application be granted in the absence of a compelling reason to the interests of the City why it should not - keeping in mind that zoning and all these other matters are perfectly proper at the present time. Thank you -

Mayor Gragson: Let me answer . . . my decisions never have been and never will be made on a competitive position. However, when Charleston was rezoned, we had numbers and numbers of meetings with people in the area, and from Rancho west we zoned it C-D - a much more controlled zoning than C-1 is - and from there east, due to the nature of it, we did zone it C-1, with the idea of hoping it would develop into first class retail/office buildings and not be intermingled with all these other little so-called retail or business outlets. I know the hamburger place is in there - was in there - it didn't survive - I don't think it was compatible with the intent of the zoning we had at that time. Mr. Saylor, do you want to comment a little further on it - as to all the discussions of the way we intended that area to develop?

Mr. Saylor: Of course, from Rancho Road west, the C-D zoning was put into effect to allow only a much more restricted type of commercial, but in the area from Rancho to Highland it was determined that C-1 was more proper. Now, under the C-D you can't have an operation like Scottie's or Frankie's bar -

Mayor Gragson: I am referring to the intent of the discussions -

Mr. Saylor: Well I believe the intent of the Commission all along was to try to develop Charleston as a relatively higher level of commercial area.

Mayor Gragson: That's the only reason I have and not from the standpoint of any competitive position, one with the other -

Commissioner Thornley: I want to speak for myself - to me, these matters have not been routine. I have been on record in opposition to the "walking" of Liquor Licenses, except where they had very good reason and, as I recall, this is the second time this particular applicant has asked for a move. I think originally he was located downtown, wasn't he?

Mr. Tocco: I started at the same location - I'm the oldest resident there for a tavern license - long before Frankie's was in the vicinity -

Commissioner Thornley: Originally weren't you licensed down town?

Answer: Originally I was licensed at No. 9 West Charleston -

Commissioner Thornley: You don't hold a license in the down town area?

Answer: I did - at one time.

Commissioner Thornley: That's what I say - and then you moved it out here?

Answer: Right -

Commissioner Thornley: Now this is the second time you are asking to move the license -

Mr. Tocco: In ten years - for the information of the Commissioners if I may say - I took an eight months lease down town - a tavern I had bought into - I had sold my license on West Charleston for the simple reason I wasn't doing enough business there. At one time there were five of us in that vicinity. As my attorney has stated, they have all moved from there, including Western, who is now up the street from where I want to go - wants a full liquor license. So I'm not doing anything that any businessman is not trying to do in his own behalf - to try to survive. That's all I'm trying to do. That I think I'm entitled to.

Commissioner Thornley: Well, I don't think you're entitled to move a privileged license anywhere you choose because you run into difficulties - either competition-wise - business-wise - financial-wise - or what else. I, personally, am not in favor of walking liquor licenses. In fact we recently took a firm policy position on this Board in not allowing where they have even lost their location and were wishing to hold onto the license to get an extension of closure until they could find new places - we have even gone on record against this. So, in addition to what the Mayor has said, this is my position because I am just opposed to the policy of hip-pocket licenses or walking licenses.

Commissioner Franklin: I would like to ask the City Attorney one question - conceding there is no zoning involved and conceding there is no issuance of a new license - do we still, as a Board, have discretion in the Liquor License field, both as to the nature of the person licensed and as to location?

Mr. Gripentrog: - Yes, under a privileged license, the Board does have this discretion -

Commissioner Franklin: In other words, we would not be violating any discretion by refusing an existing licensee a different location -

Mayor Gragson: I concur that he has every right and every privilege to better his business in any way he can, providing it meets all of the other conditions and requirements . . .

I'm afraid we're opening the door for a hodge-podge -

Allan Earl: May I state that I am from the firm of Wiener, Goldwater, Galatz & Raggio - we represent most of the home owners in Scotch Eighty - not all of them - I would like to approach the bench - or have somebody approach - to show something - we took some hurried photographs of the area - to show the exact street - the very residential street that you proposed to put the Godfather Inn bar - and if this would be a help I'd like to show you - this is a street like you would see in almost any residential community - homes on both sides all the way down, and right at the very end on the one corner of that residential street, if you grant this, you propose to put the Godfather Inn bar in. The last time I was here in front of this Commission speaking for this same group, I remember that several of you gentlemen mentioned that the purpose of zoning is to up-grade the area, and that the buildings you were proposing did up-grade the area. I suggest that this does not up-grade the area and the home owners are very much opposed to this bar license.

Mayor Gragson: Is there any further discussion?

(No response)

Commissioner Thornley moved that the following application for a change of business name and change of location of an existing Liquor License (Tavern) be DENIED:

From:
Zebra Room
No. 9 West Charleston Blvd.
To:
GODFATHER INN John B./Irma Tocco
1801 W. Charleston Blvd.
TAVERN (subject to the approvals of the Planning, Building, Fire and Health Departments)

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 General Liquor License, be APPROVED, and the Director of License and Revenue authorized to issue:

WESTERN LIQUOR Mary Nicosia
2202 W. Charleston Blvd.
GENERAL LIQUOR LICENSE (presently a package Liquor/Beer Bar License)

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

GAMING - NEW
Approved

Commissioner Franklin moved that the following application for a new Gaming License, be APPROVED, and the Director of License and Revenue authorized to proceed:

CASINO EQUIPMENT INTERNATIONAL, INC. 1545 North 25th Street SLOT OPERATOR	Gail George Bonneson, Pres/Treas	100%
	Carrie E. Bonneson, V.P./Secy	

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

GAMING - NEW
Denied

LEASEHILLS CORPORATION
1808 E. Charleston Blvd.
Slot Operator

Lloyd Bowman, Pres.
Carl Zimmer, Secy-Treas.

Thriftimart - 1808 E. Charleston	15 slots
Thriftimart - 2200 W. Bonanza	15 slots
Thriftimart - 4725 W. Charleston	15 slots

(Thriftimart, Inc. to be found suitable as parent corporation to Leasehills Corporation)

Attorney George Dickerson: Mr. Mayor and Commissioners, of all the subjects you have had to consider over a period here, I think none need I refresh your memory more than what has been involved in that which is presently before you - and that is the application of Leasehills Corporation in the finding of Thriftimart, Inc. suitable as the parent corporation of Leasehills, pursuant to the statutes of the State of Nevada. Now, the attorney - as George will tell you - is accountable solely for what he does and not for what may have preceded him, and I find no fault with what may have been done before in the presentation of the matter. However, I am accountable for what I do from this point forward, so I ask you to please bear with me. The only procedure that I could adopt whereby I could perfect a record, which must be perfected in an instance of this situation, is that I go back and review with you what you have done with reference to the application that is presently before you and what percipitated the action that has taken place to the point that we are now before you seeking your approval of the application. This arose, gentlemen - and I will only refer to the minutes of each of the meetings so that you can be aware, and it will refresh your recollection, as well as refresh my own, and will enable me to aid you, I think, to arrive at a conclusion at the end of these proceedings that I think that some of the matters that were stated to you initially, and on which you had grave questions as to the legality of, can be explained under the laws of the State of Nevada. I know that some of you Commissioners particularly had questions of - why did you proceed in this way as contrasted in the manner in which you are proceeding and I think based upon my experience - and George knows this -no one probably has more experience with the advent of the publicly subscribed to corporate licensing in the State of Nevada than I. I shared his views initially and I am in the position where if I were in a position of authority and the proposition were presented, I would have to be shown great evidence as to where I was wrong before, but merely because I took the position I did before - others took a position contrary to me - didn't make me right and them wrong, nor did it make them right and me wrong. It merely meant that five men acting on a controverted proposition of fact arrived at different conclusions on a very, very serious and very complicated and controversial issue at the time. On October 13th there was an Order brought before you, and I will mark these, Mayor, if I may, either "A" or "1" - as the exhibits - whichever you prefer -

Mayor Gragson: Number 1 -

Attorney Dickerson: Exhibit No. 1 is the minutes of your meeting of October 13, 1971 in which the Order to Show Cause Hearing for Marketplay, Inc. was set by this Commission. The sole function of the Hearing at that time was purely to set a date for

(continued)
GAMING - NEW
(Page 2 of
Attorney George
Dickerson's presentation re
Leasehills Corp.)

a hearing and you did set a date for November 2, 1971 at 7:00 p.m. (I'll just put these on this chair) I will refer to those minutes, as I say, rather than belabor the point and read into the record at this time, I incorporate by reference the minutes of each of the meetings to which I refer to the same extent as if I read them verbatim to you at this moment everything that is contained within the minutes of those meetings. This matter next came before you on the 20th day of October, 1971. The purpose of that was purely for a continuance - to determine a more appropriate date could be arrived at - this was also stipulated by your City Attorney - it was agreeable with him - he needed the time additionally too and therefore the sole purpose and intent of the minutes of the meeting of October 20, 1971, was purely to reset this matter to the 22nd day of November, 1971, at 7:00 p.m. (I will mark this as No. 2)

Mr. Dickerson: On the 22nd of November, 1971, this matter came before you again. On the 22nd day of November, 1971 only a partial hearing was conducted. You had before you a witness from the Gaming Control Board of the State of Nevada, Mr. Shannon Bybee. Mr. Shannon Bybee explained to you, and I want to call to your attention at this time the application was still under the name of Thriftimart. There has been a concept whereby they were going to take the stock, which had been transferred, and re-issue that stock with new stockholders and that Thriftimart, Inc. was then going to be the one who would be licensed as State operating corporation, as the wholly owned subsidiary of Thriftimart, Inc. Mr. Shannon Bybee was asked many questions, and this is important because Commissioner Thornley later referred to it in several of his sessions as to the member of the Gaming Control Board not being concerned with who is the owner of the beneficial interest of stock - all they are interested in are who may be the owner of the stock of record in the corporation. That is fully in reference to the matter that was then discussed by Mr. Bybee and I want to call your attention to the minutes so that I will not be misquoted in this regard. That to Mr. Bybee a question was directed - what if an issue arises between Mr. Tasios and these other people with reference to the stock ownership, and his answer to you in that respect was that they could not be concerned with who was the beneficial owner of the interest of the stock at that time - that was for the courts to resolve. Their concern at that time was solely and purely whether or not the individuals who were represented to be the then stockholders of record were suitable people. They found them to be so. It did not mean that if a court concluded in the civil suit that was proceeding in Washoe County subsequently that the true ownership of that stock was, in fact, in Mr. Tasios and others, that it was an irreversible position. As a matter of fact, I think maintain their position better - and I think George will concur - because it gives them a better evidence of damage. They know then what their damages are by being denied this lease which was validly theirs if, in fact, the court concludes it was validly theirs. Now that was the extent of Mr. Bybee's testimony in this regard as to why they were concerned in that point, purely with who were the owners of record and their suitability - not saying that those who were the alleged owners, in fact, of the stock were also suitable - they had been found suitable by the previous licensing boards of both the State and of the County. In that meeting also you had the testimony of Jean Dutton - Tasios - Hahn - Conroy - Currer and George himself - with reference to certain of the

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gaming application aspects. This matter then came to an issue in the proceedings I have just referred to, as to whether or not, in fact, there should be additional evidence taken of some former commissioners. On George's motion, the matter was then continued until December 22nd. This is a full transcript, gentlemen - the November 22nd one here that I refer to - will give you the testimony of all the witnesses that appeared before you. The minutes of November 19th I wish to mark as No. 3 and the transcript of those proceedings as No. 4. The matter did then come back before you on the 22nd day of December, 1971, at which time the purpose of it was merely to continue it to the 5th day of January, 1972. The minutes of the meeting of December 22, 1971 I will now mark as No. 5. This is the most important of all the minutes and the one to which I must make reference individually, because it's the one upon which the action, subsequent action - of this applicant was predicated - based upon what was said at the meeting by the various Commissioners in attendance at the meeting and the action was taken upon the revocation proceedings that were then pending before them. First of all, I refer you to page 26. After the lengthy discussion and we get down to the motion with reference to the revocation of the license and Mr. Franklin was clear to point out initially that the problem that may have arisen originally was the fact that there were foreign counsel involved who did not have that basic awareness of the uniqueness of gaming and what might be required in the State of Nevada and that therefore it was no reflection upon who was then representing the Thriftimart, Inc. in those proceedings. He went on further in this regard - "I think the very simple thing before this Board is that the application on file and the documented material backing it up, and upon which the license was issued - no change in that backup material - and even the current license which is the only one we can revoke - we can't revoke one that expired - so that's the only thing we're concerned with - your current license is still predicated upon the material originally presented to this Board. That material, in my mind, at least, does not represent exactly what the function is, even to the extent of drawing leases - the leases aren't complied with between the two corporations - the whole thing. I don't know what your intent was - I'm not going to attribute an improper motive - I'm not even going to attribute undisclosed interest of any kind, but my feeling today, and I will so move in a moment, is that the license be revoked. However, on a proper application to be made by proper parties, reflecting a true situation, the application on file here does not represent that situation - a false application to this Board even though made many years ago and therefore I don't see how we can continue to allow an operation based on the way the license was originally granted." Now they were told at that point - and he went further - "this Board also does not want to get involved in any civil suit. We don't want to get involved in that in any way. I think the present license was issued upon false facts presented to the City and therefore I think it should be revoked - no jeopardy to anybody to come in and apply who has the proper and legal right to apply for a license, with a proper application reflecting the true situation." He concluded on the page 27 "A lease can't vary a license and at this time, as I say, without jeopardy to a proper party applying on a proper application, I move that the license be revoked." Now the comment of the various Commissioners - Mr. Currer asked the question "May I ask one question, Your Honor - could you give us either a stay or make this a suspension until we could take whatever steps are necessary to file an additional application,

