

MINUTES

Las Vegas, Nevada
September 18, 1974

A Regular Meeting of the Board of City Commissioners of the City of Las Vegas, Nevada, held this 18th day of September, 1974, was called to order by His Honor, Mayor Oran K. Gragson at the hour of 9:00 a.m., with the following members present:

Mayor	Oran K. Gragson
Commissioner	Paul J. Christensen
Commissioner	Ron Lurie
Commissioner	George E. Franklin
Commissioner	Harold F. Morelli

STAFF PRESENT

City Manager	A. R. Trelease
City Attorney	Carl E. Lovell, Jr.
Administrative Asst.	Kenneth A. Bouton
Director of	
Building & Safety	Henry A. Elder
Fire Chief	J. D. Miller
Director of	
License & Revenue	Ila M. Britt
Director of	
Parks & Cemetery	Al Chadburn
Director of	
Personnel	Robt. McPherson
Director of	
Dept. of Community Development	Donald J. Saylor
Metro Police, S.I.D.	Lt. Messinger
Administrator of	
Purchasing & Contracts	J. C. Cathcart
Director of	
Dept. of Public Works	Laurence Hampton
Director of	
Dept. of Recreation	Fred Martin
Traffic Engineer	Al Bossi
City Clerk	Edwina M. Cole

INVOCATION

The Invocation was given by Rev. R. H. Stukas, Chief of Hospital Chaplains Corps, Southern Nevada Memorial Hospital:

"Father, we come before Thee this morning with a special request. We pray that Thou would be in this edifice this morning, Bless these men who are the heads of our Government here in this City. We need Thy Blessings and Thy Guidance and pray Thou will give to each one the Wisdom and Understanding of what to do and say; that it will be for Your Honor and Your Glory and the good of every citizen in this City. We Thank You, Jesus. 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. R72.52 - WEST CHARLESTON BLVD. ANTELOPE WAY
TO UPLAND BLVD. AND S.I.D. No. 405, UNITS I AND II
(Public Works & Reg. Streets and Highways)

BID GROUP I WITH ALTERNATE I
(Estimate: \$908,947.00)

Commissioner Lurie moved that the recommendation of the City Manager, the Purchasing & Contracts Division and using department for award of contract under Bid Group I with Alternate I of Bid No. R72.52 to WELLS CARGO, INC. for the low bid in the amount of \$1,039,691.45, be APPROVED and the Purchasing & Contracts Division authorized to proceed.

Commissioner Franklin: I'd like to ask one question on this. This is a Special Improvement District . . . with these bids coming in so much higher than even your estimate, and I assume your estimate took into consideration inflation to the best of your ability - yours and the Public Works Department - this is coming in at over a hundred thousand more - what is it going to do to the estimates on the Improvement District, because we can't exceed those estimates. Are we getting ourselves in a bind here where the City might have to come up with some money on this because the original assessment, per lot, in the Improvement District is going to be exceeded due to excessive bids?

Administrator of Purchasing & Contracts Division, J. C. Cathcart: I don't have all my figures on it and I will have to refer this to the Department of Public Works and probably Finance. They take the overall estimate on each of the Bid Groups and evaluate it from there . . .

Commissioner Franklin: But at this time you don't know whether or not you might exceed the original estimate that the people agreed to and therefore we are liable to get stuck. Is this critical that this go ahead immediately?

Mr. Cathcart: I believe it is, based on the costs -

Director of Public Works, Laurence Hampton: If anyone gets stuck for any added costs, it would be Regional Streets . . .

Commissioner Franklin: It is my understanding this is an Improvement District - not Regional Streets -

Mr. Cathcart: It has Regional Streets in it also - this is a combination - Regional Streets and a City Assessment District and County Assessment District as well as a Regional Streets Project -

Mr. Hampton: I don't believe the costs will run over 10% of the estimates -

AWARD OF
CONTRACTS
(continued)

Commissioner Franklin: The point I am getting at - we tell people when we come in on an Improvement District that this is your maximum, and if the bidding gets out of line, like it has been lately, the City might be required to pick up that tab for any excess. You are sure in this case that would not be the situation?

Mr. Hampton: Well, it might be over-run, but it wouldn't be over-run any more than 10%, I'm sure -

Commissioner Franklin: Well, nevertheless, that would be 10% we would have to pick up because we can't impose it on the land owners. If the Regional Streets wants to come in and pick up part of an Improvement District in the City, that's fine with me.

Mr. Hampton: I'm sure they wouldn't like to - it is my understanding - for instance, on the Vegas Heights Project, there was a maximum set but on all the other Improvement Districts we've had, we are allowed a 10% over-run - it is up to the Commission as to whether or not they wish to burden the people with the over-run -

Commissioner Franklin: I see no great problem here, but I would appreciate it when we are granting bids under Improvement Districts that you will project out whether or not we are going to be in excess of our original estimates - because sometimes it might be two years after we have the Hearings with the people and an agreement as to what their improvements would cost them.

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

VAC-6-74

Set date for
Public
Hearing

PETITION OF VACATION - VAC-6-74 - BROTHERS, ET AL

Property located east of the intersection of the north/south alley and east/west alley in the block bounded by South 1st Street, South Casino Center Blvd., Fremont Street and E. Carson Avenue.

Planning Commission recommends APPROVAL subject to the following conditions:

1. Conformance to Code requirements and Design Standards of the City Departments.
2. Arrangements to be made which are satisfactory to both the petitioners and the utility companies concerning the treatment of the utilities located in the area to be vacated.
3. Vacation shall not be recorded until all of the above conditions have been satisfied.

(Set date for Public Hearing)

Unidentified Speaker: Gentlemen, I have to be in Court at 9:15. Would it be possible to take this item out of order?

Mayor Gragson: Yes, we will set that Public Hearing for 9:30 a.m., October 16, 1974.

NOTE: Due to the legal requirement that Vacation matters must be set for at least thirty (30) days and not more than forty (40) days, these Minutes have been amended to correct the error.

See Page 12 of these Minutes

[illegible]

AWARD
OF CONTRACTS
(continued)

BID No. R72.52 - WEST CHARLESTON BLVD. ANTELOPE WAY
TO UPLAND BLVD., AND S.I.D. No. 405, UNITS I AND II
(Public Works and Regional Streets and Highways)

BID GROUP I-A

(Estimate: 54,701.90)

Commissioner Lurie moved that the recommendation of the City Manager, the Purchasing & Contracts Division and using department for award of contract under Bid Group I-A of Bid No. R72.52 to WELLS CARGO for the low bid in the amount of \$48,237.75, be APPROVED, and the Purchasing & Contracts Division authorized to proceed.

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

BID GROUP II

(Estimate: \$26,000.00)

Commissioner Lurie: What's the reason for the large increase over the estimate?

Mr. Hampton: This is a Water District estimate and they have agreed - they have approved the additional cost.

Commissioner Lurie moved that the recommendation of the City Manager, the Purchasing & Contracts Division and using department for award of contract under Bid Group II of Bid No. F72.52 to LONGLEY CONSTRUCTION for the low bid in the amount of \$43,278.00, be APPROVED, and the Purchasing & Contracts Division authorized to proceed.

Commissioner Franklin: Just a minute here - we're being asked to approve a contract with the Longley Construction Company for \$43,000 - are we paying the \$43,000.?

Mr. Hampton: No - it's for the Las Vegas Valley Water District -

Commissioner Franklin: Why are we bidding for the Las Vegas Valley Water District - they can bid inside our City Limits -

Mayor Gragson: This is a coordinated bid, this being the proportion the Water District is required to pay and the Water District has agreed to pay this increase.

Commissioner Franklin: What is the City's obligation that we are agreeing to if we approve this today?

Mr. Hampton: None, that I'm aware of, Commissioner - this is a packaged Project where we have a County Assessment District involved, the Las Vegas Valley Water District as well as the Regional Streets and Highways. We really have four (4) agencies involved in this packaged Project.

Commissioner Franklin: Is any City money involved at all in the contract?

Mr. Hampton: Not in this Unit II. None at all.

Mr. Cathcart: We're handling the bids for the Water District - it is reimbursable.

AWARD OF
CONTRACTS
(continued)

Commissioner Lurie: If they put it in now, a year from now after the street is in, rather than come in and dig it up they coordinated it all together -

Commissioner Franklin: Then, would you amend your motion to include that we award the contract subject to total reimbursement by the Las Vegas Valley Water District for any amounts expended?

Amended
Motion

Commissioner Lurie: I will amend my motion to indicate that.

Commissioner Franklin: Good - now I'm happy.

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

BID GROUPS III AND III-A
(Estimate: \$152,188.89)

Commissioner Lurie moved that the recommendation of the City Manager, the Purchasing & Contracts Division and using department for award of contract under Bid Groups III and III-A to ACME ELECTRIC for the low bid in the amount of \$136,634.89, be APPROVED, and the Purchasing & Contracts Division authorized to proceed.

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

BID GROUP IV
(Estimate: \$83,581.25)

Commissioner Lurie moved that the recommendation of the City Manager, the Purchasing & Contracts Division and using department for award of contract under Bid Group IV of Bid No. R-72.52 to ETS-HOKIN CORPORATION for the low bid in the amount of \$65,587.00, be APPROVED, and the Purchasing & Contracts Division authorized to proceed.

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

BID No. 74.54 - ONE (1) EA. GREENS MOWER (Golf Course)
(Estimate: \$4,400.00)

Commissioner Lurie moved that the recommendation of the City Manager, the Purchasing & Contracts Division and using department for rejection of the proposal submitted by The Norton Corporation under Bid No. 74.54 for failure to meet specifications, be APPROVED.

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

Commissioner Franklin moved that the recommendation of the City Manager, the Purchasing & Contracts Division and using department for award of contract under Bid No. 74.54 to B. HAYMAN CO., INC. for its bid in the amount of \$4,529.00, be APPROVED, and the Purchasing & Contracts authorized to proceed.

Award

Reject

AWARD OF
CONTRACTS
(continued)

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

BID No. 74.89 - THREE (3) EA. DETROIT DIESEL ENGINES
COMPLETE (Public Works)
(Revised Estimate: \$20,000.00)

Commissioner Lurie moved that the recommendation of the City Manager, the Purchasing & Contracts Division and using department for award of contract under Bid No. 74.89 to MENTZER DETROIT DIESEL for the low bid in the amount of \$18,475.56, be APPROVED, and the Purchasing & Contracts Division authorized to proceed.

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

BID No. 74.90 - HURST POWER TOOL (Fire Department)
(Estimate: \$4,750.00)

Commissioner Franklin moved that the recommendation of the City Manager, the Purchasing & Contracts Division and using department for award of contract under Bid No. 74.90 to THUNDERBIRD SALES for the sole bid received in the amount of \$5,002.00, be APPROVED, and the Purchasing & Contracts Division authorized to proceed.

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

BID No. 74.95 - FOUR (4) EA. DRAFTING TABLES & MACHINES
(Public Works)
(Estimate: \$4,100.00)

Commissioner Morelli moved that the recommendation of the City Manager, the Purchasing & Contracts Division and using department for award of contract under Bid No. 74.95 to ADDRESSOGRAPH-MULTIGRAPH CORP. for the low bid in the amount of \$3,699.68, be APPROVED, and the Purchasing & Contracts Division authorized to proceed.

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

BID No. 74.86 - THREE (3) EA. TRUCK CAB/CHASSIS UNITS -
ONE WITH 5-YARD DUMP BED (Public Works)

BASE BID - ITEM 1 ONLY
(Estimate: \$24,000.00)

Award

Commissioner Morelli moved that the recommendation of the City Manager, the Purchasing & Contracts Division and using department for award of contract under Item 1 of Bid No. 74.86 to FAIRWAY CHEVROLET for the sole bid received in the amount of \$27,404.91, be APPROVED, and the Purchasing & Contracts Division authorized to proceed.

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

AWARD OF
CONTRACTS
(continued)

BID No. 74.86 - THREE (3) EA. TRUCK CAB/CHASSIS UNITS -
ONE WITH 5-YARD DUMP BED (Public Works)

ITEM 2

Commissioner Morelli moved that the recommendation of the City Manager, the Purchasing & Contracts Division and using department for rejection of the Bid of Fairway Chevrolet under Item 2 of Bid No. 74.86, in the amount of \$4,302.90 with the concurrence of Fairway Chevrolet be deleted from bid as being unreasonable, was APPROVED, with permission granted to the Purchasing & Contracts Division to readvertise.

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

SERVICE AND
MATERIAL
WARRANTS
Approved

See Page 9 of these Minutes

PAYROLL
WARRANTS
Approved

See Page 9 of these Minutes

MINUTES
Approved by
Reference

See Page 9 of these Minutes

(The following in recognition of several people in the audience bearing signs protesting SER as a part of CETA (Comprehensive Employment Training Act))

Mayor Gragson: Before we begin this meeting you will notice Posters in the audience. I wonder if any of you wish to make any brief comments at this time prior to the time we proceed with this meeting.

(No response)

Commissioner Franklin: The Mayor is offering all of you an opportunity to be heard at this time if you would like.

(No response)

Mayor Gragson: Hearing none, we will proceed with this meeting. I might add that I'm sure this has to do with the current CETA Program that was approved by the Department of Labor - at the National, the Regional, the State and Local levels. I appreciate your concern in this matter and the courage of your convictions to come to this meeting and let your sentiments be known.