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and ask Mr. Franklin that the motion indicate that it conform to what we desire to do?" This was rejected by the Board. Mayor Gragson continued at page 29 - "This license cannot carry on. If you make a new application that meets all the requirements, it can be granted." Mr. Currer at page 30, continues: "We have already requested of the Gaming Control Board, and it is recommended, that this go forward as a wholly-owned subsidiary. We have also been informed by the Gaming Control Board that due to the nature of the operation, and all, if we apply for an exemption as to the 5% that you mention, and certain other problems that are difficult for us, that under the '69 Act they will recommend to the Commission that those be waived. So that the problem we face at the immediate moment is that we have pending the application of Messrs, Bowman and Zimmer, and we have one man who is currently licensed, who is Mr. Conroy." Mayor Gragson: "Let's leave it this way - it's all we can do. At the time the State Gaming Commission and the Gaming Control Board approves your application at that level, then it can be submitted to this Board for action, but it can't be submitted to us, or we can't act on it, until such time as the State has approved your application." This is all stating why you could not grant a Stay Order after a revocation - because there was no application pending - and you were absolutely right in this regard. Commissioner Franklin: "You are asking us to stay to permit you to continue an illegal operation. I think the Mayor has stated it about as fairly as possible - as fairly as anybody can - and I just don't see how we can continue, once a determination has been made, continue an illegal operation. Now I think what the Board is trying to tell you is - clean it up - go through the State - get a proper application, made by proper officers, with authority - get their approval, and then submit it to this Board. This is the way it should be done. In the meantime, if it would come before this Board for approval, whatever remedy Mr. Hahn and Mr. Tasios would have in the way of an injunction - I don't know - I don't want to get involved in that - I just don't want to get involved in that aspect of it, but I don't think this Board has any right to allow you to continue an illegal operation. We are suggesting that you clean it up and get before us in the proper manner what you want." Commissioner Thornley: "I wouldn't want it to be interpreted that approval by the State would automatically be rubber-stamped by this Commission, because it was stated by one of your own witnesses, a member of the Gaming Control Board here, that the Gaming Control Board was not interested in actual owners, but the owners of record, and this would be of some concern to us." And rightly it should be. Absolutely it should be and nobody is questioning for a minute that that isn't one of the paramount duties, not only of you, but of the State of Nevada. They have to know who the owners are, whether of record or otherwise, and I point out to you, Commissioner Thornley, I ask you to review the minutes of that meeting and the testimony of Mr. Bybee and the context in which it was stated and it related to that factual situation that was then presented as to the hiatus in the fact that you had two men contending ownership in a law suit and one who was now going to make a transfer of the stock interest to others so the entity could continue and be perpetuated insofar as its business is concerned, and certainly not to be read into the context that the State of Nevada is not concerned with who the true owner of stock ownership is. He said that would be a matter to be determined by the courts. That is in the record and that's why I refer to his testimony, because I don't want to put into my language what is stated in

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the record itself because the record speaks for itself. And Mayor Gragson concluded at that meeting - "they will have to come back with a new application which meets all the requirements." Now, gentlemen, this was an invitation - this is an invitation to these gentlemen here to do one of two things: To take you to court on what did raise some very good legal questions with reference to revocation proceedings, because there is not one thing in your statutes that provides for the procedure for revocation, as there is in the State law. All of the guarantees - the administrative guarantees - the procedural rights of individuals are fully protected under your State law in the revocation proceedings because the Notice must go out. The procedures are all spelled out as to how they are conducted. Not only this, but there was a good legal issue, in fact, involved as to whether or not the applications which were signed initially were, in fact, the required application under your Ordinance or were merely a draft of a form by your Police Department - never acted upon by this Commission and, therefore, are those, in fact, a part of the application procedures that were then in effect in the City of Las Vegas. As I say, the gentlemen presented it to you on a legal basis that was wrong. It was wrong because it was not . . . it does have merit, and it could have had merit, but in reliance upon what this Commission said - clean it up - make proper application - go through the proper procedures - go through the State - come back with those who have been approved by the State under a procedure approved by the State - and then we'll act upon it. Then they did. They did exactly that. They by-passed - they departed completely from Marketplay because there is a problem in the future as far as Tasios and those, should the District Court of Washoe County deem they are, in fact, the true stockholders. Then what are their rights to damages as the result of the lease being revoked or at least the effect of a recision of the lease by Thriftimart upon its prospective earnings. This is all calcuable. They have the ______________ of what could have, or did occur up until the time that this occurred and they could project that into the future, so their rights are protected fully. But then Thriftimart came in with what was called "Leasehills". Now Leasehills is a wholly-owned subsidiary, and we get to this in one of the subsequent meetings of this Commission, and I'll refer to it as I read those minutes too - we get to it where a question was asked Why do you proceed in this way? What is this thing about creating a wholly-owned subsidiary rather than going in yourselves and be licensed? This was the big basic problem, initially, in the advent of corporate licensing where it came to the publicly subscribed to corporations. Where a corporation organizes individually, initially, in this State, as did the International, they organized in this State initially as a corporation in the State of Nevada - they went public - therefore there was no problem whatsoever of their complying with the State law that requires that you put upon each of those stock certificates all of the restrictions that are set forth in the Nevada Revised Statutes. But the Gaming Commission and the Legislature subsequently realized that there isn't every corporation that wants to organize solely for the purpose of gaming in the State of Nevada, as a publicly subscribed to corporation - General Motors might be interested. Now how can you accommodate General Motors with its vast number of stockholders under SEC regulations, require a surrender of every issued certificate of stock back so there can be endorsed on that certificate these restrictions imposed by the State of

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Nevada. That's why the holding company concept came into being. It was a perfectly valid - legal - representation made as to the method by which you could accomplish the involvement of a large publicly-subscribed to corporation in gaming in the State of Nevada and still vest in the State of Nevada whatever semblance of control is necessary over that corporation in the State of Nevada. And that's what the Act said. Now, George, this is where you and I agreed initially. I had two bases of disagreement. First of all, they were attempting to do this through the Gaming Commission and I took the position that no administrative board has the right to legislate and correct legislation of the State. This is what they were asking us to do - is to change what the 1967 Legislature had provided by making a regulation that would augment it and take care of discrepancies that were left out of that law by regulation. I would not do it and as the result, in the final stages of my career as Chairman of the Commission, it got to the point where the decision had to be made and I merely advised the Governor that my successor was in attendance - if it was a committment on me, he took the position of making a policy on it - made a decision that it should be done and it was binding on the Commission. Well, it wasn't binding on me on that Commission because I'm still going to exercise my discretion if I feel that it is, in fact, an illegal proposition. And I said - fine - qualify him - accept my resignation - and that's what was done. He was qualified as the next Chairman of the Gaming Commission - the regulations were adopted - but that's all behind us, because now the 1969 Legislature adopted in toto the entire procedures that were set forth in that Regulation 15 that provided exactly what I'm telling you - that if you're going to organize a corporation to go public in this State - fine - then you have these restrictions to follow. If you're a publicly subscribed to corporation - on the boards of the Stock Exchange, nationally, fine - you can also qualify. You come in with a holding company, over whom we have control as to who is going to be in the actual management and operation of gaming in the State of Nevada, and you can qualify. But we want to go one step further - we're also going to require you to find suitable those individuals who hold over 5% of stock, because when you are talking about something of the magnitude of these large corporations, anyone who has 5% of the stock is indeed in control. Anyone who is going to have any active participation or control in gaming on the local level likewise had to be licensed - as a matter of fact, anyone that they deemed should be on any type of examination of the stock records in the future, must be found suitable upon notice. That's what the Act provided. That's what Leasehills was organized for and that's when they came back before you. Now the next meeting that you conducted then was on January 19th. The purpose of that meeting was to try and seek a waiver. Let's get into this subject of "waiver" right now - the impression that was given to you under the presentations that were made were that the State of Nevada made some great concession to Thriftimart in granting certain waivers. Don't you ever believe it. Under 4620.625 of the Nevada Revised Statutes, it specifically provides these waiver provisions - exemptions of publicly traded corporations in compliance with certain provisions - compliance with NRS 464.35 to 436.41 - the Commission may exempt the publicly traded corporation from compliance with (1) the provisions of subsection 4 NRS 463.510; (2) some or all the provisions of NRS 463.585 to 463.361. A second section 463.575 of the Nevada Revised Statutes - applicability of NRS 463.585 to 463.615 to holding intermediary companies exempted publicly traded corporations. NRS 463.585 to 463.615

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inclusive, applies to every holding company or intermediary company except a publicly traded corporation which has been exempted from the operation of all or some of the provisions of such sections pursuant to NRS 463.625. So that's all they were telling you. Is that the State granted those particular exemptions, but they granted them further exemptions because they weren't dealing with a corporation that was coming in to operate - not only slot machines - but the table games and the pit. This is, in essence, only a restricted licensee. So, therefore, the information that would be required of the other type of operator was not required of this applicant so, again, additional exemptions were made, one of which was a waiver of investigation of this one holder - not as an individual holder of 5%, but a man who owned stock in other corporations, the accumulative effect of which was that he had a 5% interest - a Mr. Buffet. So then the proceedings of January 19th were entered into for the purpose of determining - can we now, in fact, get from the City what we did, in fact, secure from the State of Nevada, and that is, a waiver of the requirement of the investigation of Mr. Buffet as to that 5% interest holding. It was decided - no - and the minutes of January 19th are distinctly to that effect. No - that you wanted your investigator to conduct the investigation and come back with a proper report to this Commission on Mr. Buffet's interest and whether or not, in fact, he was a 5% holder. Now, at that meeting - it's interesting - because here is where is injected into the proceedings the suggestion by Mr. Franklin of what might be an answer to this problem - of a proceeding they could utilize and thereby avoid having to be a wholly owned subsidiary and proceed then by merely entering into a lease on a rental basis, which is reflected upward annually, based upon the earnings of the operation. I want to read what Mr. Franklin had to say in this regard: On Page 39 of the minutes of January 19th - "Yes - as I say - if you have over 9,000 sq. ft. you can have 20, but what is the compelling reason why you don't want to go into an independent corporation, even though they may be Directors of yours, and set a flat monthly rental - set it up for what your approximate income is - a flat rental between a separate corporation?" Mr. Smith: "I don't know that we have any objection to that, but we didn't present our application to the State that way - I have no idea whether they would object to that - the application to the State simply stated that the funds would be withdrawn by Thriftimart from its wholly owned subsidiary." Commissioner Coblentz: He is giving you some good advice, but you're not catching on . . ." Now, gentlemen, let's take this flat lease situation and whether this is the panacea - whether this does circumvent or avoid exactly what you are talking about - don't you believe it for one minute because the Nevada State Gaming Commission foresaw exactly this proposition with reference to the flat monthly rental, and a rental being geared to that income and there then, in fact, the individual who in fact has control, is the landlord; and the landlord should therefore be found suitable. Under the regulations of the Nevada Gaming Commission - under Regular No. 3.020, subparagraph 5, it reads as follows: "If the Commission or the Board determines that a landlord or financier by reason of the extent of his holdings, or his inherent control financially, cannot in fact be separated from the gaming operation and that as a practical matter a single entity exists, regardless of the form of organization, it may require that all such individuals be licensed. Without limiting

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the generalities of the foregoing, such a situation may be deemed to exist in an instance where an owner of premises leases the same to an operator under terms which are not in accord with the usual and excessive business practice. The Gaming Control Board and the Gaming Commission of the State of Nevada have adopted regulations or, at least, have adopted policy and have enacted new regulations, effective January 1, 1971, that anything over 50% interest - anything over a return of 50% - in fact, puts the landlord in that position. What does it mean? He must be found suitable - so you are right around the clock - a 360 degree turn - right back in the same position so the lease/rental is no answer at all - these people would be before you exactly the same way - the landlord parent corporation would have to be found suitable. They have been found suitable by the State - they are back before you under the application of a holding company - under the provisions of the Statutes fully followed - this time not by a foreign counsel telling them - you can do this - you can do that - but by counsel in the State of Nevada with full knowledge of you gentlemen - with full knowledge of the State of Nevada, because they proceeded through the Gaming Control Board and the Commission before the application was even presented - they had gone through it on Thriftimart and they knew they were going through exactly the same thing on Leasehills - so there's no subterfuge - there's nothing being hidden, and I don't care what Mr. Gripentrog told you at your meetings, these are not the same people. The people who were involved before - two of them are dead and could not be present at that hearing - the corporation was not the same corporation - this is an entirely different corporation. They do have one common factor - they are owned by the same corporation. That's the only common factor that they have, but they are not the same people. There is no subterfuge - they have come openly - they have done everything - they did it at your suggestion in the first instance, but by so doing they by-passed an opportunity that they may then have had to proceed with legal recourse. But they went along with what was suggested - do it this way - make your application properly - get the proper people approved and then come back before us for our consideration. As for the State of Nevada - as I say - the flat lease will not do it because on January 1 of 1971 there is a new regulation - Suitability of the Lessor: "The Commission may require any lessor to be found suitable. If the Commission finds the relationship between the operating licensee and the lessor pursuant to the lease, or otherwise, is (a) so close that the lessor and operating lessee constitute but one economic entity" . . . there is no question that this is one economic entity. That's why you have the wholly owned subsidiary - holding company - of Leasehills. There's no question but that it is one entity, and the money does go up to the parent corporation, so whether you did it by lease or whether you did it - as we say - legally and properly and as recommended by the Gaming Authority in the State of Nevada, as was done in this instance, we would be in exactly the same situation with you gentlemen. We'd be back here. We'd be here either as approved - as finding us suitable as a holding company, as we are right now, or we will have to come back before you as a lessor, and be found suitable upon the same facts - the same circumstances - because we can't change them one iota. Our spots are no different under an application as far as the holding company is concerned than they are as a lessor of the property. Now, in the meeting of March 1st, this matter came back before you - at that time - (I will mark this No. 8) again - a recommendation of the investigation was made, and on page 26, Dr. Coblentz asked the question with reference to the State law . . .

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Commissioner Franklin: George, I don't think you've made it clear enough, and I think you should let the Board know that in entering these documents and the manner of your presentation today is laying a predicant in case you do get denied again that you will have the necessary groundwork for the courts.

Mr. Dickerson: George, that's exactly right -

Commissioner Franklin: You are presenting this, in case you are denied, on the intent of going into court -

Mr. Dickerson: Absolutely - there's no question, gentlemen, I cannot be accountable for what may have preceded me - I don't know what kind of record was laid for the purpose of a court of review, or an appelate review of the action of an administrative body. I am chargeable to these clients for my conduct, and my conduct dictates that I proceed in exactly the manner I have in reviewing this entire proposition that was presented to this administrative body and to rely only upon the records of this body with reference to what its actions were - what was said by the individual parties, and I don't mean to paraphrase anyone. If I have, I ask you to ignore completely what I may have stated and rely entirely upon what is stated in each of these records of the various meetings. But, at page 26, Dr. Coblentz was concerned about -"May I ask a question - why do you have to use this so-called holding corporation when you guys are strictly the owners of the slot machines and everything that goes with it? Why can't you use the word 'Thriftimart' as the sole slot operator? What is there against . . . this whole thing, in my opinion, is a subterfuge. When I see anything like this going on, where you have a subsidiary corporation that is owned by another corporation and it winds up in a cash register in California or Mexico City or the Bahamas, or someplace else, I get a little disorganized on the whole thing. I'm trying to figure out - you had one situation - which you are still in court on, I believe - and now you're creating another problem. Why can't you get this thing in Thriftimart and there wouldn't have been any difficulty in the original license?" Doctor, if I haven't explained it to this point, I think the whole answer is that when you are dealing with a publicly subscribed to corporation, already organized and on the boards of the Stock Exchange, the statutes of the State of Nevada have provided the means by which they make their application, and that is as a holding company. Now, the only other alternative, as I pointed out to you, and I tried to explain, is that of the flat lease. But, again, it's the same proposition - in either instance - whether they come in as a holding company or whether they come in as a lessor, this Board, after the State gaming agencies have made their examination and approval, this Board must find them suitable - in either instance. So it isn't any circumvention - it isn't any subterfuge - I hope I've explained it to you the best I possibly can and from the knowledge I have of the gaming laws. That's why it's before you - as a holding company - and that's why it's before you strictly as the agenda shows today - "Thriftimart, Inc. to be found suitable as parent corporation to Leasehills Corporation". That is the reason that it is before you now. Now, on page 28 of this same record, Mr. Gripentrog points out to you gentlemen - and he's absolutely right - that under your ordinances you do not have standards. You do not have those matters that gave you as far as how you do make this determination of suitability in the first instance. On page 29, Mr.

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Gripentrog said the following: "It's a condition - and I think it's a grave one - that our Ordinance sets no standards, and the courts are very strict that if you implement discretion and you are without sufficient standards, then you can't defend it. You can't defend it in one case where you grant it and deny it in another. If our Ordinance said - if the following conditions exist (a), (b), (c), etc., if you can meet these - but we don't have those standards. That also bothers me. I think the next applicant that came in, we would be hard-pressed to defend a denial." That's absolutely right. The State law has provided standards for applications. The Supreme Court of the State of Nevada has said to administrative bodies and administrative boards and particularly in the area of gaming, in the Nevada Tax Commission vs. Hicks Seventy-three Nevada - page 120 I'm reading from: "To accomplish its duty the Commission must first define 'suitability' - fix the standards by which it is to be judged suitable - here, act administratively. Next, it must ascertain and examine the facts of the particular case to determine whether its standards have been met. And this is what anyone must know. It comes before you as an administrative body - and when it comes before any administrative agency in the State - what is expected of me when I make my application . and what must I be prepared against for the administrative body to meet those standards? So that I can know - this is what I have to have - this is what I have to have and this is what I have to have. What more could Leasehills have done when they came to you? They went to the State - they met their searching standards and requirements and then they came before you. Now, then, we have that no waiver on March 1st. On March 15th - and this is the one in which there was a denial on a three-to-two vote. At page 30, Commissioner Franklin stated the following: (George, I hope I can appeal to your sense of equity and your knowledge of the law in just a minute, because when I read this I am hopeful that you and I exchange some rapport here, at least, because I don't believe you meant what you said here) "They just found out this morning there's a motion - before I vote " (now this is a statement being made to Leasehills Corporation) "before I vote - this has nothing to do with Thriftimart whatsoever - I will vote against any gambling license at any time where the licensee is either a publicly traded corporation, or is solely owned by a publicly traded corporation. I think the biggest mistake the State of Nevada ever entered into - ever made - when it comes to our legalized gambling was to permit the licensing of publicly traded corporations in the field of gambling. Right now my source of information indicates that a man who has sought for years to get a license and approval by the State of Nevada, owns 4.85% of one of our gambling licenses down town - has 92,000 to 94,000 shares of stock, and we can't do anything about it, and yet he is not capable of being licensed in the State. What the State is going to do about that, I don't know. I don't know that they can do anything, legally, under the status of our present law. But I am not going to be voting for any license for any publicly traded corporation, because I think it has cost Nevada the control of knowing who is involved in gambling, and I think if you will check every publicly traded corporation now in Clark County that has a license, you'll find that 50% or more of the stock in every one of them is held in a street name, and we don't know who owns it. I am voting 'no' on this - it has nothing to do with Thriftimart - the character or background of Thriftimart - I just don't believe in publicly traded corporations being involved in gambling." George, read that, and read what the Supreme

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Court said - standards of suitability - and I appeal to you as an attorney - there is no way - with your knowledge of the law and our experience together in these matters, both together and opposed to each other - I have a profound respect and I don't think you are going to deny equal protection of the law to anyone, but you have . . .

Commissioner Franklin: Now I'll remind you of some of your remarks - preceding your resignation that had a lot more to do with your refusal to enact legislation - that would change the statutes - you had other compelling reasons you gave why you did not believe in the public trading . . .

Mr. Dickerson: Exactly, George, and do you know where our _____________ is? Right up there in Carson City in the State Legislature. If we're opposed to it, then let's both go up and point out . . .

Commissioner Franklin: You and George Von Tobel, I think, were the only officials . . .

Mr. Dickerson: We were voted down, George, and I'm willing to accept it as someone who probably had a greater insight than I. I don't say I was right and I don't say I was wrong, but I'm just telling you that if I feel I'm right, and if you feel you're right, and you feel so strongly about your right, let's you and I go to the next session of the Legislature and get the law amended, but don't use that as a basis to deny equal protection of the law, because you're saying to one citizen of the State of Nevada - the man who falls under the provisions of what the Legislature has said is entitled to be licensed - a wholly owned subsidiary corporation in the State of Nevada - if you follow our procedural requirements, you're entitled to be licensed. Don't say because he happens to be that class of citizen, I will vote against you because you are violating the standards as set up by the Supreme Court for suitability - because, in fact, then, an admission on your part that you won't follow the law - and the Legislature is the one who makes this determination. Now I agree - you have all the latitude and discretion in the world as far as determination of suitability in the background, the character, the financial ability, the association - all of these factors that go into the makeup of an individual - you can disagree with any agency that may have licensed before, but predicated upon their reason, but not upon reason that you will not follow the law of the State of Nevada, and that's what you said, and that's what your denial was based upon in that motion. Now then we come to March 28th (March 15th is No. 8) and gentlemen you have not approved your minutes of March 28th to this point. The only thing I can operate on on your March 28th are those minutes that the Clerk has drafted. They have never come before you for your approval but I will give you what she gave to us, however, and I checked this morning before this meeting to make this determination as to whether or not these had been approved by your Board, and it has not. Again, it came before your Board and on page 13: Commissioner Thornley: "I have a very uneasy feeling about this. First of all we are dealing with an applicant, a party to a license revocation; actually filed false documents with this entity. They concerned stock transactions. The application was made under false flags by people who did, in fact, not have the stock and yet, on record, they did. I do not believe the applicant has, to my satisfaction, proved proper stewardship, and I am not satisfied with this last minute change in transferring the stock . . .". This all had to do with the fact that Mr. Buffet - at a great expense to Thriftimart in the exchange of certain stock that they had - purchased all of the stock of Mr. Buffet so that there would be no problem of any 5% holder. They purchased every bit of their Thriftimart stock from him, and that's what this reference is as to "this last minute change". It wasn't a last minute change - unfortunately it came before you at your meeting before - at the last meeting - and it only occurred the evening before and there was great concern by Dr. Coblentz, as the minutes will reflect, as to why it comes this late - it only comes this late because it only occurred last night after five o'clock, and he said it wasn't even a legal day after five o'clock. But the fact remains that it occurred - the day before they came honestly before you and they did - they made these exchanges in order to purchase all of the stock - so we're not even dealing with a 5% holder any more, as far as Mr. Buffet was concerned. Then he goes on: ". . .this last minute change in transferring the stock rather than providing the investigative information and materials that were requested . . .". They did provide it, Mr. Thornley, and your investigators reported back that they were satisfied, and they had checked the books, and they checked the minutes, and they were satisfied that the stock had been transferred - at the last meeting, particularly, the Licensing Department and your Police Department both said that they favored this application - that they found nothing in it that dictated that it should not be approved - when they were here at your last meeting before you.

Commissioner Thornley: That query was directed to the investigation of Mr. Buffet . . .

Mr. Dickerson: Yes, I know -

Commissioner Thornley: He had not been fingerprinted - he had not - nothing - after agreeing to submit to fingerprints - this is what concerned me, George -

Attorney Dickerson: Yes, but it was a moot question at that point . . .

Commissioner Thornley: It became a moot question in the interim - after he had agreed to submit the fingerprints and submit to the investigation, and, incidentally, I might add that we received no assistance or cooperation from Thriftimart in conducting what investigation we did - in even locating Mr. Buffet . . .

Mr. Dickerson: Is that what your Licensing Department reported?

Commissioner Thornley: Yes -

Mr. Dickerson: That they received no cooperation?

Commissioner Thornley: Well, they're here - insofar as locating and contacting Mr. Buffet was concerned - I think they had to go through other sources, but this is beside the point - in the interim - from the time he had agreed to this - after our people had contacted him - and the pursuant investigation - is when this last minute stock transfer took place.

Mr. Dickerson: That could very well have been the choice of Mr. Buffet - you know there are some people who just don't want to . . . .

Commissioner Thornley: However - it was engineered by Thriftimart to avoid the probability . . .

Mr. Dickerson: It eliminated the issue completely -

Commissioner Thornley: It was not Thriftimart I was concerned about - I was concerned about the particular investigation of Mr. Buffet -

Mr. Dickerson: And at that point it was really a moot question, because Mr. Buffet's interest had been transferred.

Commissioner Franklin: I think Mr. Buffet used both the City and Thriftimart in order to get the Blue Chip stocks he wanted -

Mr. Dickerson: If it was to his advantage, George - whatever had to be done, was done, and the man no longer has any interest - there are no 5% holders of interest in Thriftimart and the application is in proper form for your consideration. And then you concluded, Mr. Thornley - "We are getting into this area again where it's questionable, in my opinion, and that's my feeling on it, plus the fact there have been some under-currents taking place that I interpret very personally as a very unethical attempt at intimidation, and if you care for an elaboration on that, I am ready." Well, I know what you're talking about and I know of this publicity and there is no one in the world that is an applicant who has control of that situation. Now, you, as a public official, know this. You have no control over what's written, or what may be written. Someone may be feeling that they are doing the best service in the world for you, and doing you the greatest disservice - by anything that would imply anything on the part of the Commission in newspaper articles that were written, and we're apologetic for it - we would do anything we could to force a retraction of anything of that nature, but it's not in our control, and the inference had to be that we were, in fact, the ones who were responsible and we were not responsible as far as the articles being placed in the first instance was concerned. But again - that's what I say - here again is an extraneous factor that is brought to play on you gentlemen every day of your life as far as your consideration of matters - you are going to be intimidated - you're going to be coerced and just as sure as the sun rises tomorrow, it's not going to be any different.

Commissioner Thornley: Are you, in representing your client, telling me that they in no way, through any people, tried to influence me or intimidate me?

Mr. Dickerson: I don't know what may have been done . . .

Commissioner Thornley: I would like to hear them say that -

Mr. Dickerson: As far as intimidating, whether or not they had someone talk to you - whether or not they met with you on occasion to discuss their application - there is no question about it - but if they are responsible for anything being published

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derogatory towards you - they definitely deny involvement in that - very definitely.

Commissioner Thornley: It was not particularly that, that I was alluding to in my statement - I'm still prepared to elaborate on that -

Commissioner Franklin: After that one meeting - I don't know whether it was the second or third one, when you people were denied, the Publisher of a local morning newspaper told the Mayor and I - gave us the names of two people - who evidently must have got the names from Thriftimart, that had told Thriftimart the night before our meeting that they weren't going to get their license and they had better make some kind of an arrangement with them - the two names didn't ring a bell - maybe the Mayor - I'd never heard of them in my life, but these were the people who were supposed to have told them in advance they weren't going to get their license. So we immediately had our investigative staff get on the two names and found out that one of them, at least, was somehow related to someone in Thriftimart. But these are the types of things - here's the Publisher of the paper implying that somehow or other that people knew in advance they weren't going to get their license -

Mr. Dickerson: George, with your experience with that Publisher and my experience with that Publisher, I don't think I need say any more. Now we get to the comments of Mr. Franklin: "I find it a difficult problem as far as I am concerned because of the stand that I have maintained for quite some time. As a matter of fact, on the stand I have taken, I am surprised to see Hank Greenspun here this morning, because as I recall, when you endorsed me in the D. A. race, the one reason you gave was my stand against the public trading of stock. And that was the only reason you gave, Hank. The stand I'm taking has been consistent. Right now, our oldest gambling hall in the City, and in the County, I think, is facing all kinds of problems to get an application on file from Mr. Zarowitz for approval, and yet they have no knowledge that Mr. Zarowitz had bought stock in the Golden Nugget, and there's no way that I know of that they can compel him to do it. I just don't like the animal because we call it the public trading of stock in a gambling corporation. I have expressed myself forcefully on it over the years - I don't believe in it - I think it's a sword aimed right at Nevada gaming. We've already had the IRS in here - we've always had the Justice Department in here and now we've called in the most knit-picking of all governmental agencies, the SEC to give us more and more trouble on any kind of a publicly traded corporation. My vote is going to be 'no' because I will not vote for a publicly traded corporation holding a gambling license. In addition to that, there were, by this very outfit, as Commissioner Thornley pointed out, false applications filed with the City - false leases filed with the City - indicating one thing that they did not need to get their original license. The only way the City even found out about these documents were false, was by public news items because of a law suit pending between the lessor and the lessee under the false documents. At the present time that law suit is still pending and hasn't been determined as to whether or not there is a proper lessee under the old leases in this matter. While that law suit was going on - while we were considering as a quasi-judicial body, whether or not we should or should not revoke the license then existing, numerous businessmen in this town tried to get me to sit with representatives from Thriftimart at a time when we were conducting a quasi-judicial hearing. I

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refused. I have never discussed that case with them at any time, privately. That doesn't apply to some other members, however, of this Council. But the fact was, that license was revoked unanimously by this Board. So, both for the public trading and that this same outfit has filed with the City false, misleading and deceptive documents, I am going to vote 'no'."