ITEM	Commission Action	Department Action
II. <u>FINANCE DEPARTMENT</u>		
<u>MARVIN A. LEAVITT, DIRECTOR OF FINANCE</u>		
A. <u>SERVICE AND MATERIAL WARRANTS</u>	Approved as submitted L - unanimous	Director of Finance authorized to issue
Nos. H943825 to H943826, I110684, I403872, I403879 to I403885, I403892 to I404117, inclusive		
In the amount of \$6,643,067.53		
B. <u>PAYROLL WARRANTS</u>	Approved as submitted L - unanimous	Same as above
Nos. 6156 thru 7244, inclusive		
For Pay Period ending September 7, 1974		
In the amount of \$308,583.80		
III. <u>MINUTES</u>		
A. <u>REGULAR MEETING - SEPTEMBER 4, 1974</u>	Approved by Reference L - unanimous	Mayor and Clerk authorized to sign

Z-4-72
Approved

REINSTATEMENT AND EXTENSION OF TIME - Z-4-72 - EDITH
A. JENNINGS

Director of the Department of Community Development, Donald J. Saylor: This is a request for reinstatement and extension of time concerning a zone change to R-4 for property generally located at Fremont and 21st Street.

This is the parcel in question (wall map). It was granted a Resolution of Intent for R-4. This expired and they want it re-instated. The Planning Commission has, in fact, recommended that instead of reinstating the Resolution, you simply move to make the Ordinance change because of the fact that the property is surrounded by R-4 zoning to the north, to the east and C-2 zoning to the south and to the west. They have recommended that rather than granting an extension of time, that you simply go ahead and zone if R-4, subject to whatever conditions were attached to the original Resolution.

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

(No response)

Motion

Commissioner Franklin: I will so move. The zoning is pretty obvious and apparently should not be continued on under a Resolution of Intent - it should be done by Ordinance.

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

Z-100-64
Approved

PLOT PLAN REVIEW AND REQUEST FOR AIR RIGHTS OVER PORTION
OF THE ALLEY - Z-100-64 - COUNTY OF CLARK

Mr. Saylor: This is in the Downtown area, more specifically in the block bounded by Bridger and Lewis between First and Casino Center Blvd. It is to allow the Clark County governmental facilities expansion which ultimately proposes a 10-story parking structure on the east half of the block between Lewis and Bridger at Casino Center and then another building on the west part of the north half, which will accommodate an automotive maintenance facility and offices.

The property is under a Resolution of Intent to C-2 subject to Plot Plan Review, which will allow the proposed use. At the same time they are asking for air rights over a portion of the alley to accommodate a bridge between the two buildings which would be at the second level, and the minimum height between the bridge and the alley would be 18 ft. We have checked with the Fire Department. Their minimum requirements are something like 13 or 14 ft., so it would satisfy that requirement.

Incidentally, the legal vehicle we have used previously on air rights has been the granting of a License from the City to whoever is going to use it, and we've done it two or three times in the past that way.

The Planning Commission has recommended approval subject to certain conditions.

Commissioner Franklin: How is the land presently zoned?

Mr. Saylor: Most of it is presently zoned C-2. In fact, there's

Z-100-64
(continued)

only one lot that is still zoned C-1.

Commissioner Franklin: This is all in County ownership?

Mr. Saylor: It is my understanding that the County of Clark owns it - not the entire block - I believe they are trying to acquire the remainder.

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

(No response)

Motion

Commissioner Morelli: I move for approval subject to the following conditions:

1. Satisfaction of the requirements of the Traffic Engineer.
2. Satisfaction of Code requirements and Design Standards of City departments.
3. Satisfaction of the requirements of the Nevada Power Company and Central Telephone Company concerning overhead lines in the alley.

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

Z-105-73
Approved

PLOT PLAN REVIEW - Z-105-73 - SOUTHERN NEVADA MEMORIAL HOSPITAL

Mr. Saylor: The next item before you is the request from the Southern Nevada Memorial Hospital for a temporary permission to use a trailer on one of the parking lots locations - this being Charleston (wall map) - the Hospital - the Parking Lot - and they want to put a trailer on there for a period of sixty (60) days.

The Planning Commission has recommended approval.

Commissioner Franklin: A trailer for what use? That's what would worry me more than anything else - for what purpose? To house a construction outfit - which I think they can do automatically -

Mr. Saylor: I'm sorry, Commissioner - I can't answer your question. However, it would be for some use associated with the Hospital that did require this permission.

Commissioner Franklin: Could we find out before this meeting is over - have someone call and find out - I would sure hate to approve a use that is not a proper use. The trailer doesn't bother me as much as the use thereof.

See Page 23 of these Minutes

Z-14-74
Approved

PLOT PLAN REVIEW - Z-14-73 - PHILIP H. EMPEY

Mr. Saylor: This is a Plot Plan Review under a zoning action concerning property on the south side of West Charleston between Jones and Lindell, which was zoned C-2 to allow a Cycle business on the property. This is the location (wall map) and this is the present layout - they have this building on the property and they are asking for permission - actually, they were asking for two (2) permissions: No. 1, to have an outside display here

Z-14-73
(continued)

where they could display their vehicles and, No. 2, to have a fenced storage area in the rear.

The Planning Commission recommended approval of the display in front of the building and recommended denial of the request for the outside storage to the rear of the building.

When this matter was discussed by the Planning Commission there was a protest factor, let's say, from the Church - which is located here (wall map). Evidently they've been having a problem primarily associated with customers going to and from this business, and I suspect that they are generally younger people - not to imply that makes them bad in any sense of the word - however, in riding their bikes to and from evidently they've been speeding and cutting across the Church property, etc.

The Planning Commission felt this particular problem really had no association with the specific requests. They did recognize, however, that it is a problem and probably one of Police enforcement. In any event, they have recommended that they be allowed to put their bikes - their new bikes - outside in front of the building, but not to have the outside storage in the rear.

Commissioner Franklin: I assume when we're talking about "display", we're not talking about overnight? The bikes will be there only during their normal business hours -

Mr. Saylor: Right.

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

(No response)

Motion

Commissioner Franklin: I move we follow the recommendation of the Planning Commission.

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

SPANISH OAKS -
AMENDED
FINAL MAP
Set date for
Public Hearing

AMENDED FINAL MAP - SPANISH OAKS

Mr. Saylor: Next before you is the amended Final Map of Spanish Oaks. Under some of the revisions that accrued to the Statutes at the last Session, it now requires a Public Hearing - so we are advised by the City Attorney's office - on amended Final Maps. So this is before you to set a date for Public Hearing. I believe it calls for only a 10-day time period on the Public Hearing, however.

Mayor Gragson: Then it could be at our next Regular Meeting - let it be set for October 2, 1974 at 9:30 a.m.

VAC-6-74

See Page 4 of these Minutes

Mr. Saylor: On this item you have already set the date for the Public Hearing. I would like to advise you however - the Attorney who spoke on this said he got a letter from us saying it would be on the agenda on this date. However, the letter further said the reason it would be is simply to set the date for Public Hearing.

Page 12

Minutes
Regular Meeting

City Commission
September 18, 1974

Date of Public Hearing to be November 6, 1974 in order to comply with time requirements.

REVIEW OF CONDITION - Z-48-72

Mr. Saylor: This is an approved zoning action and what you have before you on the agenda is a request for review of condition.

The Mayor has received a telegram from an interested party - possibly an ownership representation - which indicates that this is a religious holiday and he would like to have the matter postponed until the next meeting.

Mayor Gragson: Is there anyone in the audience who has any objection to a postponement on this?

Attorney V. Gray Gubler: We represent Carlyle Real Estate and we would object to any postponement.

Mr. Saylor: Dr. Merkin is the person requesting it -

Mayor Gragson: Under a like condition you would perhaps have made the same request, would you not? What I'm saying is - you are aware of their attitude toward this Sacred Holiday -

Mr. Gubler: Dr. Merkin is only one of two or more owners. The other owners could have been here. We had occasion to meet with them last night for two hours - the owners and their attorneys - their attorney also could be here. We would feel that the matter should be acted upon at this time and respectfully so request.

Commissioner Franklin: Who is the wire from?

Mr. Saylor: Dr. Merkin -

Mayor Gragson: I will read the wire for the record:

"It has come to my late attention that through no fault of my own, that at 9:00 a.m. Wednesday, 9/18/74, a rezoning matter in which I have deep concern is to be considered. In view of this day being a Religious Holiday I would like to ask to have this matter postponed until your next meeting. Respectfully yours - Albert C. Merkin, M.D."

Mayor Gragson: Are there any prime reasons you feel that a delay to our next meeting shouldn't be granted under the condition presented by the Doctor?

Mr. Gubler: Mr. Mayor - there is one matter of emergency certainly. As of July 24th all of the tenants in the buildings which are owned by my people - which are the two buildings which have been developed on the project - 800 and 810 East Charleston Blvd. - were notified that unless the block wall was built - and mentioning two or three other conditions - within thirty (30) days, that they should cease and desist from doing business. Presently we have 17,000 sq. ft. of office space that has been rented and it would affect all of those tenants.

As was pointed out to the Planning Commission, actually we do not own any part of the land where the block wall is specified to be built - the lessees have no tenant interest, leasehold interest or ownership interest and have absolutely no right to go on the land. And, in view of this fact, I'm sure the Commission felt there should be a deferral of the conditions

until there was further construction on the property by these people who own it, and those people who own it are Dr. Merkin and his associates. If they wanted to be represented, they certainly had every opportunity and for those reasons we do submit that this matter should be heard at this time and that the action taken by the Planning Commission should be approved.

Commissioner Franklin: Mr. Saylor - the question I want to ask - has Carlyle Real Estate Limited Partnership complied with everything required of them?

Mr. Gubler: There was the Sahara Mall Development subdivision established and it was being developed by a National Community Builders, which completed the two buildings and this is a fair representation of the Project as it has been completed. But, after completion of those two buildings, National Community Builders apparently went under and sold the two buildings which our respondents . . . toward Sahara Blvd., and sold to our clients for Two Million Dollars, plus, and the wall that is in question -

Mr. Saylor: The wall along the north line of the property -

Mr. Gubler: Yes - actually, the wall has been completed, except for the easterly one half, or approximately 315 ft., and that wall is removed from our closest building at least 400 ft. We feel there is certainly no detriment to Dr. Merkin and his associates if the condition requiring the building of the wall is deferred to further construction, and we feel also that there is very little, if any, detriment to the adjoining owners to the north because they all have walls immediately north of what would be the location of this wall that has been specified by the Department of Community Development.

Commissioner Christensen: I must be a little confused. As I understand this - if this Project had been completed, the wall would have been installed, but since it wasn't completed the person who wants this held in abeyance - it's his property that the wall has to be built on.

Mr. Gubler: Yes, that is right - it is his property -

Commissioner Christensen: And you have to move out of the buildings unless you build the wall on his property - 400 ft. back into his property -

Commissioner Franklin: He is trying to compel you to build a wall for him that he is obligated to build under our zoning requirements -

Mr. Gubler: As to motivation - I honestly can't answer that.

Mr. Saylor: Actually, the action - it's a City action too, Commissioner, because without the relief of waiving it as recommended by the Planning Commission, Staff's position has been that we cannot clear this by issuances of Licenses until this is done.

Commissioner Franklin: It was all one Project to start with?

Mr. Saylor: Right. As a practical matter, we feel that it should

be cleared for the issuance of the Licenses because we still have a hold. There is this much property (wall map) to be developed and when that's done this can be completed. In the meantime there is no ill effect from these buildings to these single family home owners that back up here, because of the distance factor.

Commissioner Christensen: If all had been developed as was planned on originally, the wall would have been there -

Mr. Saylor: Right -

Mayor Gragson: Why would we have that built on the other owner's property?

Mr. Saylor: At the point of the original approval, Mayor, it was all one ownership -

Commissioner Franklin: And one parcel -

Mr. Saylor: Right -

Commissioner Franklin: Why would any occupancy be permitted on any part of one parcel until the requirements had been complied with? Why wasn't the wall required before one person was allowed to occupy?

Mr. Saylor: That, I can't answer -

Commissioner Franklin: It should have been required - right?

Mr. Saylor: I agree with you - there should have been no finalization and power hook-up authorized to the building until all of the conditions were satisfied.

Commissioner Franklin: Then whoever is in there now is in there in violation, at least, of our zoning requirements - they are illegal -

Mr. Saylor: Right, and through . . . without their knowledge and the action before you would clear up the matter. In essence what it will do is to say that we will accept this as being completed - the remainder of this condition will have to be fulfilled when this development (wall map) takes place.

Mayor Gragson: Is there a block wall surrounding this developed area?

Mr. Saylor: It was condominium - this is an open landscaped area which is supposedly going to be owned by everybody - it has been landscaped so there is no wall in there. I believe there is a wall along this line (wall map) - along the west line and, of course, this here. So what is missing is a continuation of the wall out here, plus the landscaping required along there.

Commissioner Franklin: Gray, will you point out the division of ownership?

Mayor Gragson: Here's what bothers me - when people come in for these zonings they are completely amicable to the conditions as placed on them. Then they come back with minor changes - major changes - delays - or what have you. What kind of a total hardship would it create for your owners . . . your people

Z-43-72
(continued)

did not buy the total - am I correct?

Mr. Gubler: That is correct.

Mayor Gragson: Then that was subdivided, wasn't it?

Mr. Saylor: It was a condominium development - yes - and this was the common area in here (wall map).

Commissioner Franklin: Don't we still require a Certificate of Occupancy before people can move in?

See Page 20
of these Minutes.

Mayor Gragson: We are going to have to hold this up temporarily because this is the date, time and place set for Public Hearing immediately after which we will return to this agenda item.

9:30 A.M. - PUBLIC HEARING

V-44-74

APPEAL FILED BY PETER R. BARBUTI - V-44-74

to action of the Board of Zoning Adjustment in approving the application of VALLEY HOSPITAL, LTD., for a Variance to allow a temporary office facility, temporary storage building and a sleeping and waiting room for Ambulance Drivers on property located at 729 South Rose Street, on the east side of Rose Street, 400 ft. south of Pinto Lane, in Land Use Zone R-1.

Mr. Saylor: This is a continued Public Hearing on the appeal filed by Mr. Barbuti to the approval action of the Board of Zoning Adjustment which allowed a Variance to the Valley Hospital for a temporary use of property, and more specifically for a use of buildings on the property.

This is the location (wall map) - this being Shadow - the Hospital - the main facility is here - this is Rose Street - this is Goldring, and these properties have been added to the Hospital development. This is for parking and office space here.

The Variance involved this piece of land (wall map) which is made a part of the overall Hospital holdings and it also goes to Rose and this minor residential street here. There are two buildings on there and at the time the Hospital approached us on it, they only indicated, or acknowledged, the use at this time to be the use of the two existing buildings. However, they contemplated, of course, a more permanent use of the property at some time in the future.

The reason it was handled as a Variance rather than a zoning action was the fact that they at this point in time did not know the long range use, and we felt in that it was the temporary utilization of the existing buildings that a Variance action would be best and that at such time when they do determine how they are proposing to develop the property, they then would seek a Zone Change and at that point in time we would know the proper zoning that they should request.

Page 16
Minutes
Regular Meeting
City Commission
September 18, 1974

When this was before you at the last meeting the applicant, nor any representation of the application, was here and I believe you had some questions you wished to ask of them. They've been advised of this meeting this morning, and hopefully they are in attendance.

Mr. Saylor: You will remember Mr. Barbuti owns the house across the street here (wall map) and I believe he represented that he was speaking for two other single family home owners here. The home owner at this location I believe spoke in favor of the application.

George Rudiak (Attorney): I am here to speak in behalf of Valley Hospital. They say that a photograph is worth twenty thousand words - I have a series of photographs here which I think will show the physical location to you gentlemen, and show you what we are trying to do.

As Mr. Saylor indicated, Valley Hospital has embarked on an Improvement Program. The first photograph shows the Medical Office Building, which is located at the present time at this point (wall map). What Valley Hospital did was to purchase the land, tear down the old shanties that were there and put up this very modern structure. The next photo shows the main building of Valley Hospital - I'll pass these around. Then we have a series of photographs showing the specific land upon which the Variance is sought.

Looking at the Hospital from Rose Street this view (photo) at the present time - the vacant lot there which belongs to Valley Hospital, and upon which it is now proposed to add a temporary storage building.

If I may approach the Commissioners - at this point (photo) there is an existing building here which doesn't show up in this photograph, which is being used as quarters for ambulance drivers - where they can stay while awaiting their calls. The other building, and this is a part of the Variance, permission is sought to use this as an office building for the accounting department computers, and in the space in between we would like to locate the temporary storage building, which would be 40 ft. x 100 ft. and which, on the west side facing toward where Mr. Barbuti is, will have attached to it a series of parking stalls for beautification purposes more than anything else. There will be no access to Rose Street under this plan. All access will be from the Hospital parking lot at the other side, and it is proposed to build a decorative block fence along this street (wall map) and along Rose Street in front of Mr. Barbuti's place so that the neighbors will not have to look in upon a parking lot. The parking lot would be no worse than the lot that now exists there. In fact, it is bound to be an improvement.

The next photograph is a view of the same property from the rear and shows the little house to be used by the ambulance drivers. The next photograph shows the same from another view. This, I believe, is Mr. Barbuti's house across the street on Rose. Mr. Barbuti suggested at the meeting of the Planning Commission that his window would overlook the wall and he would have to look at the parking lot. You will observe that this really is not that tall of a house. I think a 6 ft. wall would be all that could be seen from the windows of his house. The house next to Mr. Barbuti's is shown in this next photograph - the adjoining house is shown here. There are no other houses in the immediate vicinity to the area sought for the Variance.

Then I have a series of photographs showing the type of fence and the type of plantings we have contemplated. This is a decorative fence that appears right next door in the neighborhood there - right next door to this house. We would plan to have a similar type of decorative fence.

Mr. Rudiak: These are other views of the Hospital showing the north parking lot which is presently surrounded by an oleander hedge and, of course, it would be perfectly agreeable to the Hospital to plant an oleander hedge instead of putting up a wall and a hedge, if Mr. Barbuti and the other neighbors should prefer that. I think it would be less costly to the Hospital and be quite decorative - just the way it looks now on the other side - this is the parking lot and this is the oleander hedge surrounding it - and here are some more views of that oleander hedge. I would like to pass these around if I may.

I really believe that what we propose would be of no detriment to the neighbors. I think it should be borne in mind that the storage building will be about 200 ft. from Rose Street and considering the width of Rose Street, it probably would be about 250 ft. from Mr. Barbuti's house, which is almost a City block. So I really don't understand the reason for Mr. Barbuti's objection. Certainly what is proposed to be done will be an improvement rather than a detriment. If you gentlemen have any questions, I'll be happy to answer them.

Commissioner Franklin: The things that bothers me, George - I'd like to have you define what you mean by "temporary".

Mr. Rudiak: Two to three years, possibly.

Commissioner Franklin: That is not temporary - that's the whole thing in this matter that concerns me when I see "temporary office facility", "temporary storage building" -

Mr. Rudiak: Of course, Commissioner Franklin, you understand two of the buildings are already there. They were originally residential and what we asking is for permission to use them for the time being, until a large expansion of the Hospital takes place, for these two limited purposes - for the ambulance drivers and for the accounting department. The third building is the only new one, and that is to be used for temporary storage for Hospital materials and equipment -

Commissioner Franklin: The building will be permanent but the storage in it will be temporary - is that what you're saying?

Mr. Rudiak: No, I think the plan is to ultimately do away with these buildings and to expand the Hospital itself, but we have contemplated a use of perhaps two to three years before we would be in a position to expand the Hospital.

Commissioner Lurie: Why do you need a facility for ambulance drivers when Mercy is located only two blocks away from the Hospital?

Mr. Rudiak: Well, Mercy stations one, or sometimes two, of its ambulances on our grounds - these are Mercy Ambulance drivers - these are not our own drivers, and while they are waiting there for calls, this is just a room where they can have coffee or lie down, of something of that nature.

Commissioner Lurie: I thought maybe you were planning on going into the Ambulance business -

Mr. Rudiak: No - these are not our ambulances.

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

(No response)

Mayor Gragson: Hearing none, I declare this Public Hearing closed and will entertain a motion.

Commissioner Franklin: Mayor, I'd be willing to make the motion for it, but I'd sure like a definite time limit set. Too many times we've approved a temporary use and twenty years later it is still existing and under circumstances that we wouldn't have approved originally. So I would like to stipulate a three (3) year time limit. Can that be done, Mr. Saylor?

Mr. Saylor: Yes, Commissioner -

Motion

Commissioner Franklin: Then with that stipulation that the "temporary" be defined not to exceed three (3) years, I'll move for approval.

Commissioner Lurie: With this wall, are they going to put oleanders on Rose Street to cover up the wall?

Mr. Saylor: It is my understanding that if the property owners across the street desired just the hedge and not the wall, they would not put up the wall.

Mr. Rudiak: Our intention was to put up the wall but there was some objection made by Mr. Barbuti about the wall - then we explained to him that it would be a decorative wall and would have plantings in front of it. My point was, as Mr. Saylor said, that if the neighbors don't want a wall and would prefer just the hedge, we would be willing to plant that.

Commissioner Lurie: Do you want to include in your motion that the neighbors will have a choice between the wall and the hedge?

Commissioner Franklin: I think that's a problem there between the two of them - I'd be glad to put it in, but the only thing officially before us is not for walls or plantings, but just for the temporary facility - as long as we have a commitment from Mr. Rudiak - and I understand you are one of the owners as well as Counsel - is that correct?

Mr. Rudiak: Yes -

Amended
Motion

Commissioner Franklin: Then I would make that a part of my motion.

Mr. Rudiak: May I just say that we would really prefer to put in the wall for security reasons, because we don't want access from that side.

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

Mayor Gragson: Mr. Gubler, you may proceed on your matter at this time.

Mr. Gubler: Actually, Carlyle owns Buildings 1 and 2 and the land under them. The area shows in gray (wall map) and green within the red line - the gray is parking and the green is planting - that area is owned by the National Community Builders, the reason being that pursuant to subdivision, as Mr. Saylor has said, the buildings were to be owned individually and the other areas, the parking and the planting areas, would be in common. So neither we nor the person from whom we bought the property has any property interest outside of the red line except only that we do claim a common interest in the Mall area, which is shown in green. Actually our property is, as indicated, some 360 to 400 ft. from the wall - there is already a wall all along that distance - 200 ft. of it, I would say, of masonry and the other 100 ft. of some kind of wooden construction, but it is all protected by a wall . . . these people up here, their view is cut off by their own walls, so by deferring the requirement for building that wall, there is just no detriment to anyone of any kind, whereas . . .

Mayor Gragson: Please point out on the map the property that the Doctor owns and about which we received the telegram -

Mr. Saylor: It is that brown colored portion (wall map) -

Mayor Gragson: This was at one time under one ownership -

Mr. Saylor: At the time the zoning was approved it was under one ownership and this was the Plot Plan that was approved. Then they got permission to subdivide as a condominium with a fee simple of the buildings and the land occupying them and a joint ownership on the open areas - the parking and the landscaping. Since that time, evidently, there have been some defaults, etc., to where the same ownership pattern no longer exists. Carlyle owns the building and the land under the building here, and National Builders, who was the original developer, evidently indicates some type of interest in the common areas, as does Dr. Merkin.

Commissioner Franklin: Were the National Community Developers the original people who came in? Are they the ones who silently folded up their tent and quietly stole away? But they still have title to part of the land even though they have defaulted?

Mr. Gubler: Well, actually, the area inside the red line (wall map) was apparently at the time of the original transaction - apparently a consideration for the down payment, was reserved outside the Deed of Trust, so National Community Builders didn't get the title to this area - they have reserved apparently the right to the parking lot because the parking lot for the whole thing is supposed to be in common -

Commissioner Christensen: So they're still trying to preserve the condominium effect but haven't been able to finish the Project -

Mr. Gubler: This is right and at this point they have no interest in any of the land outside of the red area - we have no interest in any of the other except that we are, in our Purchase Agreement

with National Community Builders are guaranteed parking rights -

Commissioner Franklin: In respect to the area owned by Dr. Merkin, is there any occupancy of any buildings on that property owned by him?

Mr. Gubler: It is vacant, completely. The only occupancy is on the green areas (wall map) where the Mall is being kept up and it is being kept up by our people on a voluntary basis because it is a concept they have sold to their lenders, so they are saddled with the upkeep of the Mall area. Otherwise they would not be giving their renters quite the package they had sold to them in the beginning.

Mayor Gragson: Are there any other questions?

(No response)

Mayor Gragson: I did receive that request from Dr. Merkin and I wanted to present it for whatever consideration the Commission deems it warrants. With that and if there are no further comments, I will entertain a motion.

Commissioner Franklin: Well, I think all we need here . . . now, Mr. Saylor, you sent a Notice to these people because of non-compliance - is that right - that they either comply or vacate the premises?

Mr. Saylor: No. In essence, the action was in connection with a business license on the occupancy of these buildings. When those business licenses were referred to our Department, we took the position that the conditions of the zoning action had not been satisfied. Under normal procedure, this then goes back to the License Department and they deal with the particular business occupant and the action was to advise them that unless the situation was corrected, they could no longer conduct their business there. But there was no Notice given to the owner of this property (wall map) - action has been solely in terms of the occupancy of these two buildings.

Motion

Commissioner Franklin: Well, I will move that Notice served upon Carlyle Real Estate Limited Partnership be withdrawn and that any further action in connection with the original application be proceeded against the persons in violation of the zoning, which I consider to be the owner of the property where the wall was to have been built. Which, by the nature of the motion, Mr. Saylor, would following out the following point that the Planning Commission recommended:

"No further development shall be permitted on the remaining land in this application until satisfactory arrangements have been made to complete the 6 ft. block wall along the north property line and to install the landscaping adjacent to the block wall along the north property line."

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

At the hour of 10:00 a.m., Mayor Gragson declared a 5-minute recess.

Meeting reconvened at the hour of 10:10 a.m. with the full Board and Staff in attendance.