Mr. Dickerson: George, this is where I appeal to your equity. In the meeting where you moved for the revocation, you told them to go forward and make their application in proper form and come back before you. You told them that this was without any prejudice on your part as to a proper application - you were not going to imply anything as to them. These are not the same people - as I tried to point out - this is an entirely different corporation. The individuals involved initially, as you pointed out, were California attorneys - the individuals involved initially are dead, and then you say these are the reasons you are not going to vote in favor of it. And yet the very last meeting that it came before you - if these men are tarred by virtue of those proceedings and by virtue of applications that were filed with this City which were false, nonetheless you granted an application to Pete Tasios, whose application is the one on file that is false - whose application on file is a false representation. Now, you had to conclude to arrive at the conclusion you did that they did wrong, that Pete Tasios did not do wrong. And I don't know how you can do that - he was used as a tool - and if it applies to them by virtue . . . if what you're saying here applies to them, then it applies to Pete Tasios, and yet there seems to be a double standard being applied. First of all, they're a corporate entity that entitles under the law and, secondly, now that they are . . . an individual who filed false applications to the City. And, George, I tell you that . . . I couldn't help but read - as I have - as you can see - devoted a tremendous amount of time in a review of these applications and these minutes - and conclude anything else but that when the Legislature talks about the discretionary power invested in licensing boards, it means that discretionary power exercised in sound discretion based upon the factors that are then presented, and the factors that were presented to you gentlemen on the last application are totally, completely different from the application that you revoked. They accepted the punishment - and they have paid one price for that punishment which was imposed. They have been denied the right during all this period since that revocation of supplementing income in an area in which you gentlemen know the mark-up in this type of business is so marginal and so slight, that the least thing can spell the difference in the effectiveness of one store over another, and the supplementary income required from these gaming revenues is essential to operation in many of these locations. And that's what they have paid since the revocation of the license. They have done what you told them to initially - they went to every agency involved - they secured the approval - they came back and at the last meeting two of you voted "no" but Dr. Coblentz did not. He was asked if he would, and he said: "No, I won't, because I'm referring back to the original meeting we had pertaining to the use of employees of a former corporation, and before the employees were asked to file an application which was apparently acceptable to the people running Thriftimart - these people no longer held their ownership of this stock - they were permitted to file an application for a gambling license with the knowledge of the Thriftimart corporation - they retained that attitude until a law suit arose in 1971, around July, and never made any attempt to

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correct this situation, and I feel that the people who were involved should not be permitted to again attempt another situation such as we had at that time. They had ten years in which to correct it, and they did not."

Mr. Dickerson: Well, Dr. Coblentz, it's not the same people. There are not other people involved - there are only three applicants here - this is a totally owned subsidiary corporation - it's a holding corporation - adopted pursuant to the laws of the State of Nevada that has passed every administrative agency to this, as far as their suitability is concerned. It doesn't involve those others. You've rectified what may have been a wrong as far as one of those others is concerned in the last meeting, in granting a license - if it was a wrong -

Dr. Coblentz: I didn't grant that license - I was out of town -

Mr. Dickerson: Alright - this Commission - I retract the statement - I don't have those minutes - but whatever was done it's been rectified as far as they are concerned, and I appeal to you, since you passed your vote, rectify it if you will, please, as to Thriftimart. They have come here with a clean slate - they have borne their load - they have put forth everything that they possibly could - required by the State of Nevada and by this agency to satisfy you as to their suitability. I respectfully request, gentlemen, that the application of Leasehills, and specifically for the finding of Thriftimart as the parent corporation, and their suitability, be acted upon by this Commission favorably at this time. I know I have taken time, and I know I should be expected to respond, and I'll be glad to respond to any specific question that any of you gentlemen may have.

Commissioner Thornley: There is one point for clarification - and I haven't read the minutes since they were approved - but I do know that at the time on this issue of Commissioner Bybee appearing here - that when he made the statement regarding beneficiary owners vs. owners of record, that we were so astounded by his answer, Commissioner Franklin asked him if, in effect - can I believe my ears that you have said this? And he repeated it - so there is no doubt he was not leaving it so an isolated case -

Mr. Dickerson: If you will read the full record, Mr. Thornley . .

Commissioner Thornley: Maybe the original answer - but then when he was asked - do you mean to tell me that our State Gaming authorities are not interested in actual and beneficiary owners?

Commissioner Franklin: I came back with that question, George, that I was shocked to hear him even make that kind of a statement -

Mr. Dickerson: There's no question - you're not only interested in whether they are the beneficial holders of interest, you're interested in who else may have an interest therein - who may have financed it - and this is what George's and my argument initially was - that when you have the old concept of the corporation where every stockholder had to be approved, that investigation was available - first of all, to go back and determine the source of funds that were made available for the purchase of that stock. If it was in the immediate future that that

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source of money was made available, and it was nothing for an investigator to go back and check further back to determine - true, this cannot be done with the publicly traded corporation because they buy across the counter, but the records are available in the State of Nevada and the policy has been determined by our Legislature that as long as we have that strict control over the operating corporation in the State of Nevada, then we depart from the policy that was enunciated in Hicks vs. the Nevada Tax Commission that we are concerned with whom may hold stock ownership. I think the policy at the present time is - we're really not concerned with who may own that stock ownership traded over the public counter - we are, however, still concerned with whether or not we do have effective control on the local level. As long as we know who is in operation - as long as we can control the alleged "skimming" - as long as we know that the procedures are being followed, that we have set up for accounting - as long as we know who, in fact, are those who call the shots as far as the operation is locally, then this is what the State of Nevada has now said. Now this is where George and I - and we have for years and, as I say, George, I'll be glad to go to the next Session with you - I don't know how you would retrench now, and I wouldn't want to go unless I had something that was remedial -

Commissioner Franklin: Like I say, it was so compelling to you, as a native like myself - it was so compelling to you, that you actually resigned, if I'm not mistaken, over this very thing -

Mr. Dickerson: No - my resignation - I want to clear that up - I don't want any inference here -

Commissioner Franklin: It was one of the reasons given when you resigned - even said - that you thought that the State of Nevada had kicked gaming control right out the window, or words to that effect - let the barriers down and we had lost control of gambling because of this form of licensing -

Mr. Dickerson: Now - to correct the record - my resignation was in. I agreed to stay on until the apointee to take my place had qualified, and it was during this interim period that this regulation came before the Commission, and I refused to adopt it.

Commissioner Franklin: But you gave other reasons then - merely the fact that you didn't want to adopt that in violation of the statutes - you gave other reasons where you expressed your . . .

Mr. Dickerson: There's no question - I said there was a complete, as far as I was concerned at that point, a complete departure from what had theretofore been the enunciated policy of the State of our interest - not only in the control of gaming, but those who were involved therein, and that it appeared to me that in the advent of the publicly traded corporation - you had to abandon that philosophy -

Commissioner Franklin: George, I just want to correct a few things here, and I don't have the slightest idea of how this vote is going today - if it goes the way it has on the previous occasions, then I think this is probably a magnificent opportunity to get to court to see just to what extent the discretion of a local City board can be controlled by specific State

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legislation - whether we are required because they have adopted a new type of gambling that we are required to accept that and vote for it whether we like it or not, and whether we do have some element of discretion on a local level - that something a person sincerely feels is not in the best interest of his City on gaming - so I don't know what the Board is going to do, but I do want to correct some things. You said they wanted to do exactly what we suggested. Well, they didn't, because our suggestion was a flat rental. Now, you point out the new regulation on the flat landlord set-up - what's the difference between a solely owned subsidiary of the parent corporation having control of the gambling, or the parent corporation being the landlord if the State can waive investigation of the parent corporation as owner of the subsidiary, they can certainly waive it as to the landlord -

Mr. Dickerson: They didn't waive it -

Commissioner Franklin: I understand they waived the 5% -

Mr. Dickerson: Only that 5% -

Commissioner Franklin: Alright - so they could still . . .

Mr. Dickerson: That situation has moved now, too, George - there's no 5% holders -

Commissioner Franklin: As I say, the original suggestion by this Council at the time of the revocation was that they go up on a flat rental. Now - let's go further than that - during those hearings and there was a lot, I grant you - I wish you'd been here from the first - there were an awful lot of statements made at that hearing and one of the statements was - we followed the suggestion of the State Gaming Control man, Mr. Ed Olson, and so we think what we're doing is legal because we're doing what Mr. Olson told us to do. We finally made them produce the letter from Mr. Olson - do you know what Mr. Olson recommended to them? That they form an independent corporation and have a flat rental. Now, that was the very first communication they had from the State of Nevada from Mr. Ed Olson - form an independent corporation and let it out on a flat rental - that's the same thing we suggested - the same thing. I want to clarify also on Pete Tasios. This Board did grant a slot machine license to Pete Tasios the other day - there is still pending litigation - everything that appeared in the City records - the application supplied by Tasios, Hahn and Conroy - everything that appeared before the City was consistent with the sworn testimony of Messrs. Tasios, Hahn and Conroy - our records reflect what they were saying under oath - our records didn't reflect what Thriftimart was saying so, as far as we were concerned, until that court case is pending everything our City records had on file verified what Pete Tasios and Hahn were saying - we are the owners - so the only discrepancy was the fact that Thriftimart said that even though this is the way the application appeared, this is not the case - we've already taken this stock away before they even applied for your City license -

Mr. Dickerson: But then to revoke, you had to conclude that what was told by Thriftimart was wrong -

Commissioner Franklin: We had to conclude, probably, on the revocation also that the people whom we had licensed were not running it - that was the main reason - because the people we had licensed, and approved, on the representation that they were the owners, were obviously now out - and were not operating -

Mr. Dickerson: And were obviously being used - and with knowledge of this, you find that . . .

Commissioner Franklin: Well, that we couldn't pre-judge - I'm just saying that the application before the City and the testimony of Hahn and Tasios were consistent with their lawsuit, whereas the testimony of Thriftimart was not. Now, you say they are separate people, George - I say to you that if Thriftimart's original statement on the revocation is true - that they were the boss - they were the boss and this other corporation was created merely for the purpose of licensing - but Thriftimart was the boss - now Thriftimart also was then Marketplay - Thriftimart is also now then Leasehills - so the very same people - a wholly owned subsidiary of Thriftimart is certainly Thriftimart, as far as I'm concerned.

Mr. Dickerson: It isn't the same people, George - you're going back ten years . . . what I'm trying to point out - what you contended at that hearing was that a foreign counsel is the one that gave them the advice - they proceeded wrong - and you weren't going to imply anything wrong in their conduct, and yet you turn around now and you do - and they have followed your advice - they've said - fine, we accept what you say - we will reorganize -

Commissioner Franklin: In all those hearings - and as I indicated in one of my statements - I would not, and did not, at any time, contact anybody connected connected with Thriftimart during the quasi-judicial function of this Board - after we had denied their license, twice, at the request of Herb McDonald I did sit down with Mr. Lafferty because I was no longer sitting in a judicial capacity - that was over with - we were sitting as legislative officers on a new license - and I sat down and talked with Mr. Lafferty and Herb McDonald and, at their request, I sat down and talked with their California counsel and Mr. Lafferty in my office - I expressed to them my concern - the same thing as I have expressed it to you, and the reasons why - they even left my office, I thought, with the understanding that they were going to go up and get an independent corporation with Roger and Bob Lafferty, and come in on that aspect. Now, for some corporate reason they don't want to do that. But I have talked with them at great length since we concluded our hearings, trying to give them my causes for alarm and causes for concern.

Mr. Dickerson: George, it does a complete 360 degree turn, any way you cut it - Thriftimart comes before you no matter how you cut it, whether it's a wholly owned subsidiary or under the concept of the lease -

Commissioner Franklin: George, when it comes to the possibility of having to exercise control - or a revocation hearing at a later time for conduct not in the best interest for the State of Nevada, and when you have an independent corporation, even though they are paying the same amount of money that confess of only three owners of that property instead of a multi-million dollar corporation being the sole owner of it, your revocation procedures are narrowed down . . .

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Mr. Dickerson: George, every corporation organized since the advent of the publicly traded corporation - every one - the only exception, as I pointed out to you, was the one that was then pending - the one that wanted to come in under the regulation, and that was the International, because they were a publicly traded corporation organized in this State . . .

Commissioner Franklin: And they are the reason - as you and I well know - because of the pressure put on by them who wanted to go into this bright new concept as advanced by Mr. Singleton is why we are probably now shouldered with this public trading of stock - because the International wanted to go that way -

Mr. Dickerson: Now, to answer the question that you raised - your own ordinance provides that the licensee and stockholders hereinunder shall conform to the rules and regulations of the Nevada State Gaming Commission, and such rules and regulations shall be applied by the City where a definition and interpretation become necessary. Now, if it applies to the stockholders, it applies to the corporation -

Commissioner Franklin: George, you are trying to advance - I don't think you are being totally successful - you are trying to advance the theory to this Board that as long as any corporation adheres solely to the laws of the State of Nevada and complies legally under the laws of the State of Nevada, that we no longer have any jurisdiction . . .

Mr. Dickerson: Absolutely not, George -

Commissioner Franklin: That we must license them as long as they follow the procedures . . .

Mr. Dickerson: Absolutely not - the investigators for the State may not determine - you mention a man allegedly involved in the Golden Nugget - the State's investigation may not have revealed that, but your own investigators picked something up of this nature - something that deals with the background - character - associations - accountability - responsibility - of any individual is certainly within your discretionary power, but where it comes to what the Legislature has said is a qualified person to apply, and you say - I will not ever grant a license to one who falls under those provisions, that's not the type of exercise of discretion that the Legislature was speaking of -

Commissioner Franklin: Alright, in going back - maybe to discussions that took place before your time - the mere fact of this type of law now did allow - and it is no longer is "allegedly" - I think the State has now verified that this gentleman is a stockholder there - but because of the nature of this law, and we might have denied them the license in the first place if we had known that he was a stockholder - I don't think under the existing law we can do a darn thing about the City - right here - could do a darn thing about the fact that he owns 4.85% interest in that, in any way -

Mr. Dickerson: I think the State can -

Commissioner Franklin: I doubt it -

Mr. Dickerson: I think your revocation rules provide for a great

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deal, George - I agree with you that they certainly don't provide the procedural requirements the State does -

Commissioner Franklin: I don't think we can do anything about that license because an unsuitable person has bought on the public stock exchange in New York City certain stock in that corporation - that we can take action to revoke their gambling license because of . . .

Mr. Dickerson: Either that or dry up the stock - dry up the dividends . . .

Mayor Gragson: Do you have any comments?

Commissioner Thornley: No - no comments - except to compliment Mr. Dickerson on his presentation - certainly his client got his money's worth - he's done a job that reflected his homework and knowledge of the subject matter - an admirable presentation.

Mr. Dickerson: I hope it will be reflected in your vote, Mr. Thornley -

Commissioner Thornley: I wish I could promise you that -

Mayor Gragson: Gentlemen, are there any questions? If not, I'm going to entertain a motion.

Commissioner Morelli: I move for approval again. I will say this - being new on the Commission last year when this first came up, for me it was a very delicate and very serious time, but in listening to the legal aspects of it, I thought there was a little subterfuge in it with Hahn, Conroy and Tasios - when you had this Marketplay, Inc., George - they issued stock certificates and then, as I understand it, they signed the stock back -

Mr. Dickerson: The record will show they did that even before their application, and this is what Dr. Coblentz pointed out time and again -

Commissioner Morelli: But since that time - that's the way I felt at that particular time and I voted accordingly with the rest of this Body. Then, when Leasehills Corporation came into it, and on the strength of the Gaming Commission - the State statutes - our local investigating committee - our licensing bureau - everything was in order and the stock of the 5% has been reverted back to the parent company, and that Stock Certificate was shown in evidence at one of our meetings, therefore that is about as far as you can go - they have resolved everything - therefore I don't see any reason why they shouldn't be in operation, so under those conditions I move for approval once again.