REQUEST PERMISSION TO APPLY TO B.L.M. FOR AN EXTENSION
OF TIME OF THE FIVE (5) YEAR LEASE ON FEDERAL LAND LOCATED
ADJACENT TO TULE SPRINGS PARK

Mr. Saylor: We have, at the present time, under a 5-year Lease, some 1360 acres of BLM land out in the Tule Springs area. The green is the Tule Springs Park (wall map) - the brown is the Federal land. We have this under Lease at 25¢ per acre.

It is conceivable that we could make a request to purchase the land at \$2.50 an acre. However, they become relatively strict in their requirements that if you do purchase, you must immediately start to improve.

Consequently what we're suggesting to the Commission is that we be given permission to request a further 5-year Lease option arrangement, again at the going rate of 25¢ per acre per year, which means a Lease fee on the 1360+ acres is about \$340.00 per year.

We feel that if you approve it and BLM will give us the additional five years, by then we should have a pretty firm idea as to what improvements we would be able to put in and try to proceed with the purchase. Furthermore, hopefully within this 5-year period there may be some constructive changes in BLM policies which may get us out from under some of these obligations. For example, it is conceivable that we might just want to preserve the area as Open Area, but presently you can't do that - you have to put improvements in it.

So we are asking for permission to make the request for an additional five (5) years.

Commissioner Franklin: If we purchase it, do we have to start a program of capital improvement within a certain period of time?

Mr. Saylor: Yes . . .

Commissioner Franklin: Within what period of time?

Mr. Saylor: Generally speaking, within a year. Now they might give you a year after that. A few years ago they weren't too strict. If you said - we're going to do this and this and this - they would say - fine, and then they would let it go for quite a few years. But no longer.

Commissioner Franklin: But under the Lease you don't have to have a program?

Mr. Saylor: You don't have to - no.

Commissioner Franklin: With this Metropolitan Area we're going to need that land some day for a park -

Mr. Saylor: This is our feeling on it - that there will be a definite need for it some day and we will be in a position to put in the improvements.

Commissioner Franklin: What if they write back and say they won't give us another five years? Then would you recommend that we buy?

BUREAU OF
LAND MANAGEMENT
(continued)

Motion

Mr. Saylor: Yes.

Commissioner Franklin: I move that permission be granted to apply to the Bureau of Land Management for a five (5) year estension.

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

See Page 11 of these Minutes

Z-105-73
Approved

Mr. Saylor: Referring back to the discussion under Z-105-73 (Southern Nevada Memorial Hospital) specifically as it related to the use of the Trailer, I am now in a position to tell you that it will be used for storage.

I can't tell you the exact nature, but I would have to assume it will be for relatively small items in connection with the Hospital function.

Motion

Commissioner Morelli: I move we follow the recommendation of the Planning Commission.

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

URBAN
OBSERVATORY
PROGRAM
Application
Approved

URBAN OBSERVATORY PROGRAM

Director of the Department of Community Development, Donald J. Saylor: I sent you a memo on this yesterday - hopefully you've had a chance to read it but, in essence, what I've said is that even though up to this point, and I indicated to you an optimism on my part that we would be able to put together the Project without a financial responsibility to the City, due to a conflict in auditing procedures between the various Federal agencies and the University, etc., it does not appear now that this "no cost" factor would prevail.

The minimum cost to the City for the first year would be \$12,500.00. Conceivably that could be a total of \$25,000.00 for the first year and I can't estimate what it would be for the second and/or third year.

So we put it on the agenda in case you did wish to proceed with that financial obligation or, if not, simply to have it stricken from the agenda.

Commissioner Franklin: I would like to give it more study - insofar as today is concerned, I'd like to carry it over for two weeks. It wouldn't jeopardize anything, would it?

Mr. Saylor: Yes. The deadline - it's a Demonstration Program and only ten (10) cities will be selected - and the deadline for filing the application is the end of this month.

Mayor Gragson: In just what depth would this Program cover?

Mr. Saylor: I will try to answer that, Mayor -

Mayor Gragson: For the cities that originally had it, it was under a total Federal Grant - I believe there were ten cities -

Mr. Saylor: Yes, ten major cities, and this one is for the middle population range -

Mayor Gragson: What were the total benefits derived from it?

Mr. Saylor: I don't know, Mayor, what benefits were derived from the previous Program with the major cities. However, I think that this would have been a good opportunity to develop a Research Resource with the University, and they were wholeheartedly in agreement. I think it is a beneficial Program. However, at the same time, there is no way that I could at this point tell you that the results would justify the potential expenditure on the part of the City. It may or may not - I don't know.

Mayor Gragson: This wouldn't be only for the City of Las Vegas - it would be the total Metropolitan Area. This might be a Program that the Regional Planning Council should support with supporting funds from all the area, but you say you have a time limit involved here now.

Mr. Saylor: This is where the rock is - the time element on getting the applications in. We were under the impression - and I think the University was too - that it could be worked out without the cost factor to the City. The information from the auditing firm became available only last Friday, which completely

URBAN
OBSERVATORY
PROGRAM

(continued)

shackled us in terms of having enough time to try to look to other sources, etc.

Commissioner Franklin: Alright - could we withdraw after the first year if we were willing to gamble?

Mr. Saylor: I think there would be that possibility but I can't tell you that with accuracy, Commissioner. Furthermore, I think there would be a distinct possibility that the second year may not involve any cash outlay on the part of the City. But, again, I can't tell you that with any accuracy factor.

Commissioner Franklin: Is there any assurance that we will be one of the ten cities selected if we get our application in on time?

Mr. Saylor: No. There is no assurance. However, we're optimistic to the point that we feel that we can put together a good enough package so that when a selection is made we would definitely be in the running.

Commissioner Franklin: Can you put that package together and get it in by the end of the month?

Mr. Saylor: Yes. We are prepared to do so.

Commissioner Franklin: This is an area of government that I think has been long neglected and I think it is something we should go into . . .

Mr. Saylor: The \$12,500 is the minimum - it could go up to \$25,000, but it can't go over \$25,000 -

Motion

Commissioner Franklin: I know - I think there are going to be far greater governmental benefits returned from a Program of this nature than any possible risk, so I will move that the Director of Community Development be authorized to submit an application on behalf of the City of Las Vegas for this Urban Observatory Program.

Commissioner Lurie: Where are we going to get the funds? Do we have the funds set aside for this type of a Project?

Mayor Gragson: I concur in Commissioner Franklin's motion, and then go to the Regional Planning Council, and the other entities, and see if they will participate - both in the Program and in the financing of it. But short of that, due to the time element involved, proceed with the application on behalf of the City, because whatever studies are made will be area-wide.

Mr. Saylor: You are saying then, that if this is approved by the Commission we are instructed to proceed on the application, making the City the responsible party in terms of the cash outlay.

Mayor Gragson: The motion has been made - please record your vote.

ITEM	Commission Action	Department Action
VI. <u>LICENSE & REVENUE DEPARTMENT</u> <u>DIRECTOR OF LICENSE & REVENUE - ILA M. BRITT</u>		
A. <u>CHARITABLE SOLICITATIONS PERMITS</u> -- Approved by the Solicitations Review Board	Items 1 thru 18 Approved as recommended L - unanimous	Director of Lic. & Rev. authorized to issue
1. WEST HILLS SERTOMA -- Raffle tickets		
2. RUTH FYFE ELEMENTARY SCHOOL P.T.A. -- School Carnival		
3. SISTERHOOD TEMPLE BETH SHOLOM -- Raffle tickets		
4. SOUTHERN NEVADA TENNIS PATRONS FOUNDATION -- Tickets to a beachcomber party		
5. LAS VEGAS BREAKFASTERS LIONS CLUB -- Light bulb sale and candy sale		
6. NEVADA STATE SOCCER ASSOCIATION -- Raffle tickets		
7. LAS VEGAS GAMBLE-AIRES - S.P.E.B.S.Q.S.A. -- Barbershop Chorus Show		
8. WOMEN'S AMERICAN ORT AT LARGE -- Raffle tickets		
9. ST. JOSEPH'S SCHOOL -- Bingo party and raffle tickets		
10. BISHOP GORMAN HIGH SCHOOL PARENTS' CLUB & BOOSTERS' CLUB -- Raffle tickets & a dance		
11. JUNIOR LEAGUE OF LAS VEGAS -- Sale of adver- tising in their monthly newsletter		

DEPARTMENT OF
LICENSE & REVENUE

ITEM	Commission Action	Department Action
VI. <u>LICENSE & REVENUE DEPARTMENT</u> (Continued)		
A. <u>CHARITABLE SOLICITATIONS PERMITS</u> (Con'd.)	See Page 9	See Page 9
12. CLARK COUNTY CLASSROOM TEACHERS ASSOCIATION -- Advertising in the "Teacher Talk" publication		
13. CLARK HIGH SCHOOL YEARBOOK "CAVALCADE" -- Advertising in a school yearbook		
14. CLARK HIGH SCHOOL NEWSPAPER "CHARGER" -- Advertising in a school newspaper		
15. RANCHO HIGH SCHOOL YEARBOOK "EL SOL" -- Advertising in a school yearbook		
16. GOOD SHEPHERD HOME AUXILIARY -- Rummage sale		
17. BETA SIGMA PHI SORORITY - ALPHA SIGMA CHAPTER Rummage sale		
18. NEVADA'S JUNIOR MISS -- Sale of ads in the pageant program		
<u>WESTLAND MALL SALE APPLICATIONS</u>		
1. LAS VEGAS WEST CHARLESTON LIONS CLUB	Items 1 thru 18 Approved as submitted L - unanimous	Director of Lic. & Rev. authorized to issue
2. THE SALVATION ARMY		
3. MARCH OF DIMES		
4. AMERICAN ASSN. OF MEDICAL ASSISTANTS		
5. SOUTHERN NEVADA ANTIQUE BOTTLE COLLECTORS, INC.		
6. BETA SIGMA PHI - OMICRON CHAPTER		
7. BETA SIGMA PHI - ALPHA OMEGA CHAPTER		
8. CAMP FIRE GIRLS - BLUEBIRD GROUP #43		
9. FRONTIER GIRL SCOUTS TROOP #238		
10. OPPORTUNITY VILLAGE FOR RETARDED CHILDREN		

ITEM	Commission Action	Department Action
------	-------------------	-------------------

VI. LICENSE & REVENUE DEPARTMENT (Continued)

A. CHARITABLE SOLICITATIONS PERMITS (Con'd)

See Page 10

See Page 10

WESTLAND MALL SALE APPLICATIONS (Con'd)

11. NEVADA CATHOLIC WELFARE BUREAU, INC.
12. COX UPPER ROOM CHURCH OF GOD IN CHRIST
SUNSHINE BAND
13. BETA SIGMA PHI SORORITY - XI NU CHAPTER
14. BETA SIGMA PHI SORORITY - XI ZETA CHAPTER #232
15. WESTERN HIGH SCHOOL JUNIOR CLASS
16. BOY SCOUT TROOP #272
17. LAS VEGAS CAT CLUB
18. NEVADA LICENSED PRACTICAL NURSES ASSOCIATION
DIVISION #2

B. GAMING -- Additional

- | | | |
|----|---|--|
| 1. | SHOWBOAT HOTEL/CASINO
2800 Fremont Street
6 slots | Showboat Operating
Co. |
| 2. | GRAND CENTRAL #21
2120 South Decatur
20 slots | United Coin Machine
Co./Corral Coin, Inc. |
| 3. | FOODLAND MARKET
1500 Fremont Street
5 slots | Pet-Char Corp.
Pete Tasios, Pres. |
| 4. | CHARLIE'S BAR
1511 South Main Street
2 slots | Ben P. Bairrington
et al |
| 5. | COIN CASTLE CASINO
15 Fremont Street
3 slots | United Coin Machine
Co. |

Items 1 thru 21
Approved
L - unanimous

Director of
Lic. & Rev.
authorized
to proceed

DEPARTMENT OF
LICENSE & REVENUE
(continued)

ITEM	Commission Action	Department Action
------	-------------------	-------------------

VI. LICENSE & REVENUE DEPARTMENT (Continued)

B. GAMING -- Additional (Con'd.)

See Page 11

See Page 11

6.	COIN CASTLE CASINO 15 Fremont Street 2 slots	Silver Slots, Inc.
----	--	--------------------

7.	HOTEL NEVADA/CASINO 235 South Main St. 1 slot	Bally Dist. Co.
----	---	-----------------

8.	MR. REED'S 22 Fremont Street 2 slots	Reed Snitker
----	--	--------------

9.	PIONEER CLUB 25 Fremont Street 3 slots	Vegas Vic, Inc.
----	--	-----------------

10.	EL CORTEZ HOTEL/CASINO 600 Fremont Street 6 "21" tables 1 roulette 1 big six	Exber, Inc.
-----	--	-------------

11.	GOLDEN NUGGET 129 Fremont Street 1 big six	Golden Nugget, Inc.
-----	--	---------------------

12.	HOTEL NEVADA/CASINO 235 South Main Street 9 slots	John D. Gaughan, Pres. et al
-----	---	---------------------------------

13.	JACKPOT CASINO 2410 L. V. Blvd. South 4 slots 2 poker	Mace Gazda, M. D.
-----	--	-------------------

ITEM	Commission Action	Department Action
------	-------------------	-------------------

VI. LICENSE & REVENUE DEPARTMENT (Continued)

B. GAMING -- Additional (Con'd.)

See Page 11

See Page 11

- | | |
|--|----------------------------------|
| 14. LAS VEGAS CLUB
18 Fremont Street
1 big six | E. G. & H., Inc. |
| 15. MINT HOTEL/CASINO
100 Fremont Street
3 slots | Consolidated Casinos Corporation |
| 16. RED GARTER CASINO
234 Fremont Street
1 crap table
1 big six | Red Garter, Inc. |
| 17. UNION PLAZA HOTEL/CASINO
#1 Main Street
5 pan games | Scott Corp. |
| 18. WESTERN HOTEL/CASINO
899 E. Fremont Street
1 slot | Exber, Inc. |
| 19. JACKPOT CASINO
2410 L. V. Blvd. South
2 slots | Bally Dist. Co. |
| 20. DOWNTOWNER MOTEL
129 North 8th Street
1 slot | Robert Cohen |
| 21. SHIFTY'S COCKTAIL LOUNGE
3805 West Sahara
1 slot | Automatic Amusements of L. V. |

DEPARTMENT OF
LICENSE & REVENUE
(continued)

DEPARTMENT OF
LICENSE & REVENUE
(continued)

ITEM	Commission Action		Department Action
VI. <u>LICENSE & REVENUE DEPARTMENT</u> (Continued)			
C. <u>RETAIL TOBACCO -- Additional</u>	Items 1 and 2 Approved L - unanimous		Director of Lic. & Rev. authorized to issue
1. PYRAMID MOTORS 516 North Main St	Las Vegas Vending Co., Inc.		
2. PALERMO'S DELICATESSEN 2300 S. Maryland Pkwy.	Las Vegas Vending Co., Inc.		
D. <u>RETAIL TOBACCO -- New</u>	Denied M voted "no"		Director of Lic. & Rev. to proceed
1. HOME GROWN & HOME SEWN 230 West Sahara Avenue	Ralph Petillo		
E. <u>GAMING -- New*</u>	Approved subject to condition L - unanimous		Director of Lic. & Rev. authorized to proceed
1. SHELL INN 312 North Eastern 9 slots	George O. Gray - 100%		
*Subject to State Gaming Commission approval			
F. <u>LIQUOR & GAMING -- Key Employee</u>	Approved F - unanimous		Same as above
1. THE ZODIAK 1825 L. V. Blvd. South Tavern 20 slots	Edwin W. Ponder - Key Employee		
G. <u>LIQUOR -- Reclassification</u>	Approved L - unanimous		Same as above
1. TWO GUYS FROM ITALY 2301 South Eastern Avenue From: Restaurant Beverage To: Service Bar	Joseph Calderone - 100%		

ITEM	Commission Action		Department Action		
VI. <u>LICENSE & REVENUE DEPARTMENT</u> (Continued)					
H. <u>LIQUOR & RETAIL TOBACCO</u> -- District Manager					
1. MAYFAIR MARKET 1000 Rancho Drive Beverage off-sale	Ralph E. Myers - District Manager for Arden-Mayfair, Inc.	Approved L - unanimous	Director of Lic. & Rev. authorized to proceed		
I. <u>SECONDHAND LICENSE</u> -- Change of Ownership					
1. TINCH FURNITURE 1021 South Main Street	N & B, Inc. Joe Novak - Sole officer/stockholder Present licensee: Tinch Furniture, Inc. Kay Wallerstein - Sole officer/stockholder	Approved L - unanimous	Same as above		
J. <u>ESCORT BUREAU LICENSES</u> -- New					
1. PARTY GIRL DATING SERVICE 1111 L. V. Blvd. South - Suite 317	Shannon D. Himes	Items 1 and 2 Denied L - unanimous	Same as above		
2. ENCHANTING ESCORTS 120 South 3rd Street - Suite #18	Michael Jack Campbell				
K. <u>LIQUOR</u> -- Request for Extension of Closure					
1. 7-ELEVEN FOOD STORE Rancho at Charleston Beverage off-sale	Southland Corp.	Approved L - unanimous	Same as above		
Approved 4/3/74. Request for 60-day extension of inactive status: 9/30/74 thru 11/28/74					

01 These minutes
Item "J"

Page 32

DEPARTMENT OF
LICENSE & REVENUE
(continued)

See Pages 33 thru 36
of these Minutes -
Item "J"

Page 32
Minutes
Regular Meeting
City Commission
September 18, 1974

DEPARTMENT OF
LICENSE & REVENUE
(continued)

"J" ESCORT BUREAU LICENSES - NEW

1. PARTY GIRL DATING SERVICE Shannon D. Himes
1111 L.V. Blvd., So.
Suite 317
2. ENCHANTING ESCORTS Michael Jack Campbell
120 S. Third Street
Suite No. 18

Mayor Gragson: Is there anyone in the audience who wants to be heard. We have an unfavorable Police Report on both of these proposed business licenses.

Commissioner Franklin: I am well aware that that is a standing opposition by the Metro and many times with good cause, but this to me is a legal matter and I would like to ask our City Attorney - do we have the right to refuse a License? That's all I'm concerned with. I'm inclined to go along with the Metro - I'm just worried about the law - whether we can deny without some evidence of unfavorable background -

City Attorney, Carl E. Lovell, Jr.: Generally speaking, you have to have some type of evidence of unfavorable character, or at least a questionable background. Unfortunately in something like this, it becomes a matter of Law Enforcement, or if you can show that the applicants have been in this type of business before and had a questionable character, it would give you the justification to use your discretion to deny it in the anticipation of it again. That's the problem we've run into in the District and Supreme Courts.

Commissioner Franklin: We have the right to vote against it, even if the Courts will overrule us -

Mr. Lovell: Yes -

Commissioner Morelli: Insofar as the applicants are concerned, there is noting detrimental to their character at this point and it is just a matter of law enforcement - so we're speculating that it's going to be of an unduly harmful type of business to the City, but we can't condemn people until an act has been committed and that is with the Metro Police Department. Therefore it is under the Civil Rights, I think, that we can't deny them the making of a living until proven guilty.

Mr. Lovell: A lot of the problem is that in the large urban areas in cities throughout the United States they have these legitimate Escort Bureaus, computerized, or whatever it's called, and that tends to give credence to them so that it becomes a matter of Law Enforcement. If they are performing some wrong doing, you've got to catch them at it.

Commissioner Franklin: Here is the problem I face - I get reports from Metro on this, without one derogatory remark in any way, shape or form about any of the individuals involved - no background - no history of improper activity - just like any other person applying for a Business License and they come out clean, but still give objection to the type of business without knowing how the particular business is going to operate. I know we've had enough problems with them in the past. I am inclined to vote against the issuance of the License and let them go to Court and entertain their rights there in Court . . . I don't know . . . it's a tough question.

ESCORT BUREAU
LICENSES
(continued)

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

Mr. Lovell: I might add that if this is not approved or if for some reason the Courts would open it for those people who are applicants and wish to carry on a less than legitimate type of business in this area, since it is a new type coming in - if, in fact, the Metropolitan Police or any other Law Enforcement Agencies find out, there will be no quarter given to them. So they can tell their attorneys now not to come in for . . .

Question: Are you referring to both applications?

Commissioner Franklin: Just the first one - our comments, however, would apply to both.

Michael Campbell: I am applying for a License under Item 2 and I'm confused. I have a copy of the City Ordinance that I have followed to the letter as far as I know. The City has set up an Ordinance to grant this type of business and yet you are saying that because of the reputation of existing businesses, or whatever, you are not looking upon this with favor -

Mayor Gragson: Would you explain to this Board exactly what type of operation that you intend to have and that you will make sure that the operation is as purported to be to this Commission - what your controls will be so that you will know, and we will know, that the business is operating in the way and manner that you are purporting to operate that business? Will you do that for this Board?

Michael Campbell: In terms of that I have sent a letter to Ralph Lamb briefly outlining the kinds of things that I intend to do. First of all, I want to assure you that the letter of the Ordinance will be followed - everything will be followed to the letter of the Law. The idea of an Escort Bureau is to provide to visitors to Las Vegas - they come here and if they want that service, it would be available. I understand under the licenses you have had that your experience has been difficult. My intention is to run it as tightly controlled as possible - I don't know that I can go into specific details -

Mayor Gragson: Do you believe you can operate it tightly controlled?

Mr. Campbell: Yes, I do.

Commissioner Morelli: It is a very difficult thing to do - you realize that - because of the type of employee you get. She, or he, is not under constant surveillance by the Manager at all given times, and that's where we run into a problem. The operator, I am sure, would like to run a legitimate business and make a good profit and make a good living, but it is the type of people who go into this type of service that leaves a little bit to be desired as far as the average knowledgeable person would think.

Mr. Campbell: I realize that and you're making a very good point - the type of people who come into the business are very, very important. I think that's the number one step - that you hire people who are good people and who will understand and accept their responsibilities to the Ordinances of the City. The second thing is that you clarify in the customer's mind his

DEPARTMENT OF
LICENSE & REVENUE

ESCORT BUREAU
LICENSES

(continued)

responsibility to the Ordinances also. If you can have the members of your organization and the customers as well, understand these responsibilities, then obviously there won't be any misleadings to the customer or what they may expect. I intend to run an Escort Service.

Commissioner Franklin: Well, we are dealing in a very nebulous field - it is difficult for me, as a Lawyer, to tell someone who has a good background that they can't engage in a business that our Ordinances permit them to engage in . . . but when we get one that comes in under the name of "Party Girl Dating Service" - now, when they say "Party Girl Dating Service" people are going to get the impression that a girl will "party", and I think we all know what they mean by that. And the other one we have in is "Enchanting Escorts" - there's a lot of difference between partying and enchanting . . .

Commissioner Lurie: Are you going to confine your business to the City of Las Vegas or are your girls going to take dates out in the County - can you live up to the new Ordinance that the County has just passed pertaining to Escort Services?

Mr. Campbell: I'm assuming that the girls will go out into Clark County -

Commissioner Lurie: The County has a new Ordinance they have just passed pertaining to Escort Services and I don't believe that any Escort Service could live up to that Ordinance that the County has just passed. I thought you might have a copy of it and had read it.

Mr. Campbell: No, I haven't . . .

Mayor Gragson: Do you want to hold these two items in abeyance? I'm not familiar with that County Ordinance . . .

Commissioner Franklin: I'm not either -

Mr. Campbell: If there is an Ordinance governing this type of operation, we will abide by that Ordinance - it's not a matter of - if I can or if I want to - I will.

Commissioner Morelli: Mr. Lovell, do you know anything about that County Ordinance?

Mr. Lovell: No, I'll have to get a copy. I will say one thing - if your intentions are legitimate, more power to you. However, you can't come before this Board and act a little dismayed because you're not getting good treatment - you can't come in a white shirt and get into a murky area and expect everybody to applaud you and put their hand on your back . . .

Mr. Campbell: I don't . . .

Mr. Lovell: You don't understand it - well, we've had hearings and everything else here on prostitution and soliciting and everything - we have been to the District Court and the Supreme Court on your type of business, so if you're going to run a legitimate one, that's fine. If not, and you get into trouble, then you can expect all of the punishment and prosecution that is going to come forth, and that's what I want to say.

ESCORT BUREAU
LICENSES
(continued)

Commissioner Franklin: Mr. Lovell, what did the Supreme Court order on that case just recently? What was their ruling?

Mr. Lovell: They ruled that they be allowed to operate until we have the Police file and full arguments set. And if you are operating illegally, Metro is going to find out.

Mayor Gragson: Do you believe that you can operate a profitable business and provide only an Escort Service?

Mr. Campbell: I intend to, or I hope to. We'll find out. It's going to be a legitimate Escort Service and if it is not possible, then it will cease to exist.

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

(No response)

Commissioner Lurie: I move that we deny Items 1 and 2 under "J" based on the unfavorable Police Report that these items are too hard to police.

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

ITEM	Commission Action	Department Action
<u>VI. LICENSE & REVENUE DEPARTMENT (Continued)</u>		
L. <u>LIQUOR -- Change of Location</u>		
1. BROWN DERBY Leslie H. Smith - 100% From: 320 West Monroe Avenue To: 1307 North "D" Street * Tavern License * Subject to the provisions of the Planning, Building and Fire Codes and Health Department regulations	Approved subject to conditions L - unanimous	Director of Lic. & Rev. authorized to proceed
M. <u>LIQUOR LICENSE</u>		
1. LOVE'S WOODPIT BARBEQUE 620 East Sahara Avenue Tavern License Submitted for policy decision in regard to investigation of directors only of: International Industries, Inc.; Uni-World Foods, Inc.; and Love's Enterprises, Inc.; also: request for time limit to be placed on compliance of all officers of the aforementioned corporations.	Directed City Attorney to proceed with Order to Show Cause F - unanimous	C/A to proceed
<u>ADDITIONAL ITEM</u>		
<u>SPECIAL EVENTS LICENSE</u>		
GERMAN AMERICAN SOCIAL CLUB One (1) day only - Sept. 28, 1974		
Location: Greek Orthodox Church 1229 E. Carson	Responsible Licensee: Erika E. Betzler Erika's German Delicatessen	Approved F - unanimous
		Director of Lic. & Rev. authorized to issue

DEPARTMENT OF
LICENSE & REVENUE
(continued)

See Page 38
of these Minutes

Item "M"

Page 37
Minutes
Regular Meeting
City Commission
September 18, 1974

"M" LIQUOR LICENSE

LOVE'S WOODPIT BARBEQUE
620 East Sahara Avenue
TAVERN LICENSE

Submitted for Policy Decision in regard to investigation of
directors only of:

International Industries, Inc.
Uni-World Foods, Inc.
Love's Enterprises, Inc.