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

LEASEHILLS CORPORATION Lloyd Bowman, Pres.

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1808 E. Charleston Blvd. Carl Zimmer, Secy-Treas.
SLOT OPERATOR

Thriftimart	1808 E. Charleston	15 SLOTS
Thriftimart	2200 W. Bonanza	15 SLOTS
Thriftimart	4725 W. Charleston	15 SLOTS

Thriftimart, Inc. to be found suitable as parent corporation of Leasehills Corporation.

Commissioner Thornley: Before we act on the motion - just for the record - I would like to raise the question and submit that, in effect, we are not dealing with a new application as listed on the agenda. Actually, we are hearing an appeal - and a reconsideration which I feel is improperly on the agenda, and I think it was improperly before this Commission today. There is nothing new about the application and at the time it was denied there was a very excellent review. It was listed under "Gaming - New" and a new application - and it was not a new application.

Mr. Dickerson: Well, this is provided under your ordinance - there is nothing to the contrary provided - your ordinance doesn't provide how you get reapplication before you - your ordinance does not provide the period of time within which an application may be made -

Commissioner Thornley: Your client did come before us for reconsideration -

Mr. Dickerson: This is what your ordinance reads: All applications for license, or renewals thereof, shall be made by petition to the Board of Commissioners by filing the same with the Director of Licenses who shall immediately refer each such application to the Board at or before the next meeting thereof after receipt of such petition by him. The same may be acted upon by the Board at any regular or recessed regular meeting of such Board. A majority vote of the members present shall be necessary to authorize the issuance, or renewal, of any license at any such meeting." There is nothing whatsoever as to a new application being required at each meeting - nothing would be served by it - all you're doing is collecting fees. If it is a condition precedent to consideration of this by you at this time, you would want us to pay whatever fees are required for a new application, I can stipulate that we will do so. But that is not required - these matters come back purely by letter form from the Licensing Department pursuant to that provision, because it says it may be brought before a regular or recessed regular meeting.

Commissioner Thornley: My own conception of this is that to be a new application - in other words, this application as it appears here before us today - the same people involved - the same procedure - was denied. Now, this is not a new application under the concept that there is any change - there is not a change in any of the officers - there is not a change in the procedure as to the type of lease arrangement - so just for the record - I wanted to be on record as objecting to it being on the agenda today as a new application.

Mr. Dickerson: That's what I'm trying to point out - your ordinance says nothing about denial. It only says that a majority vote is required for approval, and the implication is very apparent in here - that at any regular or recessed regular meeting of the Board to be acted upon, so the presumption has

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to be there is no provision for denial. What happens on denial? So I guess that anyone - as long as we have the right to come before you - and the State has sure said it - the State has extended us into this new quarter, so we have a valid license to come before you on an application for your consideration - the only thing that is touched upon is that a majority vote be required.

Commissioner Franklin: That makes a good legal argument - we can't deny it because there's nothing in our ordinance - it raises the legal point that an application once denied is a continuing pending application -

Mr. Dickerson: It had better be in your ordinance, George, because as your ordinance now reads - until there is a vote of approval it can come back and come back at any regular or recessed regular meeting.

Commissioner Franklin: Just so we don't get held up on some legal technicality that wouldn't alter the merits on the final determination, I will move that the application heretofore denied by the Board be reconsidered by this Board. That we breach the technicalities and consider this treated as a reconsideration of their previous application, which was denied.

Commissioner Franklin moved that the following application for a new Gaming License, be reconsidered:

LEASEHILLS CORPORATION — Loyd Bowman, Pres.
1808 E. Charleston Blvd. — Carl Zimmer, Secy-Treas.
SLOT OPERATOR

Thriftimart - 1808 E. Charleston	15 SLOTS
Thriftimart - 2200 W. Bonanza	15 SLOTS
Thriftimart - 4725 W. Charleston	15 SLOTS

Thriftimart, Inc. to be found suitable as parent corporation to Leasehills Corporation.

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

Commissioner Coblentz: Now you can reconsider it under motion.

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

LEASEHILLS CORPORATION — Lloyd Bowman, Pres.
1808 E. Charleston Blvd. — Carl Zimmer, Secy-Treas.
SLOT OPERATOR

Thriftimart - 1808 E. Charleston	15 SLOTS
Thriftimart - 2200 W. Bonanza	15 SLOTS
Thriftimart - 4725 W. Charleston	15 SLOTS

Thriftimart, Inc. to be found suitable as parent corporation to Leasehills Corporation.

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Commissioner Franklin: Again, George, I know you're making your record for your court appeal - I just have such strong feelings on this one particular issue that I do want to find out - if the vote does not go in your favor - and that is the only way in which we can find out - by the court anyway - whether we are not because the State law does permit a new type of gambling license, whether that State law is a compelling factor on an elected official to vote for what he honestly feels is a dangerous method of gambling insofar as the entire State of Nevada is concerned. I don't know - that may be an arbitrary and capricious action on my part - the court may rule that to be arbitrary and capricious - my own feelings are very geniune, and I've got to vote "no".

Roll call vote:

Commissioner Franklin	No
Commissioner Morelli	Aye

Commissioner Coblentz: Just to quote you, George, and I'm not trying to be facetious about it, the spots insofar as I'm concerned are no different, and I'm going to vote "no" -

Commissioner Coblentz	No

Commissioner Thornley: Still on the basis - there may be new people involved - it is still the same company and competent stewardship was not proven in the original instance, and I would vote "no" -

Commissioner Thornley	No
Mayor Gragson	Aye

Mr. Dickerson: Thank you, gentlemen.

Mayor Gragson: I'm going to say once more - I do believe, gentlemen, this is a gross violation of our discretionary powers.

Commissioner Franklin: I disagree -

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:

LOVE'S WOODPIT BARBEQUE
620 E. Sahara Avenue
SERVICE BAR

International Industries, Inc.
Parent company of wholly owned subsidiaries; namely, Uniworld Foods, Inc. and Love's Enterprises, Inc. dba Love's Woodpit Barbeque

Uniworld Foods, Inc.
(Officers and Directors)
Al Lapin, Jr., Chairman of the Board
Richard G. Goeglein, Director
Richard J. Goeglein, President
Donald B. Bennett, Exec. Vice President
Larry I. Tate, Vice President/Secretary
Joseph R. Baiunco, Treasurer
Edward H. Resnick, Vice President/Assistant Secretary
Michael J. Weinstock, Vice President/Assistant Secretary
Robert C. Davis, Assistant Secretary
Margaret A. Botts, Assistant Secretary
Martha E. Hull, Assistant Secretary

Love's Enterprises, Inc.
(Officers and Directors)
Al Lapin, Jr., Chairman of the Board
Edward H. Resnick, Director
Richard J. Goeglein, President
Donald J. Bennett, Executive Vice President
Larry I. Tate, Vice President/Secretary
A. M. Bloom, Vice President
Jay Sanchez, Vice President
Joseph Baiunco, Treasurer
Michael Weinstock, Vice President/Assistant Secretary
Robert C. Davis, Assistant Secretary
Martha E. Hull, Assistant Secretary.

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

LIQUOR, GAMING &
RETAIL TOBACCO
Approved

CHANGE OF OWNERSHIP
(Tabled at June 7th and June 21st, 1972 meetings)

Commissioner Thornley moved that the following application for a change of ownership under existing Liquor, Gaming and Retail Tobacco Licenses, be APPROVED, and the Director of License & Revenue authorized to make the appropriate changes:

THE PUB BAR & LIQUORS
1000-B Torrey Pines Drive
GENERAL LIQUOR LICENSE

From:
Harry Zumtobel 100%
To:
Richard L. Cummins
Harry C. Thomas

8 SLOTS:

Pub Bar (business owned)	2 SLOTS
Pub Bar/Operators:	
Alstate Coin Machine	3 SLOTS
Bally Distributing	3 SLOTS

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 application for an additional game under an existing Gaming License, be APPROVED, and the Director of License & Revenue authorized to proceed:

LUCKY'S — Honest Don, Inc.
2466 Las Vegas Blvd., South
1 RAINBOW 7

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

SETTLEMENT OF UNLIQUIDATED CLAIM
Approved

INVOICE No. 00792 - EARL DENNIS AYERS

Director of License & Revenue, J. E. Dutton: Some time ago there was an accident involving one of our paint trucks - a 1960 International and the Finance Department and Department of Public Works came up with an accounts receivable billing of $2,397.00. For various reasons, and in talking with the Finance Department - the Insurance Company has offered a 50% settlement and it would be the recommendation of the Finance and License Departments that the City accept this offer of settlement.

Commissioner Franklin: I don't want to go on the basis of an "account receivable" in the ordinary sense, because I don't know that on an account receivable that we could compromise, but what I think we are really talking about is an unliquidated claim by the City that we are compromising. In other words, it's not an item in Accounts Receivable that we're cutting in half - that might be a very dangerous precedent - an unliquidated claim would be a lot better than saying it was an account receivable.

Commissioner Franklin moved that the City accept the settlement of the unliquidated claim (Earl Dennis Ayers) by the City and Staff authorized to proceed.

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

PRIVATE DETECTIVE LICENSE - NEW
Approved

Commissioner Coblentz moved that the following application for a new Private Detective License be APPROVED subject to the approvals of the Planning, Building and Fire Departments:

SUNSET DETECTIVES — Clifford R. Eaves
325 S. 3rd Street

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

SUBDIVISION PLATS - FINAL
Approved

Director of Public Works, Richard P. Sauer: It is recommended that the following Final Plats be approved. All engineering designs have been checked and accepted; bonds posted and agreements signed for these subdivisions:

Commissioner Thornley moved that the recommendation of the Department of Public Works for acceptance of Final Plats for the following subdivisions, be APPROVED, and the Deparment of Public Works authorized to proceed:

AUDREY ESTATES No. 1, UNIT I
(E. A. Becker & Sons - Ernest A. Becker, Jr.)

CHARLESTON HEIGHTS No. 29-5 - PLANNED UNIT DEVELOPMENT
(Becker & Sons - Ernest A. Becker, Jr.)

CHARLESTON HEIGHTS No. 50-E-2 - PLANNED UNIT DEVELOPMENT
(Westchester Builders - Robert J. Chapman

CHARLESTON HEIGHTS 50-E-3 - PLANNED UNIT DEVELOPMENT
(Westchester Builders - Robert J. Chapman)

Motion carried by the following vote: Commissioners Franklin, Morelli, Thornley and Mayor Gragson voting aye; noes, none. Commissioner Coblentz temporarily absent and did not vote

SUBDIVISION PLATS - FINAL
Approved subject to condition

Mr. Sauer: It is recommended that the following Final Plats be approved subject to the posting of bond. All engineering designs have been checked and accepted and agreements signed for these subdivisions.

Commissioner Thornley moved that the recommendation of the Department of Public Works for acceptance of Final Plats for the following subdivisions be APPROVED, subject to posting of bond:

SUNDOWN - UNIT 1 - PLANNED UNIT DEVELOPMENT
(Laketree, a Partnership - Wes Bailey)

WILDWOOD, UNIT No. 1
(M. L. Enterprises, Inc. - David Compton, V.P.)

WILDWOOD UNIT No. 1-A
(M. L. Enterprises, Inc. - David Compton, V. P.)

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

Commissioner Coblentz absent and did not vote.

RELEASE OF SUBDIVISION BONDS Approved

Mr. Sauer: All offsite improvements on the following subdivisions have been completed in accordance with agreements and City standards. All work has been inspected by the Public Works, Fire, Electrical and Sanitation Departments. It is recommended that the improvements be accepted .

Commissioner Thornley moved that the recommendation of the Department of Public Works that all offsite improvements on the following subdivisions be accepted, and bonds released for the installation thereof, be APPROVED, and Staff authorized to proceed:

CHARLESTON-RAINBOW UNIT No. 6-E
(Sproul Homes, Inc. - R. B. Cline)

CHARLESTON-RAINBOW UNIT No. 7-C
(Sproul Homes, Inc. - R. B. Cline)

EAST PARK INDUSTRIAL SUBDIVISION - UNIT No. 2
(General Investments, Inc. - Rulon A. Earl)

Motion carried by the following vote: Commissioners Franklin, Morelli, Thornley and Mayor Gragson voting aye; noes, none. Commissioner Coblentz did not vote

RELEASE OF CONSTRUCTION CONTRACTS Approved

The following contractors are requesting release of retention and bond following the expiration of the 35-day lien period. All work has been completed in accordance with contract plans and specifications. Subject to no liens filed in the 35-day period, 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 under the following construction contracts be APPROVED, and Staff authorized to proceed:

Contractor:	ACME ELECTRIC
Bid No.	70.9
For:	OWENS AVENUE - MAIN TO 25TH STREET BID GROUP II - TRAFFIC SIGNALS
Notice of Completion:	May 30, 1972
Release Date:	July 4, 1972

Contractor:	RICO PAVING & GRADING CO.
Bid No.	71.100
For:	SPECIAL IMPROVEMENT DISTRICT No. 495 - BID GROUP I - UNIT I - ALTERNATE I BID GROUP I -UNIT II - ALTERNATES 2 AND 3 BID GROUP I - UNIT III BID GROUP I - UNIT IV - ALTERNATE II BID GROUP I - UNIT V - ALTERNATE I
Notice of Completion:	June 8, 1972
Release Date:	July 13, 1972

Contractor:	ACME ELECTRIC
Bid No.	71.100
For:	SPECIAL IMPROVEMENT DISTRICT No. 495
	BID GROUP II - UNIT III
	BID GROUP II - UNIT V
Notice of Completion:	June 7, 1972
Release Date:	July 12, 1972

Contractor:	FENCING, INC.
Bid No.	72.12
For:	SECURITY FENCING FOR FIRE STATION No. 7
Notice of Completion:	June 7, 1972
Release Date:	July 12, 1972

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

CONTRACT CHANGE ORDER Approved

BID No. 70.9 - STREET IMPROVEMENTS - OWENS AVENUE - MAIN STREET TO 25TH STREET

Mr. Sauer: The contractor, Nevada Rock & Sand, has submitted a proposal in the amount of $1,248.28 for performance of additional driveway construction, to be reimbursed by North Las Vegas. Recommend approval of this Change Order in the amount of $1,248.28.

Commissioner Thornley moved that the recommendation of the Department of Public Works for a Contract Change Order in the amount of $1,248.28, under Bid No. 70.9, be APPROVED, and Staff authorized to proceed.

Motion carried by the following vote: Commissioners Franklin, Morelli, Thornley and Mayor Gragson voting aye; noes, none. Commissioner Coblentz did not vote.

CONTRACT CHANGE ORDER Approved

BID No. 71.6 - CITY HALL COMPLEX - FIELD CHANGE ORDER No. 57

Mr. Sauer: The contractor, Del Webb Corp., has submitted a modification for lighting fixture installation in spaces L-03 and L-58 of the Police Building. This involves no change in contract cost or time, and has been approved by the Steering Committee:

Commissioner Morelli moved that the recommendation of the Department of Public Works for issuance of Field Change Order No. 57 under Bid No. 71.6, be APPROVED, and Staff 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.

CONTRACT
CHANGE ORDER
Approved subject
to Condition

BID No. 71.6 - CITY HALL COMPLEX - FIELD CHANGE ORDER
No. 58

Mr. Sauer: This is to provide polyurethane closures at each floor at curtain wall of Tower to prevent loss of air conditioning. This item is the result of an oversight in the preparation of the plans by the Architect. This must be put in. However, the liability should be determined at a later date as to whether the Architect must pay for the oversight. The Architect is here to justify the need for the City to pick up the tab on this item.

Commissioner Franklin: Do we have a figure on this?

Mr. Sauer: Yes - the figure is $1,935.00 -

Commissioner Franklin: I would move that we approve the Change Order without waiving in any way any claim the City might have.

Commissioner Franklin moved that the recommendation of the Department of Public Works for issuance of Field Change Order No. 58 in the amount of $1,935.00 under Bid No. 71.6, be APPROVED, subject to a determination by the City Attorney whether the City or the Architect shall bear the cost of this oversight in preparation of the original City Hall plans.

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

CONTRACT
CHANGE ORDER
Approved

BID No. 71.6 - CITY HALL COMPLEX - FIELD CHANGE ORDER
No. 59

Mr. Sauer: This pertains to the security elevator for the Police Department in the amount of $3,556.00. This was not included in the original plans - there have been numerous discussions between the Police Department and the Architect but it could not be ascertained that it was included in the original plans. However, the Police Department has stated that they must have a security elevator in which to move prisoners between detention area, court, etc., and they are represented here to justify their position.

Commissioner Franklin: Basically what it amounts to - it is not in the plans - it's not in the specifications - therefore if the Police Department can justify it - that they need this type of security elevator - we're going to have to pay it.

Commissioner Morelli moved that the recommendation of the Department of Public Works for issuance of Field Change Order No. 59 in the amount of $3,556.00 under Bid No. 71.6, 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.

CONTRACT CHANGE ORDER Approved

BID No. 71.6 - CITY HALL COMPLEX - FIELD CHANGE ORDER No. 60

Mr. Sauer: This is for the installation of the gas tank and pump for the Police Department. The difference is $495.00. We had to hold up the plans to allow the City Manager to determine whether we were going to install this in the Tower building or not. The delay resulted in an additional cost in lay-out, regrading and compaction of material. The contractor is now asking $495.00 to complete the installation.

Commissioner Coblentz moved that the recommendation of the Department of Public Works for issuance of Field Change Order No. 60 in the amount of $495.00, under Bid No. 71.6, 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.

CONTRACT CHANGE ORDER Approved

BID No. 71.6 - CITY HALL COMPLEX - FIELD CHANGE ORDER No. 61

Mr. Sauer: The consulting interior decorators and Staff have approved the interchange of the travertine from the municipal court rooms to the center of the wall directly behind the Commissioners' podium and we would recommend that this change be made. There will be a cost involved of $427.00.

Commissioner Coblentz moved that the recommendation of the Department of Public Works for issuance of Field Change Order No. 61 in the amount of $427.00, under Bid No. 71.6, be APPROVED, and Staff authorized to proceed.

Commissioner Franklin: I would like to point out one thing because there has been so much talk about it - Change Orders in the construction - our Change Orders to date on the new City Hall amount to approximately 1/2 of 1% of the total contract.

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

RIGHT-OF-WAY ITEMS Approved

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

GRANT DEED

From: Kent E. and Lloyd Prestwich
To: CITY OF LAS VEGAS
For: Portion of NE 1/4, Sec. 8, T21S, R61E
RANCHO ROAD AND SOUTH HALF OF KINGS WAY

RIGHT-OF-WAY GRANT

From:	CITY OF LAS VEGAS
To:	Nevada Power Company
For:	Portion of NE 1/4, Sec. 34, T20S, R61E UNDERGROUND POWER EASEMENT FOR NEW CITY HALL

CORPORATION GRANT DEED

From:	Huntridge Theatres, Inc.
To:	CITY OF LAS VEGAS
For:	Portion of Government Lot 1, NE 1/4, Sec. 3, T21S, R61E E. CHARLESTON BLVD.

GRANT DEED

From:	Tom S. and Wilma A. Panos
To:	CITY OF LAS VEGAS
For:	Portion of SE 1/4, Sec. 35, T20S, R61E E. CHARLESTON BLVD.

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

DEMOLITION OF SEWERAGE TREATMENT PLANT STRUCTURES
Approved

DEMOLITION OF SEWERAGE TREATMENT PLANT STRUCTURES - MANNING AND HARRIS AVE.

Mr. Sauer: Shown on the layout to the right (wall map) is a series of deep concrete structures that are a safety hazard for children in the area - these have to be removed - take the debris and dump it in there - some street sweepings we will also dump in there - put some top soil over the top - and it can be used as an arboretum. However, there will be a cost involved of about $11,800.00 to do this.

Commissioner Franklin moved that the Department of Public Works be authorized to take whatever steps are necessary to correct the attractive nuisance hazard existing at the site of the old Sewage Plant at an approximate cost of $11,800.00.

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

SPECIAL IMPROVEMENT DISTRICT No. 406
Approved

S.I.D. No. 406 - OWENS AVENUE - STOCKER TO MAIN STREET

Mr. Sauer: This is a request for certification to the City of North Las Vegas for reimbursement of $14,555.92 to cover contract bid costs for improvements adjacent to property being assessed under Las Vegas, Nevada Special Improvement District No. 406. This is administered by the City of North Las Vegas and therefore we must reimburse them on this Improvement District from Main to Stocker and then it will be collected from the property owners by the City of Las Vegas. We would recommend that this be approved.

Commissioner Thornley moved that the recommendation of the Department of Public Works that certification to the City of North Las Vegas for reimbursement of $14,555.92 to cover contract bid costs for improvements adjacent to property being assessed under Las Vegas, Nevada Special Improvement District No. 406, 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.

CONNECTION TO CITY SEWER LINE Approved

REQUEST OF HARVEY F. NIELSEN, 1452 SHADOW MOUNTAIN PLACE TO CONNECT TO THE CITY SEWER LINE

Mr. Sauer: This is the same procedure as others connecting on Shadow Mountain Place and we would recommend approval subject to the usual conditions of signing an annexation petition and payment of fees.

Commissioner Coblentz moved that the recommendation of the Department of Public Works to permit Harvey F. Nielsen to connect to the City sewer system, be APPROVED, subject to the usual conditions.

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

WITHIN GRADE SALARY INCREASES Approved

Commissioner Morelli moved that the following within grade salary increases, be APPROVED, and the Director of Finance authorized to proceed:

NAME	DEPARTMENT-CLASSIFICATION	RANGE	NEW STEP	FROM	TO
	ONE YEAR SINCE LAST INCREASE - CIVIL SERVICE RULE 450.1				
Armstrong, Milton C.	Municipal Court - Bailiff	51	5	378.77	390.77
Carter, Maxene	Municipal Court - Inter. Clk	21	4	250.31	261.31
McInnis, Lavern G.	Lic. & Rev. - Parking Enf. Off.	25	2	272.31	284.31
Tupper, Wilfred W.	Lic. & Rev. - Parking Enf. Off.	25	4	297.31	310.31
Willstead, Ted B.	Finance - Financial Asst.	28	5	354.31	370.31
Lucas, Dolores T.	Finance - Keypunch Opr.	22	4	261.31	272.31
Parker, Jeannette	Finance - Keypunch Opr.	22	4	261.31	272.31
Wilson, Gloria	Print Shop - Repro. Equip. Opr.	22	3	250.31	261.31
Biggs, Thomas W., Sr.	Police - Lieutenant	59	6	527.77	548.77
Gastineau, Jimmy D.	Police - Sergeant	57	4	453.77	470.77
Boyce, Kenneth M.	Police - Patrolman	52	2	353.77	368.77
Butler, Raymond H.	Police - Patrolman	52	2	353.77	368.77
Childers, Russell L.	Police - Patrolman	52	6	405.77	420.77
Clifford, Kent	Police - Patrolman	52	3	365.77	378.77
Davis, Dale D.	Police - Patrolman	52	6	405.77	420.77
Ferguson, William T.	Police - Patrolman	52	3	365.77	378.77
Gates, Bruce R.	Police - Patrolman	52	6	405.77	420.77
Glines, Leon K.	Police - Patrolman	52	6	405.77	420.77
Hallam, James E.	Police - Patrolman	52	6	405.77	420.77
Hardin, Jack C., II	Police - Patrolman	52	3	365.77	378.77
Inskeep, Thomas A.	Police - Patrolman	52	3	365.77	378.77
Kinney, Delous A.	Police - Patrolman	52	3	365.77	378.77
Lamb, Truman C.	Police - Patrolman	52	6	405.77	420.77
Lanasa, Gary A.	Police - Patrolman	52	2	353.77	365.77

Link, Melvin L.	Police - Patrolman	52	6	405.77	420.77
McKee, James R.	Police - Patrolman	52	6	405.77	420.77
Mollee', David J.	Police - Patrolman	52	6	405.77	420.77
Nicholson, John E.	Police - Patrolman	52	3	365.77	378.77
Pearson, Elmer C.	Police - Patrolman	52	3	365.77	378.77
Schultz, John M.	Police - Patrolman	52	2	353.77	365.77
Sears, Jerry L.	Police - Patrolman	52	6	405.77	420.77
Servoss, Richard G.	Police - Patrolman	52	6	405.77	420.77
Stevens, Loren E.	Police - Patrolman	52	6	405.77	420.77
Thomas, James P.	Police - Patrolman	52	3	365.77	378.77
Travers, Richard J.	Police - Patrolman	52	2	353.77	365.77
Walker, Curtis L.	Police - Patrolman	52	6	405.77	420.77
Brown, Jeanette	Police - Dispatcher	27	4	324.31	339.31
Haag, Barbara	Police - Dispatcher	27	3	310.31	324.31
Bender, Phyllis	Police - Int. Steno/Clerk (Swg)	22	4	272.31	284.31
Kay, Phyllis	Police - Int. Steno/Clerk	22	4	261.31	272.31
Trettin, Linda J.	Police - Int. Steno/Clerk	22	2	240.31	250.31
Barker, Gerri G.	Police - Int. Typist/Clerk	21	2	230.31	240.31
Harris, Bettie V.	Police - Int. Typist/Clerk (Gry)	21	4	261.31	272.31
January, Rosa	Police - Int. Typist/Clerk	21	5	261.31	272.31
Olsen, Louise	Police - Int. Typist/Clerk	21	4	250.31	261.31
Wilmot, Claudia L.	Police - Int. Typist/Clerk (Swg)	21	4	261.31	272.31
Penna, William J.	Police - Patrolman	52	3	365.77	378.77
Smaka, Francis A.	Police - Patrolman	52	3	365.77	378.77
Bryner, Clair M.	Fire - Fireman	52	4	378.77	390.77
Byrne, David J.	Fire - Fireman	52	4	378.77	390.77
Dickinson, Kenneth W.	Fire - Fireman	52	4	378.77	390.77
Evans, Kirk C.	Fire - Fireman	52	4	378.77	390.77
Grabo, Gerald T.	Fire - Fireman	52	4	378.77	390.77
Hasler, Damon C.	Fire - Fireman	52	5	390.77	405.77
McCully, Donald E.	Fire - Fireman	52	4	378.77	390.77
Miller, Gordon D.	Fire - Fireman	52	5	390.77	405.77
Glackin, Ted	P/W - Traffic Maintenanceman	24	4	284.31	297.31
Burgess, Joseph	P/W -Sanitation Plant Opr.	27	5	339.31	354.31
Gingras, Charles L.	P/W - Sanitation Plant Opr.	27	4	324.31	339.31
Holden, Arthur R.	P/W - Sanitation Plant Opr.	27	5	339.31	354.31
Mertz, James M.	P/W - Sanitation Plant Opr.	27	4	324.31	339.31
Peters, Eugene J.	P/W - Sanitation Plant Opr.	27	4	324.31	339.31
Jones, Rodney G.	P/W - Chief of Party	32	4	405.31	424.31
Sanborn, Jack R.	P/W - Constr. Inspector	32	4	405.31	424.31
Dillard, David H.	P/W - Rodman/Chainman	25	5	310.31	324.31
Peplinski, Leslie C.	P/W - Rodman/Chainman	25	2	272.31	284.31
Van Benthem, Henry	Off-Street Parking - Attendant	21	4	250.31	261.31
Tates, Arthur L.	Animal Shelter - Kennelman	22	2	240.31	250.31
Butta, Sharon L.	Library - Int. Steno/Clerk	22	4	261.31	272.31
Ackerman, Sandra K.	Library - Int. Clerk	21	4	250.31	261.31
Vernon, Frederick	Parks - Sr. Maintenanceman	26	3	297.31	310.31
Altenberger, Charles	Parks - Maintenanceman	24	3	272.31	284.31
Emmersen, Dale L.	Parks - Laborer	22	2	240.31	250.31
Wilson, Jerry L.	Parks - Laborer	22	3	250.31	261.31
Mathis, Deborah C.	Recreation - Leader	26	2	284.31	297.31
Curry, Kenneth B.	P/W - Principal Draftsman	32	4	405.31	424.31

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

Williams, Richard	Bldg. & Safety - Inspector	32	2	370.31	387.31
Denison, Donald	Police - Lieutenant	59	5	508.77	527.77
Stubbs, Edgar	Bldg. & Safety - Sr. Inspector	34	5	464.31	485.31
Logan, Frank S.	Garage - Foreman	31	5	405.31	424.31
Kenneston, Robert	P/W - Sr. Eng. Asst.	30	2	339.31	354.31
Brakebill, Jimmie	P/W -Truck Driver - Heavy Duty	25	4	297.31	310.31
Varden, Thomas	P/W - Light Equip. Opr.	26	4	310.31	324.31

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

Mulder, Hans	P/W - Draftsman	25	3	284.31	297.31
Morris, Hubert	Fire - Fireman	52	4	378.77	390.77
Powers, Rex	Parks - Laborer	22	2	240.31	250.31
Parissenti, Reno	P/W - Traffic Maintenanceman	24	5	297.31	310.31
Gill, Richard	Police - Principal Clerk	24	4	284.31	297.31
Baggett, Richard	Police - Sergeant	57	5	470.77	489.77

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

(At the hour of 2:25 p.m., Mayor Gragson declared a 5-minute recess)

(Meeting reconvened at the hour of 2:35 p.m. with all members of the Board in attendance)

REQUEST PERMISSION TO PURCHASE ADDITIONAL VEHICLES
Stricken

Assistant City Manager, William E. Adams: Before you now is the request for some additional vehicles for the City Commission and some opinions you have in your folders.