Also request for time limit to be placed on compliance of all
officers of the aforementioned corporations.

Mayor Gragson: Who wants to make the report on this?

Commissioner Franklin: This would probably come under our
Committee for review of Gaming and Liquor Ordinances - any
time someone wants a Tavern License in our community so
bad that they still insist on having three international
corporations all having some kind of a vested ownership into
a Liquor License, I think that's straining at a gnat and swallow-
ing a bull, or something. They could solve their problem by
putting in out on a Lease. We expect to give good service to
the people but to have to go down and check every single
member of the Board of Directors of three international
corporations, is rather ridiculous for one lousy Tavern License.

Commissioner Morelli: We have 22 now, and the monies are in?

Director of License & Revenue, Ila M. Britt: We have 19 new
applications on hand that are not acceptable.

Motion

Commissioner Franklin: I move that we issue an Order to Show
Cause for revocation of the existing License for non-compliance
with our existing Ordinances, and that the City Attorney's office
be instructed to proceed.

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

ITEM	Commission Action	Department Action
VII. DEPARTMENT OF PUBLIC WORKS LAURENCE HAMPTON, P.E., DIRECTOR OF PUBLIC WORKS CITY ENGINEER <u>A. APPROVAL OF PARCEL MAPS</u> It is recommended that the following Parcel Maps be approved. Rights of way, as designated, will be complete including radii with the recording of these maps. Any improvements required to be the responsibility of the owner. 1. Robert Cohen (PM-30-74). Right of Way: Michael Way (40'); Carmen Blvd. (30'). 2. Zolin Burson (PM-31-74). Right of Way: Jones Blvd. (50'); Fisher Ave. (30'). Waiver of prohibition of vehicular access to Jones Blvd. 3. Zolin Burson (PM-32-74). Right of Way: Fisher Ave. (30'). <u>B. RELEASE OF CONSTRUCTION CONTRACT</u> The following contractor is 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. 1. Bid No.: 70.9 Contractor: Nevada Rock and Sand Co. For: Owens Ave. Reconstruction from Main St. to 25th St. Notice of Completion: August 27, 1974 Release Date: October 1, 1974	Items 1, 2 and 3 Approved as recommended M (Commissioner Franklin temporarily absent) Approved as recommended M (Comm. Franklin temporarily absent)	P/W to proceed Clerk & Div. of P&C to proceed

ITEM		Commission Action	Department Action
VII.	DEPARTMENT OF PUBLIC WORKS (Continued)		
	C. RIGHT OF WAY ITEMS		
1.	Right of Way Grant From: Teddy Rich Enterprises To: City of Las Vegas For: Portion of NE-1/4, Sec. 8, T21S, R61E Easement. Underground conduit and Utility Box. Dedication S.I.D. 413	Items 1 thru 8 Approved as recommended F - unanimous (Comm. Morelli temporarily absent)	P/W to proceed
2.	Grant Deed From: Sproul Homes of Nevada, a Nevada Corporation To: City of Las Vegas For: Portion of SE-1/4, Sec. 33, T20S, R60E West Charleston Blvd. Dedication		
3.	Grant of Easement From: Las Vegas Valley Water District To: City of Las Vegas For: Portion of SE-1/4, Sec. 33, T20S, R60E W. Charleston Blvd. Bldg. Permit. Dedication		
4.	Grant Deed From: Morris Jaeger, a married man, as to an undivided 1/2 interest and Martin LaVine, an undivided 1/2 interest To: City of Las Vegas For: Portion of SE-1/4, Sec. 12, T19S, R60E Recorded as Instrument No. 414609 in Official Record Book 455 in the office of the County Recorder, Clark County, Nevada on August 29, 1974. Thom Blvd. Dedication		

ITEM		Commission Action	Department Action
VII.	DEPARTMENT OF PUBLIC WORKS (Continued)		
	C. RIGHT OF WAY ITEMS (Continued)	See Page 17	See Page 17
	5. Grant Deed From: Elmer J. Laub and Marilyn Laub, husband and wife as joint tenants To: City of Las Vegas For: Portion of SE-1/4, Sec. 12, T19S, R60E Recorded as Instrument No. 414608 in Official Record Book 455 in the office of the County Recorder, Clark County, Nevada on August 29, 1974. Thom Blvd. Dedication. Bldg. Permit		
	6. Grant Deed From: Valley View Investments To: City of Las Vegas For: Portion of SE-1/4, Sec. 12, T19S, R60E Recorded as Instrument No. 414607 in Official Record Book 455 in the office of the County Recorder, Clark County, Nevada on August 29, 1974. Grand Teton and Thom Blvd.		
	7. Right of Way Grant From: City of Las Vegas To: Nevada Power Company and Central Telephone Company For: Portion of SW-1/4, Sec. 25, T20S, R61E (City Yards) (RW 7835-499)		

DEPARTMENT OF
PUBLIC WORKS
(continued)

See Page 42
of these Minutes
Item VII(7 and 8)

Page 41
Minutes
Regular Meeting
City Commission
September 18, 1974

DEPARTMENT OF
PUBLIC WORKS

RIGHT-OF-WAY ITEMS

8. RIGHT-OF-WAY GRANT

From: City of Las Vegas
To: Nevada Power Co. & Central Telephone Co.
For: Portion of SW 1/4, Sec. 29, T20S, R61E
LORENZI PARK (RW 7799-450)

Director of Public Works, Laurence Hampton: I would like to point out on Item 8 this is a previously installed line to the Garden Club in Lorenzi Park. This is an installation wherein if the easement is not granted, the City would be responsible for maintaining it, so it would be in the best interests of the City to grant the right-of-way that is being requested by the Power Company and Central Telephone Company.

Commissioner Franklin: One common right-of-way for both of them?

Mr. Hampton: Yes, I believe it is.

Commissioner Franklin: I see another one - Item 7 - I marked both of these items - Item 7 says "City Yards" - is that right?

Mr. Hampton: The City Yards is not the sole beneficiary of the construction, but it does help to serve the City Yards.

Commissioner Franklin: I'd like to have Mr. Trelease refresh my memory, if he can, that the Power Company gave us mortal fits at the time we wanted to build that City Yards down there - are we talking about the corporation yard? Wasn't it down there where they wouldn't relinquish - and just raised all sorts of hell on existing rights-of-way they had . . . it was my understanding that when we built the corporation yards for the City there were still existing rights-of-way that the Power Company had and the Telephone Company had, and they wouldn't yield one inch to help us build those yards on those existing rights-of-way - I'm not sure, but I think we had to pay them for those.

Deputy Director of Public Works, Victor B. Uehling: I don't recall -

Mr. Hampton: I would be happy to hold this in abeyance if you like, Commissioner, and we'll look into it.

Commissioner Franklin: Well, I think we should look very carefully at any of these Utility Companies coming in for rights-of-way now because once they get them, they really . . . I don't want to hold them up at this time, but I would like you to go back and research our relationship with the Power Company where it comes to the City having to use one of their rights-of-way and see what cooperation we've had.

ITEM	Commission Action	Department Action
VII. DEPARTMENT OF PUBLIC WORKS (Continued)		
C. RIGHT OF WAY ITEMS (Continued)	See Page 17	See Page 17
8. Right of Way Grant From: City of Las Vegas To: Nevada Power Company and Central Telephone Company For: Portion of SW-1/4, Sec. 29, T20S, R61E Lorenzi Park (RW 7799-450)		

EASTERN AVENUE MEDIAN CUT

Mr. Hampton: The first item before you under Reports is an abeyance item - Eastern Avenue Median cut. At your request we did contact a bona fide representative of the owner, who is here in the audience today - Mr. George Minton. He has indicated at a meeting we had early this week, that he is entirely in favor of the Project.

He is a little bit concerned about the property owners paying the full cost. He would like to address the Commission and present his case.

It would be the recommendation of my office that the property owners pay the full cost since it appears this is for their sole benefit. This was also the recommendation of the Regional Street and Highway Commission.

Commissioner Franklin: Is the median a proper median that should be there even now for correct traffic?

Mr. Hampton: Yes, considering the development of the Shopping Center, it is the most logical installation.

Commissioner Franklin: Well, if the median isn't needed for proper traffic control, then we should not authorize the cut under any circumstance, no matter who is going to pay for it. If it was improperly installed in the first place, and now should and does desire the cut there to service the traffic and the people there - why should they pay the total cost?

Mr. Hampton: Commissioner, the median as it was originally constructed was proper since there was not a Shopping Center there at the time. The Shopping Center came in subsequently and created the problem -

Commissioner Franklin: You are having a lot of people violating the Law in making left turns because that median is not cut?

Mr. Hampton: Yes, there are some . . .

Commissioner Franklin: And do we make changes as our town grows and conditions change - shouldn't we go along with that - isn't it our duty to keep current on our traffic counts, regardless?

Mr. Hampton: Well, I would believe so . . .

Mr. George Minton: I am the Managing Agent for the Foursquare Shopping Center. I built that place eighteen months ago and we had proper entrance permits. We developed all the offsites to the tune of some \$25,000 or \$30,000.00. We started to lease out - we got about 50% and they installed a "no turn" sign. I've had two or three failures since and we're just not quite making it.

I feel that we were granted permits with the existing median - I don't believe it is entirely our fault.

Mayor Gragson: I think this is the point - originally there was a left hand turn permitted there. Then traffic developed to a degree where a "No Left Turn" sign was put in due to the fact there were no holding lanes to permit through traffic to proceed while the vehicles wanting to turn left had the holding lane.

Commissioner Franklin: How much are we talking about?

EASTERN AVENUE
MEDIAN CUT
(continued)

Mr. Hampton: \$8,900.00.

Commissioner Lurie: And Regional Streets doesn't want to participate?

Mr. Hampton: No - I think they are prohibited by their existing policy to participate in such a cut -

Commissioner Lurie: Going north now, to get into the Shopping Center, you have to turn at Stewart - left on Stewart and then come in off of Stewart -

Mr. Hampton: or a U-Turn.

Mayor Gragson: A left hand turn would be far more favorable than a U-turn - even without a holding lane.

Mr. Hampton: That's right -

Mr. Minton: We've been denied access to our Shopping Center -

Commissioner Lurie: Well, we're looking at the traffic - as they go north on Eastern the traffic through there - through that curve - I would be in favor . . . is there going to be a stacking lane?

Mr. Hampton: Yes, this is the construction we would provide for - a left turn stacking lane. I think the Regional Streets who started off the consideration of this matter, recommended its approval based upon the property owners participation. Primarily, it is a precedent matter. In other words, if we were to as a local agency, or if Regional Streets, were to pay for a modification as developments came into an area, it just becomes quite a large financial burden and it is felt that since they created the generation of the traffic, that it should be their responsibility. But that is entirely up to this Commission - if they would like to participate on a cost-sharing basis or would like to hold to that policy.

Mayor Gragson: The design of the ingress and egress from the property indicates to me that they anticipated a left hand turn in this area into the property, and it was there. I think I am willing to offer - if the property owner is willing to provide half of the cost, the City or Regional Streets will provide the other half. There is no question but that the Shopping Center will derive some benefit from it, but the City and the area likewise will derive benefits from any successful business operation, and any failure in business depresses, to a degree, our total business community.

Mr. Hampton: I would like to suggest that if a motion is made, say that if Regional Streets will not participate - we will, of course, try to get them to participate, but if not it will be the City's cost.

Motion

Commissioner Franklin: I will so move.

Commissioner Morelli: I will have to agree with that -

Mr. Minton: I will recommend it to my people - thank you very much.

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

DEPARTMENT OF
PUBLIC WORKS
(continued)

DELL H. ROBISON JR. HIGH SCHOOL - ACCESS ROAD

Mr. Hampton: I have written the Commission a short memo on this matter. This map (wall) and I apologize, does not depict clearly what we intend to do, but I will try to explain it the best I can.

This 80-acre piece of property - bounded by Nellis, Marion, Harris and Washington. The new Junior High School is located on this 20 acres in the southwest corner. The School has installed the streets surrounding the property - this section of Harris Street and this section of Marion. This leaves a gap between Nellis and Lamont and between Washington and the north boundary of the School.

This is what we are requesting - is permission to construct those two access roads to serve the new School which will open within thirty (30) days. The cost of the Project is approximately \$14,500.00. This is based upon our annual asphalt contract - of using our annual asphalt contract and rental equipment.

I have pointed out in my memo the fact that I feel that the School District has an unequitable right in not being required to construct their own access roads. But, the practical side of the matter is that the School District, by State Law, does not have to put them in and there is really no one else to put them in except the City and we do have to move quite fast to get this constructed before they open the School.