Commissioner Franklin: I think the newspapers and the television stations have already voted on this matter and you have reached a consensus of opinion on the whole matter - I have never seen more sloppy reporting on the way it has been handled by the Press and by the Television Stations - we had one television editorial saying that the Commissioners are drawing 12¢ a mile, and have been drawing 12¢ a mile - which we all know is false. I saw another editorial this morning where I requested an opinion from the City Attorney - and I didn't - and it all boils down to the City of Las Vegas being the largest single property owner in the entire City - it has more capital improvements than any business in the City of Las Vegas - it has more employees than any business in the City of Las Vegas - it is the biggest business in our town - 1,500 employees. I think the City is getting darn good leadership - I think our year end closing balance last year would reflect that. However, just the mere thought of raising so much hell over the Commissioners doing their duties and having some of their expenses defrayed for doing that, rather than sit here and take so much hell, I'm going to recommend we operate under a Resolution that was passed before we were even members of this Board, and at a rate set by the State Legislature , so we can't be accused of that - the State law sets the rate - and although it might cost more money - that we operate under existing Resolutions at rates set by State statutes. It is a sore subject with me -

Commissioner Coblentz: I've never collected a cent for all the mileage I've put in.

Commissioner Franklin: Things that do annoy me about it, for instance - and I know the whole Council feels the same way I do about it - I am sure that very shortly that the Mayor and the rest of us will be coming in for an increase in salaries for a succeeding Board (so we can't be critized for raising our own) but we will be coming in with an ordinance to increase the salaries after a succeeding election (I don't know which year). To illustrate a point: The Commissioners right now get $6,000 a year. An ordinance was passed some three months ago, an ordinance that, by its passage, provided from a $40,000 deficit in our Municipal Court fines to now (in three months time) a $21,000 over our estimate so, obviously, the City picks up $60,000 in just that one ordinance by its responsible leadership and that, gentlemen, in three months' time represents my salary for ten years.

Commissioner Franklin moved that the Board of City Commissioners continue to operate under the existing Resolution which provides for reimbursement of 12¢ per mile for privately owned vehicles used on City business.

Mayor Gragson: In other words, you are moving that this item be stricken from the agenda.

Roll call vote:

Commissioner Franklin Aye

Commissioner Morelli: I would like to make a couple of remarks about a certain television station that I happen to work for. I'm in that building every day, but they never asked me anything. When I see an editorial come out and they say it was introduced by Commissioner Franklin and the other Commissioners agree, and no one has asked me my opinion, whether I disagree or agree - when I see that editorial and see flaws in it and know they haven't checked on it, it gets me very upset. And then when you go to the manager and they tell you they are going to give you equal time next week - the damage has already been done. I find this is irresponsible journalism. It's unethical, and especially when you have a Commissioner right in the building. I don't know what the purpose of it was, but it antagonized me. As a matter of fact, we had discussed this on the plane to New Orleans - the Mayor and myself - and I'm not in full accordance with having a City car. I use my own car and it takes a lot of miles, but the injustice of the editorial was the thing that we get paid 12¢ a mile. A lot of people think we get that every time we get into our cars, which is not true.

Commissioner Morelli Aye

Commissioner Franklin: Because of what Commissioner Morelli has said, I have yet - in one year - to see one of the editorial writers for either paper, or television, attend a meeting of this Commission, and yet they know what's going on.

Commissioner Coblentz No

Commissioner Thornley: I would be inclined, for the sake of pouring oil on the waters - I haven't felt very strongly either way about this - I do know that some of the very establishments that are criticizing even our considering it . . . but I don't like to have policy dictated by people, as Commissioner Franklin pointed out, who very seldom, if ever, even attend a meeting and people who, by their own policy have found that it is more equitable to provide cars for employees of television stations than to pay the mileage. I really am at a loss to explain all the furor. If it's for the sake of editorials, I can think of a number of things current now that could really draw some editorial scrutiny and comment - and this too, on the basis of its merits - but when untruths are interjected to support the arguments, this is unfair. Mainly for that reason, because if it's right, it's right, regardless of what editorials might say - I would vote "no".

Commissioner Thornley	No

Mayor Gragson: I will tell you - the compensation is very inadequate. We all know it. I think mine, even, is inadequate, to be honest with you. I am going to vote yes on this and then we are going to get together and propose salary increases to where it will not affect any officeholder in now - only after our successors come in so they will have a more adequate compensation for the official responsibilities they have to perform.

Mayor Gragson	Aye

Commissioner Franklin: Mayor, I do want to say strongly - state what I have heard about your car - because I believe this - we are either the most pre-eminent town in the world, or we're not. I happen to think we are. Wherever you go, you know we are the most famous City in the world, and any time the Chief Executive Officer of this City is not provided with an adequate car . . . I know that within a period of about ten days you had to go out and greet the Lord Mayor of London and the Mayor of Paris. Now this is a very great presence. I'm assuming, Your Honor, there may be once a day that you are meeting dignitaries coming to this City who want to be met (you don't go out at your request) - they want to be met by the Mayor of the most pre-eminent town in this world and, damn it, to provide a Cadillac for the Mayor of this City with all the social duties that maintain our image, to me, would be simply ridiculous not to have a very adequate automobile. You can't drive out in a Volkswagon and pick up the Lord Mayor of London.

HOUSING AUTHORITY

RESOLUTION AUTHORIZING THE HOUSING AUTHORITY OF THE CITY OF LAS VEGAS, NEVADA, TO ENTER INTO THE FEDERAL GOVERNMENT'S SECTION 23 LEASING PROGRAM IN THE CITY OF LAS VEGAS, NEVADA

Mr. Adams: Mr. Sartini of the Housing Authority is here to explain this Resolution in case you have any questions.

Commissioner Franklin: Is this a Program that you really want for here?

Mr. Sartini: Yes we do -

Commissioner Franklin: You don't see more headaches?

Mr. Sartini: No, we really don't see more headaches - it's one we are going to have to get into if we are going to build any more housing because the Legislation, as passed, requires that at least 30% of all future housing be leased out - so it is something that we are really going to have to get into.

Commissioner Coblentz moved that the following Resolution be ADOPTED, and the Mayor and Clerk authorized to sign:

"RESOLUTION AUTHORIZING THE HOUSING AUTHORITY OF THE CITY OF LAS VEGAS, NEVADA, TO ENTER INTO THE FEDERAL GOVERNMENT'S SECTION 23 LEASING PROGRAM IN CITY OF LAS VEGAS, NEVADA

"WHEREAS, the Department of Housing and Urban Development, an agency of the Federal Fovernment, has Congressional approval and Section 23 of the United States Housing Act of 1937, as amended by the Housing and Urban Development Act of 1965, establishes said agency and defines its powers, to subsidize housing for persons of low income, through cooperative programs, administered by Local Housing Authorities; and

"WHEREAS, the Housing Authority of the City of Las Vegas, Nevada, has been established by the City of Las Vegas, Nevada pursuant to applicable statutes of the State of Nevada and desires authority from the Board of Commissioners of Las Vegas, Nevada, to enter into a Section 23 Leased Housing Program in cooperation with the Department of Housing and Urban Development; and

"WHEREAS, it appears such program will result in the use of surplus housing in the City of Las Vegas, Nevada by families of low income who otherwise would not be able to occupy suitable housing, and that citizens of Las Vegas, Nevada and the general economy would thus be benefited and enhanced.

"NOW, THEREFORE, the Housing Authority of the City of Las Vegas, Nevada, is hereby authorized to cooperate with the Department of Housing and Urban Development in the leasing of private housing for rental to persons and families of low income, pursuant to the Section 23 Leased Housing Program, and to do any and all things, and to execute leases, agreements and documents as may be necessary or desirable to initiate and augment such programs in Las Vegas, Nevada.

"PASSED, ADOPTED and APPROVED by the Board of City Commissioners of Las Vegas, Nevada, this 5th day of July, 1972."

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

JOINT POWERS AGREEMENT
Abeyance

JOINT POWERS AGREEMENT BETWEEN CITY OF LAS VEGAS AND CLARK COUNTY (LAS VEGAS POLICE DEPARTMENT AND CLARK COUNTY SHERIFF'S DEPARTMENT

Mr. Adams: On the next item you have two documents in your folders on this - one a Resolution and one a Joint Powers Agreement. By looking at the Resolution you will see that this is stemming from the consolidation committee of the Police Department of the City of Las Vegas and the Sheriff's Office of Clark County from a study that has been going on since January, with all of us in attendance and we have arrived at one conclusion here which we feel is necessary to bring forth. We, by members of the committee, approved the Resolution unanimously to bring it forward, so we have brought forward then this recommendation for a Joint Powers Agreement between the City of Las Vegas and the Clark County Sheriff's Office to consolidate the communications within our new building. There are some monies involved. We are attempting to get, and it appears that we will be able to get a grant from the State to take care of the funds that are involved - some $50,000 -

Commissioner Coblentz: This is only to consolidate communications - not the departments?

Mr. Adams: This deals with communications only, so that we will have all communications within the new City Hall building. It is a step, I think, that the committee was very proud in being able to bring to you. I do have Chief Elliott here who is also on the committee, and involved, if you would like to have some questions and answers from him.

Mayor Gragson: This consists mostly of what was begun earlier, isn't it? Give us a resume -

Chief Elliott, Las Vegas Police Department: As you are aware, this Committee, appointed by yourselves and the Sheriff's Department to talk about consolidation problems and the possibility of joining the two agencies in this sense and supporting services, initially, with the end result - as we see it - the creation of a new agency. But this Resolution is talking about communications initially so that we can plan the one move of the two communications facilities into the one facility, namely, our Communications Center in the new City Hall complex. The wording there - other supportive services - in the Resolution, and by that we're talking about criminalistic functions, ID functions, Records functions and detention functions - we are looking at those other supportive functions. However with emphasis primarily on the communications aspect immediately, so that we can make just one move.

Mayor Gragson: And won't this eventually tie into the overall State-wide communications system?

Chief Elliott: Probably in the long run, yes sir - certainly our criminal justice system would be with the computer index we are presently involved in with records, we feel is a cornerstone for the State criminal justice system and that, again, is a supportive role to the communications system.

Commissioner Franklin: There is an item in there that is just a little too vague to suit me - we have no tie-down on money - we don't have any split between the County and the City as to whether it will be equal - it just kind of a general thing - it's an agreement that binds us, but not as to specific terms, and that worries me a little bit.

Commissioner Coblentz: The financial arrangements should be spelled out -

Commissioner Franklin: Is it going to be a 50/50 split with the County and the City - or based on a population expenditure - because we've got language in there that says we agree -

Commissioner Coblentz: We agree to the concept, but before we agree to the amounts involved we should have spelled out.

Commissioner Franklin: We don't know whether we're going to get the funds out of LEAA and what the amount of our funds are and if we have to provide matching funds, on what basis - what proportion between the City and the County - this is what worries me.

Commissioner Coblentz: The City Manager should work that out -

Mr. Adams: There is one other thing that we need to do, and that is the actual mechanism of accomplishing this would still have to be studied out - to move the units from the Sheriff's Office to our Station and how this would be done. We would probably need to establish two people from our Department and two people from theirs to work out the actual mechanics of it - then I could go through and come up with a complete answer on this point.

Commissioner Coblentz: I would suggest that this would be the better way - before we become involved too deeply -

Commissioner Franklin: I'm sure that whatever the cost is, it will eventually save us both substantial monies, so I'm not questioning the overall effect - I think it will be a great move and anything we can consolidate functions of any kind, governmentally, we are bound to benefit by it.

Mr. Adams: I will bring this back to you then -

Commissioner Coblentz moved that the Joint Powers Agreement between the City of Las Vegas and Clark County (Las Vegas Police Department and Clark County Sheriff's Department) be held in ABEYANCE.

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

MINIBOARDS OF LAS VEGAS
Request denied

PERMISSION TO INSTALL LITTER BOXES ON CITY LIGHT POLES, ETC.

(Communication of June 2, 1972 - Abeyance: 6/21/72)

Commissioner Franklin: The trial boxes have been installed - does anyone have a report on how successful they've been?

Commissioner Coblentz: They've been up only two weeks - I don't know if we could have much of a report on that -

Commissioner Thornley: On the ones we allowed to be put up - I don't know -

Mr. Sauer: You have all received a copy of our recommendation.

Commissioner Thornley: I don't know if we are attempting, in one sense, to cope with solid waste litter and then contribute to the aesthetic pollution - that bothers me. Also I don't like to completely ignore the recommendation of our Beautification Committee that has been very active and conscientious in their efforts - I'm not really sold on it myself.

Mayor Gragson: If you want to know it - I'm not either.

Commissioner Thornley moved that the request of MINIBOARDS of Las Vegas for permission to install litter boxes on City light poles, etc., be DENIED, and the Clerk to so notify applicant.

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

PIGEONS IN R-1 ZONES
Denied

REQUEST OF VEGAS HOMING CLUB FOR AN ORDINANCE CHANGE TO PERMIT THE HOUSING, FLYING AND RACING OF PIGEONS

(Abeyance from 6/21/72)

Mr. Adams: You have a memo from the Director of Planning on this matter. (Recommending denial of the request)

Commissioner Franklin moved that the recommendation of Planning Staff relating to the housing, flying and racing of pigeons in R-1 Zones, be APPROVED, and the Clerk authorized to notify the applicant.

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

CITY-OWNED LAND
Stricken

REQUEST FROM MANAGEMENT SERVICES CO FOR APPROXIMATELY FIVE (5) ACRES OF CITY-OWNED LAND TO BE USED AS SITE FOR A NATURAL MUSEUM

Mr. Saylor: I have sent you a memorandum on this matter -

Mayor Gragson: I would recommend that we remove this request from our agenda.