Commissioner Franklin: I can see the problem now - let me tell you I'd sure be in favor of a policy by this City that any time the School Board decides to build within the corporate limits of the City of Las Vegas, a new School, that can by their decision impact our operation as far as streets are concerned, that we make it clear we will not put access roads in unless we are consulted in the selection procedure of the location.

Mr. Hampton: I would agree 100%.

Commissioner Franklin: I think the School Board should so be notified that unless we are consulted on their locations, we will not assume any responsibility for providing access roads to them. This one is, as you say, a 30-day matter - they're going to get the School in there and we can't have cars going across the desert without some kind of a road and the amount is fairly a small amount at this time -

Mr. Hampton: It will be temporary construction - it is not permanent construction but asphalt overlay.

Motion

Commissioner Franklin: I move that the Department of Public Works be instructed to go ahead with the Project.

Mayor Gragson: And I concur completely with your comments.

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

Motion

Commissioner Franklin: Then we will have our City Clerk notify the School Board . . . I will now move that we adopt as a policy of this Board that we will not build access roads to schools

DEPARTMENT OF
PUBLIC WORKS
(continued)

UNLESS WE are somehow involved in the decision-making function on the site selection for that school, because they can impact an area by the selection of a bad site in our City, and I will so move - that that be adopted as a Policy and a copy sent to the School Boards.

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

F.I.A. PROGRAM
Report only

STATUS REPORT ON F.I.A. PROGRAM

Mr. Hampton: Gentlemen, the last item under "Reports" - status report of Federal Insurance Administration Program: I apologize for submitting to you late this morning a memorandum regarding this matter. We did confirm a meeting only yesterday with officials in Washington. A meeting has been set up for Monday morning for a representative from the F.I.A. being in attendance to discuss this whole matter.

This was brought about by the recent issuance of a Map by their Agency entitled "Special Flood Hazard Areas". It leaves a lot of questions unanswered as to just exactly what this Map will do to us. It could be of great impact to the construction industry in that it would require large sums of money to be put into insurance and this, with the high cost of money that we have today, could more or less break the camel's back.

Then, again, it might not be of any real concern at all. But we do want to find out exactly what it does mean and we have asked that someone come from the Washington Office to explain this to us and to other interested parties in the area. The County is also involved quite deeply in this Program so they have been involved in investigating the Program. The Lending Institutions are very concerned about it and I believe some of the other cities are also interested. So we have scheduled a meeting in this room for Monday morning so that everyone can get their questions answered, hopefully.

The only thing I had asked is - if you have the names of any persons who have expressed an interest in this Program, we would like to have them so we can make sure they are invited to this meeting.

And that is all I have, Mr. Mayor.

NURSERY SCHOOL
FEE

COMMUNICATION

From: ALL SAINTS EPISCOPAL CHURCH
Dated: September 1, 1974
Re: Waiver of or prorating of License Fee for
operation of All Saints Day School for
month of October, 1974

See Page 48 of these Minutes

City Manager, A. R. Trelease: This is a request for a waiver or proration of a Nursery License Fee - I don't believe our Ordinance permits it.

Carl E. Lovell, Jr.: They can't do it under our Ordinance.

Commissioner Franklin: They have to pay a full year's license fee for that one month?

NURSERY
SCHOOL
FEE

All Saints Episcopal Church

4201 WEST WASHINGTON AVENUE
LAS VEGAS, NEVADA 89107

(continued)

11 September 1974

Mr. Ron Lurie
Commissioner
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

Dear Mr. Lurie:

All Saints Day School has recently been licensed for operation of a school for children ages 3 thru 5. The license fee for a church nursery school is \$120.00, due annually 1 November.

We would like to open our school by 1 October and we are requesting a waiver or pro-rated fee for the month of October as per our conversation of 11 September.

Your attention to this matter is appreciated by all of us, and we thank you.

Kindest regards,

Martha J. Whitaker

(Mrs.) Martha J. Whitaker
Director

*Agreed
9.18.74
as communicated
J. Supin*

THE REV. CHARLES R. SUPIN, RECTOR — 702/878-2373, 870-6378

NURSERY
SCHOOL
FEE

(continued)

Commissioner Lurie: We can't waive the one month? Allow them to establish their school and then pay the full License fee on November 1st?

Mr. Trelease: It says in there specifically that any License fee of this type is a set amount and that it cannot be prorated.

Mayor Gragson: Can we give them a one year's License from this date forward?

Mr. Trelease: No - the Licensing period ends October 30th -

Martha Whitaker: I'm from Episcopal All Saints Church and we have applied for a License for our Nursery School, which will be operated on the regular school year basis - right after Labor Day through the end of May, and we just wonder why for one month, or even two months, we would have to pay the full year, and why the date for the fee - the fiscal year is at this time - October 31st - which is certainly inconvenient for Nursery Schools, especially one trying to get started. We are on such a limited budget - why we should have to pay \$120.00 for one month and then pay another \$120.00 on the 1st of November. It just doesn't seem fair.

Commissioner Lurie: Is there any way, legally, that we can do this -

Commissioner Franklin: It doesn't sound fair to me - I don't know about the times either - why do we set those particular dates for the Annual License? Why October 31st rather than the calendar or the July 1st fiscal year.

Commissioner Lurie: It would take an Ordinance to change it -

Carl E. Lovell, Jr.: Back in 1968 and 1969 this was set up, but I don't know why they did it. For whatever reason they put it in for October, I don't know, but they also put in there something that says - we're not going to let you prorate it either - so if you come in a half year ahead of time, or two months, or three months . . .

Mrs. Whitaker: What would the reason be for that?

Mr. Lovell: The only thing I can think of, and I'm not sure if it pertained to this type of business or not, but I know as a matter of Licensing Law Enforcement, that on many occasions you will have contractors and other kinds of businesses who, when it is coming up in October or November - if they do business say most of the time in the County, or something, then they will sneak in and try to do a few jobs in this City or in North Las Vegas and they sometimes can do it without getting caught and therefore without paying a Business License. So then when Law Enforcement would catch them, the last month or the last couple of months before the period was due, they'd say - well, can I pay for just the last couple of months? I know this has been a debate with us before with contractors who we've caught. That's the closest thing I can think of that maybe in this area, and other areas, throughout the Code they put this in so that if you are going to operate, you're just going to have to pay the full fee.

Commissioner Franklin: What's the normal fine for operating without a Business License? For one month?

NURSERY
SCHOOL
FEE
(continued)

Mr. Lovell: Why do you want to start one month early?

Mrs. Whitaker: We are one month late - we operate on the normal school year. I don't understand why we can't be pro-rated. We don't mind paying the City a fee . . .

Mayor Gragson: Let me say this - if we could legally do it - we wouldn't mind waiving it even -

Mrs. Whitaker: Well, what procedure should we go through to try to get a change in the Ordinance? Or is that an impossibility?

Commissioner Franklin: I'm sure the Commission will recommend that a study be made of this particular Ordinance in view of the hardship it has created for the purpose of amendment, and if none of them do, I will.

Motion

Commissioner Lurie: I would so move.

Mrs. Whitaker: Then what should we do? Just wait until we hear?

Commissioner Franklin: Keep in contact with Mr. Lovell.

Mayor Gragson: By the time we get it on, it won't do your Nursery any good at all - if you paid for the full twelve months it wouldn't create any hardship because you could operate the full year if you wish. If we change the Ordinance it would be November before we could possibly go through the procedure for 1st and 2nd readings, advertising and acting on it.

Mrs. Whitaker: So, in other words, if we started on September 30th we've got to pay the \$120.00 for thirty (30) days and then \$120.00 again on the first of November.

Mr. Lovell: We're going to take a look and see if we can find any way at all to help the situation - if you will give me a call, we'll get together on it.

Mayor Gragson: Is this a non-profit organization?

Mrs. Whitaker: Yes sir.

Motion

Commissioner Franklin: May I may this suggestion and Mr. Lovell can expedite it if he can - I will make a motion that should there be a provision whereby we may, by Resolution, amend the Ordinance to grant some kind of clemency to a non-profit organization, or for any purpose, that this Board go on record as being in favor of any way where there can be enacted by the City Attorney.

Director of License & Revenue, Ila M. Britt: May I say a word - there is a provision already whereby they can appeal for an adjustment of the fee upon renewal. That is contained in the Ordinance already.

Mr. Lovell: This is after they get operating?

Ila Britt: Right -

Commissioner Franklin: When they get operating then they can appeal for a reduction?

Ila Britt: Yes, which would be for their renewal period beginning November 1st.

NURSERY
SCHOOL
FEE
(continued)

Commissioner Franklin: Then why don't you pay your \$120.00 and when it comes up for renewal then we will give consideration to your request for \$1.00 for next year, or \$10.00 - where there's a will, there's a way.

Mrs. Whitaker: Thank you very much.

ITEM	Commission Action	Department Action
X. <u>BOARDS AND COMMISSIONS</u>		
A. <u>CHILD WELFARE BOARD - (3-year term)</u>		
Mrs. George E. Franklin - Term of office expires 10/16/74	Reappointed	Clerk to notify
Mrs. Virginia Cummings - Term of office expires 10/20/74	Mrs. Franklin and Mrs. Cummings M F abstained	
B. <u>CITIZENS COMMITTEE FOR COMMUNITY IMPROVEMENT</u> (3-year term)		
Juanita Subdon - Term of office expires 10/20/74	Reappointed	Clerk to notify
Art Taylor - Term of office expires 10/20/74	Juanita Subdon and Art Taylor F - unanimous	
C. <u>PLUMBERS EXAMINING BOARD - (2-year term)</u>		
Terms of office of the following members expire 10/2/74:	Reappointed all members	
(1) Ernest Pacheco (4) Ivan Curtis	F - unanimous	Clerk to notify
(2) Richard D. Brown (5) Ernest Becker, Jr.		
(3) Donald O. Taylor		
D. <u>LAS VEGAS METROPOLITAN BEAUTIFICATION COMMITTEE</u> (3-year term)		
Appointment of one (1) member to represent Board of Realtors.	Appointed Gary Kent M - unanimous	Clerk to notify
E. <u>PARKS & RECREATION ADVISORY BOARD</u>		C/A to proceed
Appointment of one (1) member to replace Mrs. Abe Miller for a term of office expiring 1/3/77. (Letter of resignation from Mrs. Miller dated 9/12/74)	Appointed Mrs. L. John Heenan 4527 Alpine Place ALSO C/A to prepare Resol. of Commenda- tion for Mrs. Abe Miller	Clerk to notify

BOARD AND
COMMISSIONS -
APPOINTMENTS

Page 52
Minutes
Regular Meeting
City Commission
September 18, 1974

PROPOSED
ORDINANCE
No. 1734
Referred
M and C

PROPOSED ORDINANCE No. 1734-P - AMENDING TITLE XI
(ZONING REGULATIONS) PROVIDING FOR CHURCHES IN
P-R ZONES

Proposed by: Director of Department of Community Development

An ordinance entitled: "AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, SECTION 17.A, SUBSECTION (A), OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY ADDING THERETO PARAGRAPH 3 TO PROVIDE THAT PUBLIC AND QUASI-PUBLIC USES AND CHURCHES BE ALLOWED IN A P-R ZONE; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith" was read by title by the City Attorney, who recommended that it be referred to Committee. (1st reading)

Mayor Gragson appointed Commissioners Morelli and Christensen as the Committee for Recommendation on Ordinance No. 1734, and instructed the Clerk to proceed with the first publication, by Title, of said Ordinance No. 1734.

PROPOSED
ORDINANCE
No. 1735
Referred
C and M

PROPOSED ORDINANCE No. 1735-P - CREATING SPECIAL
IMPROVEMENT DISTRICT No. 412

(Improvement District created by action of Board of City Commissioners at Special Meeting of September 11, 1974)

Motion

Commissioner Franklin: Mayor, on this proposed ordinance, before you even refer it to a Committee, at least I want to make a motion which might possibly if I get enough votes from my fellow Commissioners, save us the trouble of a Hearing, by Committee. I am going to move that the proposed Ordinance No. 1735-P be stricken from the agenda and that the City proceed no further with this Improvement District.

I have very strong feelings in connection with this matter, especially after having gone through a Public Hearing on it the other night - especially after reading certain comments in certain columns. I had objections the other night - I voted against it at that time.

I feel we are setting a very dangerous precedent, and I mean a dangerous one. It is not in the best interests of the Improvement District laws and it's not in the best interests of our use of Revenue Sharing money, when we take over a Million Dollars of our Revenue Sharing money to put it into an Improvement District to benefit the owners of private property, just because of the location of that particular private property. At least 55 to 70 of those lots are Governmentally owned - they are foreclosures by HUD - therefore we can't even assess the Federally owned land, and we are taking General Fund money that could be used to benefit all peoples, to benefit a few owners of real property in an area that won't be increased, or benefited, by the streets themselves. I think we'll just have streets surrounding a substandard neighborhood - the streets and the lights alone won't improve the status of that land - until we start changing people a little bit - and I just think we would kill every other Improvement District that this City ever wants to put in - when we've gone to every other owner in this town where we've had an Improvement District and they pay the cost of it, and we try to get one on again in some other area of town, they'll say - sure

we'll go for it - you pay 80% of it and we'll go for it - just like you did on S.I.D. No. 412. I think it wouldn't be a very long time before Jim Gist would be out of a job if we pass something like this because nobody else would ever go for an Improvement District unless the City put up 80% of the cost.