Commissioner Coblentz moved that the request of Management Services Co. to acquire approximately five (5) acres of City-owned land to be used as the site for a Natural History Museum, be STRICKEN from the agenda.

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

SOLID WASTE
MANAGEMENT
REVIEW BOARD
Members
Appointed

Mr. Adams: The next items relates to the following communication:

"CLARK COUNTY REGIONAL PLANNING COUNCIL

"June 22, 1972

"Commissioner George E. Franklin

"SUBJECT: Membership of the Solid Waste Management Review Board

"As you know, the District Board of Health has asked for the appointment by each of the political entities of a Management Review Board to monitor the conduct of the proposed Clark County Solid Waste Pollution Study to be financed for the most part by Federal funds. As I understand it, each entity is to appoint one Board member, and these appointed Board members will, in turn, appoint two representatives to insure the best interests of the public.

"In order that the District Board of Health may proceed with the project, I am asking that each elected representative on the Regional Planning Council check to assure himself that this item is on the agenda of his entity.

"Although it is not essential, I do believe that it would be much more efficient if the appointees to the Management Review Board for Solid Waste were the same as the members of the Regional Planning Council. My reason for this is that the Council is concerned with areawide planning, exists as a regional body; has a Technical Committee with representation from each entity and a Solid Waste Pollution Control Committee that has been involved in Solid Waste matters for the last eighteen months.

"Creating a new Management Board, I believe, could create a duplication of effort and yet another "concerned body".

"This Board's responsibilities would be as follows:

1. Establish time span for study period.
2. Establish conditions and terms for Request for Proposals.
3. Review of proposals, determination of acceptable qualifications.
4. Make recommendations for contract award.
5. Review of conduct of Federally funded study.
6. Concurrence with recommendations made by contractor.
7. Review of recommendations contained in contractor study and recommendations by the Board for adoption of Solid Waste Pollution Control Program for Clark County.

"As the announcement of the Federal Grant will probably occur in the immediate future, our Clark County Solid Waste Pollution Control Committee has recommended the appointment of Board members as soon as possible."

/s/ Ronald Thompson
Executive Director

Mr. Adams: This also relates to the following letter received from the Health Department involving the Management Review Board as set up through the Clark County Health Board for proposed Federal funds that would be for studying the matter of solid waste:

"DISTRICT HEALTH DEPARTMENT

"June 20, 1972

"Mr. Art Trelease, City Manager

"In our most recent communication with the Federal Environmental Protection Agency Region IX representatives regarding the status of the District's application for a regional solid waste management planning grant for Clark County, we were advised to proceed with the initial task of selecting a consultant to develop the Master Plan. The selection of a consultant is to be the responsibility of the Management Review Committee which will comprise of members representing the participating entities and two members at large selected by a majority of these members.

"Please submit the name of the person appointed to represent Las Vegas on the Management Review Committee so that we may proceed with plans for setting up an organizational meeting of the Committee prior to the July 1, 1972 starting date of the Project."

/s/ James Wren-Jarvis, P.E.
Director of Environmental Engineering

Mr. Adams: Commissioner Franklin felt it wou ld be advisable that we discuss it here in that in all probability that that comes from the District Health Board would be reviewed by the Clark County Regional Planning group and it looks as though there might be two agencies involved here in one thing that we might be able to make some changes on.

Commissioner Franklin: It was recommended in one of the letters, I believe, that the City member on the Regional Planning Council be on this Review Board. I take a different view. I think we should have one of our technical people on any management review board as to solid waste. I think technical people, more than an appointed official, on a review board because they have the expertise to handle it. Do you have any recommendations on that, Mr. Saylor -

Mr. Saylor: I think Mr. Sauer because solid waste management is what they are talking about - what they are talking about are plans for potential dumpsites and this type of thing. I am on the Solid Waste Pollution Control Committee as it is.

Commissioner Franklin moved that the Director of Public Works for the City of Las Vegas, Richard P. Sauer, be appointed as the City's representative on the Solid Waste Management Review Board, and that the Deputy Director of Public Works, Victor B. Uehling, be appointed as the Alternate to this Board.

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

BICYCLE PATHWAYS - COOPERATIVE AGREEMENT
Abeyance

JUNE 15, 1972 COMMUNICATION FROM THE CLARK COUNTY BOARD OF COMMISSIONERS re BICYCLE PATHWAYS COOPERATIVE AGREEMENT

Mr. Adams: The next item concerns certain proposed bicycle paths and a recommendation for the adoption of a Cooperative Agreement to cover such a system.

Commissioner Coblentz: I would think this proposal would require further study -

Commissioner Franklin: I received the report on this - I've read it and I'm interested in it. My thinking was that we should first consider the expenditure of monies on the transportation aspect of it prior to the recreational aspect of it. It's something I'd like to have a little more study on because I think we can move people to the schools within the City Limits rather than building a recreational parkway - we might accomplish more in the long run. We put the one in out on Oakey that Lt. Governor Reid requested and we've had nothing but good comments on that because it does move people more than merely allow it to be used for recreational purposes.

Mr. Adams: I might suggest that we have a consensus as to a policy, at least, that we study this - that we recognize this and let our Staff come back and give you recommendations on a full-scale operation.

Commissioner Franklin: The more people we can transport - even to work or to school, or wherever they go, on a bicycle, it's sure cutting down on pollution. I'm all for it.

Commissioner Coblentz: Do you think the Planning Department should be involved in this?

Mr. Saylor: The Planning Staff has a plan just about ready to submit to you on this -

Mr. Adams: It would involve the Planning Department.

ORDINANCE No. 934-212
Referred
(T and F)

ORDINANCE No. 934-212 - REZONING ORDINANCE - Z-42-72, Z-29-70, Z-10-71, Z-5-66 AND Z-31-71

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 Thornley and Franklin as the Committee for Recommendation on Ordinance No. 934-212.

(At the hour of 2:55 p.m., Commissioner Morelli was excused from the balance of the meeting by His Honor, Mayor Gragson)

CLAIM AGAINST THE CITY
Denied

CLAIM No. 688

Claimant:	Charlotte A. Schaeffer
Damage:	Personal injury (stepped in declivity in gutter on Carson Street side of the Clark County Courthouse)
Amount:	$74.50

Commissioner Thornley moved that the recommendation of the City's insurance adjuster, concurred in by the City Attorney, that the claim filed against the city under Claim No. 688, be DENIED, and the Clerk authorized to so notify claimant.

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

ORDINANCE No. 1586
Referred
(F and T)

ORDINANCE No. 1586 - ANNEXATION ORDINANCE - A-1-72 AND A-2-72

An ordinance entitled: "AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO AND MAKE A PART OF SAID CITY, CERTAIN SPECIFICALLY DESCRIBED TERRITORIES ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING SAID TERRITORIES AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES AND REGULATIONS IN FORCE IN SAID CITY; ORDERING A MAP OR PLAT OF SAID DESCRIBED TERRITORIES TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA, AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO" was read by title by the City Attorney, who recommended that it be referred to Committee. (1st reading)

Mayor Gragson appointed Commissioners Franklin and Thornley as the Committee for Recommendation on Ordinance No. 1586.

GOLF BOARD
Member
Appointed

Commissioner Coblentz moved that the recommendation of Commissioner Franklin that TOM PHELPS be appointed as a member of the Golf Board for the City of Las Vegas for a 5-year term commencing July 5, 1972, be APPROVED, and Staff authorized to proceed.

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

PLANNING COMMISSION
Member
Appointed

Commissioner Franklin: On this one, and I know all of us have been given to some soul-searching on this, I think that because Planning and Zoning so many times does have an impact on peoples' homes - that's what we always get - criticism that peoples' homes are involved and affected by rezoning and we all recognize that many times women run the homes, and I think it's about time we should have a woman on that Planning Commission - a woman who has indicated to me at least by her other activities in the City that she would be an ideal replacement there - she is Chairman of the Beautification Committee - she could resign - and I would like to nominate Maggi Coleman.

Commissioner Coblentz: Why don't you talk to her and see if she wants the post -

Commissioner Franklin: I did.

Commissioner Thornley moved that the recommendation of Commissioner Franklin that Mrs. Clark Coleman be appointed as a member of the City's Planning Commission for a 4-year term expiring July 17, 1976, be APPROVED, and Staff authorized to proceed.

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

CIVIL SERVICE BOARD OF TRUSTEES
Member
Appointed

Mayor Gragson: I would like to recommend Walt Martini. He is presently on the Solicitations Review Board - has been on it for ten years - but he has advised me that in October he was going to resign anyway, and he would resign now in order to accept an appointment to this Board.

Commissioner Franklin moved that the recommendation of Mayor Gragson that Walter Martini be appointed as a member of the City's Civil Service Board of Trustees for an unexpired term ending July 1, 1973, be APPROVED, and Staff authorized to proceed.

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

ORDINANCE No. 1582
Adopted

ORDINANCE No. 1582 - AMENDING ZONING ORDINANCE
AND Resolution pertaining to Ordinance No. 1582 setting forth Design Standards for Residential Planned Developments under R-PD Zoning District of Zoning Ordinance
Committee: Commissioners Thornley and Franklin

Ordinance No. 1582 and Resolution relating thereto voted out of Committee favorably.

An ordinance entitled: "AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, SECTION 6, SUBSECTION (C) OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY ADDING THERETO A NEW PARAGRAPH DESIGNATED PARAGRAPH 7 TO PROVIDE FOR CONDOMINIUMS; TO AMEND SECTION 6 OF SAID TITLE AND CHAPTER BY DELETING SUBSECTION (R) THEREOF; TO AMEND SECTION 11 OF SAID TITLE AND CHAPTER BY ADDING THERETO 11.B TO CREATE CRITERIA BY RESOLUTION; 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. 1582, and the following Resolution re criteria, be ADOPTED, and the Clerk authorized to proceed with the required publications of the ordinance.

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

"RESOLUTION SETTING FORTH DESIGN STANDARDS FOR RESIDENTIAL PLANNED DEVELOPMENTS UNDER THE R-PD ZONING DISTRICT OF THE ZONING ORDINANCE OF THE CITY OF LAS VEGAS AND, MORE SPECIFICALLY, REFERRING TO TITLE XI, CHAPTER 1, SECTION 11.B

"BUILDINGS:

1. Whenever common walls are proposed, they shall be 2-hour fire resistant.
2. In the case of a proposed condominium subdivision of an existing multi-family building, the City shall have the right to deny such subdivision unless the units are provided with 2-hour fire resistant common walls, and separate utility service maintained by the Homeowners Association.

"DRAINAGE: Drainage on the internal private and public streets shall be as required by the Department of Public Works. All common driveways shall drain to either the storm sewer or a street section.

"FIRE HYDRANTS: Fire hydrants shall be provided as required by the Fire Department.

"FIRE LANES: Where access is not provided by means of a private street, an easement a minimum of 12 ft. in width free of all vehicular impediments shall be provided for fire lanes, as required by the Fire Department. Fire lanes may be grassed.

"LIGHTING - PRIVATE STREETS:

1. Common Drives: Safety lights shall be required and shall be a minimum of 40 ft. on center. The fixture to be vandal-proof and tamper-proof, 100 watt wall bracked with polycarbonate diffuser, or equal.

2. Vehicular Access Streets: Lighting shall be a minimum of 175 watt mercury vapor depending upon street design; polycarbonate lens shall be used in place of glass. All designs, type and spacing of luminares, etc., shall be approved by the Department of Public Works.

"LIGHTING - PUBLIC STREET:	Lighting on all public streets shall conform to the approved City standards.
"MAINTENANCE COVENANTS:	Whenever any property or facility such as parking lots, storage areas, swimming pools, or other areas, are owned jointly, a proper maintenance and use agreement shall be recorded as a covenant with the property.
"PARKING:	Generally, a minimum of three (3) parking spaces shall be provided for each dwelling unit; however, depending upon location and character of neighborhood, required parking may be reduced. Parking on interior and contiguous boundary public streets may be included as a portion of the required parking."

ORDINANCE
No. 1585
Adopted

ORDINANCE No. 1585 - LEVYING ASSESSMENT IN SPECIAL IMPROVEMENT DISTRICT No. 485 (Step 25-d)
Committee: Commissioners Coblentz and Franklin

Ordinance No. 1585 voted out of Committee favorably

An ordinance entitled: "AN ORDINANCE CONFIRMING THE PROCEEDINGS HERETOFORE TAKEN IN PROVIDING FOR CERTAIN STREET IMPROVEMENTS WITHIN LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT No. 485; PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING THE COSTS AND EXPENSES OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS AND PARCELS OF PROPERTY BENEFITED BY SAID IMPROVEMENTS; DESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS; PROVIDING PENALTY FOR DELINQUENT PAYMENTS; APPROVING, RATIFYING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN BY THE BOARD OF COMMISSIONERS AND THE OFFICERS OF SAID CITY TOWARD THE INSTALLATION OF SAID IMPROVEMENTS IN SAID DISTRICT, AND PRESCRIBING DETAILS IN CONNECTION THEREWITH, AND OTHER MATTERS RELATING THERETO" was read by title by the City Attorney. (2nd reading)

Commissioner Coblentz moved that Ordinance No. 1585 (1st amendment) be ADOPTED, and the Clerk authorized to proceed with the required publications.

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

ORDINANCE
No. 934-211

ORDINANCE No. 934-211 - REZONING ORDINANCE - Z-41-72, Z-15-69, Z-57-71 AND Z-69-71

Committee: Commissioners Coblentz and Franklin

Ordinance No. 934-211 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 Coblentz moved that Ordinance No. 934-211 be ADOPTED and the Clerk authorized to proceed with the required publications.

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

ORDINANCE
No. 1559
Stricken

ORDINANCE No. 1559 - CREATING CONSUMER AFFAIRS DEPARTMENT

Committee: Commissioners Thornley and Franklin

Ordinance No. 1559 STRICKEN by the Committee for Recommendation

LAS VEGAS
CONVENTION
AUTHORITY

Mayor Gragson: So that the Commission will have time to think it over, I am giving up my position on the Las Vegas Convention Authority as of the first meeting in September, 1972. I'd like you to be giving some thought as to another member to sit with this Body.

There being no further business to come before the Board, at the hour of 3:10 P.M., Mayor Gragson declared the meeting ADJOURNED.

APPROVED

Oran K. Gragson

ORAN K. GRAGSON, MAYOR

ATTEST:

Edwina M. Cole

EDWINA M. COLE, CITY CLERK

APPROVED BY REFERENCE at a regular meeting of the Board of City Commissioners held August 16, 1972.