I think it's wrong - I think it's wrong policy. As a matter of fact, I think there are even some legal defects in it because we only passed a Provisional Order on this, on August 7th, and that's when all the work is supposed to start on it - when we pass the Provisional Order. There are only two ways you can create an Improvement District and one is by Provisional Order and the other is by Petition of the property owners themselves.

I just think, Governmentally, we are making a tragic mistake to put over a Million Dollars of the taxpayers money for a private project for the improvement of private persons' land, and I therefore move that this Ordinance be stricken from the agenda.

Mayor Gragson: Before I call for the vote, I would like to point out that under that philosophy, most of our community development programs - all of the Model City community programs - all of our HUD programs - all of our Government programs - over the years would violate, totally, your principle and concern, even to the Welfare program. Your free hospitalization doesn't provide for everyone - it provides in those areas where it is needed. I will tell you gentlemen of this Commission my position is that we must proceed with this Special Improvement District No. 412 as approved at our Public Hearing held this past Wednesday evening.

Commissioner Franklin: Mayor, I will disagree with you on one point. Every one of the other laws you mentioned where we do go into depressed areas and so spend public funds, it is not a question of putting improvements on privately owned property. No other Federal program allows it and I think we're wrong if we do it, because an Improvement District improves the property of a private owner. Now I'll tell you that about half of those owners over there are non-resident whites, and we are agreeing to commit ourselves to \$1,800.00 - more than \$1,800.00 - not counting interest - per 40 ft. lot. The lot isn't worth that much! I just don't think we should put the general taxpayers' money into improving privately owned land on the basis that it's a depressed area, when it is owned by people who are not depressed.

Motion failed by the following vote: Commissioner Franklin voting aye; noes, Commissioners Christensen, Lurie, Morelli and Mayor Gragson

An ordinance entitled: "ORDINANCE No. 1735 - AN ORDINANCE CREATING LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT No. 412; ORDERING THE IMPROVEMENT OF CERTAIN STREETS AND PARTS THEREOF; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING ACTION HERETOFORE TAKEN RELATIVE TO SAID DISTRICT AND PROVIDING FOR RELATING MATTERS" was read by title by the City Attorney, who recommended that it be referred to Committee. (1st reading)

ORDINANCE
No. 1735
(continued)

Mayor Gragson appointed Commissioners Christensen and Morelli as the Committee for Recommendation on Ordinance No. 1735, and instructed the Clerk to proceed with the first publication, by Title, of said Ordinance No. 1734.

CITY TO
INTERVENE
Approved

PETITION TO INTERVENE IN SOUTHWEST GAS APPLICATION FOR
RATE HIKE - I&S 871

City Attorney, Carl E. Lovell, Jr.: The first item, Mayor, is actually not a petition to intervene - it would be a motion to approve the City Attorney's office to represent the City as an interested party at the Hearings and, if necessary, to file any pleadings. What Southwest Gas is actually asking for is about a one cent (1¢) increase and compared, in my opinion at least, to some of the other applications that have been submitted, multiple ones, they seem to be a little more reasonable and have a justified base. If you wish, as we have been, we will watch with a careful ear and, if necessary, file points of authority and other things in the best interests of the City -

Commissioner Morelli: This is to cover their costs from the El Paso Company, isn't it?

Mr. Lovell: Right -

Commissioner Morelli: So, really, it isn't a profit making thing - it's just an expenditure they are going to pass on - 17¢ or something like that -

Mr. Lovell: Actually is from one to seven cents, depending on the amount of usage -

Mayor Gragson: I believe for the average resident it would amount to about 17¢.

Motion

Commissioner Franklin: I think it should be General Policy, gentlemen, that we have the City Attorney at any Utility Company Hearing, whether it's a requested rate increase, not only for the benefit of the City of Las Vegas but for the benefit of the people of Las Vegas, and I would move that at any application filed by any Public Utility for a rate increase that will impose a cost of living raise on our people, that they be instructed to appear to represent the City and the people of the City.

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

STATE HIGHWAY
AGREEMENT
No. 387-74-015
Approved

MODIFICATION OF 4-PARTY AGREEMENT FOR CONSTRUCTION
OF LAS VEGAS CREEK SECTION BETWEEN U.P.R.R. AND
WASHINGTON AVENUE

Mr. Lovell: On this abeyance item, Mayor, you received the latest Agreement just a few minutes ago with a memo from me. It's a revision - we just received the information from the State - this has been a carry-over item for several meetings - it's a revision of the 4-party Agreement for the construction of the Las Vegas Creek, between the Railroad and Washington Ave. I believe a representative from the State is here if there are any questions.

HIGHWAY
AGREEMENT
(continued)

Mayor Gragson: Is the Department of Public Works in accord with this Revised Agreement?

Director of Public Works, Laurence Hampton: There is an increase in the cost, Your Honor. Originally there was \$250,000.00 allocated for this Project. The latest estimate for the City's share is \$338,000.00 so we would need an appropriation of \$88,000.00 additional.

We do fully support the Project since it is very much needed. Also, if we do not proceed we might lose the possibility of Federal funding on it.

Commissioner Franklin: You feel that the modifications in the Agreement itself are in the best interests of the City?

Mr. Hampton: Yes, the modifications really are for the best interest of the City -

Mayor Gragson: I, too, believe it is in the best interest.

Motion Commissisner Morelli: I move for approval of the Agreement.

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

KNOLLER WATER
RIGHTS
Report

REPORT ON KNOLLER WATER RIGHTS

Mr. Lovell: Next before you, Mayor, is a report on the Knoller water rights - it has been held in abeyance trying to establish some certain quantity of water to take to the State Engineer.

Mr. Hampton: Gentlemen, at the last meeting my office was asked to meet with Mr. Knoller and the State Water Resource Department Engineer's office. We did hold a meeting on Friday, September 6th. The outcome of that meeting was given to you in my memo to the Commission.

I would like to point out that in the opinion of the State Engineer, Mr. Knoller would stand an equal chance of getting water rights on his own, independent of whether or not the City would give up any of its rights. I think this is one of the important factors that we did learn. That is about all I would add at this point unless you have questions.

Commissioner Franklin: Then what are you doing back here before us?

Legal Counsel for Mr. Knoller: What are we doing back here? We gave you a little over two acres to get these water rights in the first place -

Commissioner Franklin: Can you get the water rights directly from the State, as has been reported here?

Answer: He says we can, so we'll make the appropriate application. We still gave you the two acres for the use of the water in that area - whether it was a mutual mistake or not - give us our \$2,500.00 back and take the 2.3 acres back -

Commissioner Franklin: That's exactly what I suggested at the last meeting. If there was a mutual mistake you are entitled to your land back -

KNOLLER
WATER RIGHTS
(continued)

Legal Counsel for Mr. Knoller: Either entitled to that or entitled to the water use - one or the other.

Commissioner Franklin: Well, there's nothing in there to guarantee any water use though - damn it -

Answer: Well there's something there that guarantees the water use if you don't need it -

Commissioner Franklin: If there was a well on the property you deeded to us - that's where the mutual mistake of fact came in -

Answer: There has been some intervening rights, in between, too - you know that.

Mauor Gragson: We want to work with you on this, but I understand we are using more water there now than we have the rights to - or as much as we have the Well Permits for, anyway.

Legal Counsel for Mr. Knoller: Part of it is for a commercial use - raising the hay.

Mayor Gragson: This doesn't specify it must be for domestic use - even if we want to get technical now, as you seem to be doing at this moment.

Mr. Hampton: That was the point I was going to make - I forgot to do it initially, but I think it is very important - that we are actually using more - last year we used more water than we had appropriations for by a small percentage, and if that area develops as the Master Plan depicts, we will need approximately twice as much water as we now have appropriations for.

Legal Counsel for Mr. Knoller: Where do we stand? Do we get our 2.3 acres back? That's the next question.

Commissioner Franklin: Not from the City I'm sure - take it to Court. Under the original deed any water that would be available, on the mutual mistake there was a well on the property you sold to the City, only called for the water to be given to you if there was no need for it by this City.

Legal Counsel for Mr. Knoller: They're talking about what's allocated - they're not talking about the ability to produce - those are two different things -

Commissioner Franklin: That deed didn't indicate we had to go out and dig more wells to provide water . . .

Legal Counsel: That's not what we're talking about - as I understand it, it's the allocation we're talking about, not the ability of the wells to produce - is that correct?

Mr. Hampton: Well, we can produce more than we're using now, but we don't have the allocation to use more than we're using. I might just reiterate the fact that the State Engineer (his representative) seemed quite optimistic that Mr. Knoller could acquire rights for his property for domestic use.

KNOLLER
WATER RIGHTS
(continued)

Legal Counsel for Mr. Knoller: Alright - fine - we'll accept that proposition, but I still think, all in all, we are entitled to the 2.3 acres. You call it a mutual mistake - we call it now the inability, or the lack of the desire of the City to make the application for additional use - either way.

Motion

Commissioner Franklin: We have a City Attorney - I don't want to play lawyer here. As far as I'm concerned, if the water is available to "Doc" Knoller on a direct application by him and he has equal rights to obtain the rights as the City does, I will move that we not proceed with any application or the sharing of any of our existing water rights for the adjoining property. I think that will determine the issue.

Mayor Gragson: That determines that he exercise his rights -

Commissioner Franklin: He has the right to go get the water - all he wants. The deed is pretty specific on that - I'm not that concerned and the City Attorney apparently is not either. It says: "In making this conveyance, the Grantor expressly reserves therefrom, if and when, granted the abutting property is developed, the right to withdraw water which (1) shall be limited to withdrawal for reasonable domestic purposes and (2) shall be exercised only at such time as withdrawal does not interfere with the City's prior right to withdraw water from the well, whenever at such time as the flow of water from said well shall not exceed the City's needs granted rights to withdraw water shall abate until such time as the flow of water from the well shall exceed the City's need, and (3) shall be paid for at the then existing rates carried by the Las Vegas Valley Water District, or successors, to its subscribers and (4) shall be distributed by lines installed by Grantor at Grantor's cost."

So I think that's enough protection in the deed.

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

FIREFIGHTERS
LOCAL 1285

REQUEST FOR PERMISSION TO FILE AN APPEAL TO THE SUPREME COURT FROM A DECISION BY THE 8TH JUDICIAL DISTRICT COURT re FIREFIGHTERS LOCAL No. 1285 (Parity)

Mr. Lovell: Next before you is a request for us to file an appeal in the Supreme Court on the Firefighters issue on the Parity Ordinance. Judge O'Donnell ruled against us in the District Court and we feel that it certainly has merit and should be determined by a 5-man Supreme Court.

Commissioner Franklin: Was it a final order? I couldn't get that from reading the paper - was it a final order or just an adjudicated portion of the suit?

Mr. Lovell: It was, I think, final . . .

Commissioner Franklin: They allowed what - five months? or seven months?

Mr. Lovell: Seven - I think it's seven . . .

Commissioner Franklin: In other words, the Judge did rule that from the day that Metro was created until the day that we passed the Ordinance that they were entitled to it only on the

FIREFIGHTERS
(continued)

Fireman Grade - that's only on the Fireman's grade - that's was the original referendum was.

Mayor Gragson: What is the pleasure of the Commission?

Commissioner Franklin: For that limited period of time, if they are awarded it, I'm not in favor of an appeal that would have no other effect, or than to award it for that period of time. That is my personal feeling. If you think there are other governing legal principles

City Manager, A. R. Trelease: May I ask before you vote - would you vote differently if the thing was to go on and on . . .

Commissioner Franklin: But he is asking to appeal, and what he is asking to appeal does not touch on whether the Judge is going to rule the validity of our Ordinance - right? You couldn't even raise that question under this appeal, I don't think - all you can appeal is whether the Judge is right on this seven months period - period. That's the way I construe it - what do you think, Mr. Lovell?

Mr. Lovell: I think probably the safest thing to do is to go ahead, if you wish to protect this end of it, is to appeal this - you can always withdraw your appeal on this if, in fact, the other suit as it turns out may be good or bad. What it says:

Fire Department employees of the City of Las Vegas serving during the period from July 1st up to March 6, 1974, are entitled to receive from the City of Las Vegas a sum equal to the difference between the sum actually paid them during that period and the salary they would have received had the City of Las Vegas maintained a condition whereby they were compensated at a rate no lower than employees of the Las Vegas Metropolitan Police Department serving in the ranks considered prior to July 1, 1973 to be comparable to the Fire Department.

Mr. Lovell: So, it's the same as Las Vegas Police Department Officers up to March 6, 1974 -

Commissioner Franklin: Yes, but it does say - Police Department in rank and Firemen in rank - the Resolution that was passed by people and the one they are trying to enforce applies solely and only to Firemen - Firefighters and nobody else - not the mechanics - not the Battalion Chiefs or anybody else.

Mayor Gragson: And although this Board may have some influence as to the salary range of the Metropolitan Police Department personnel, we certainly do not have total control or voice in what those salary ranges should be. And for that reason, I think that we should appeal this to the Supreme Court and determine it by a 5-man Board.

Commissioner Franklin: That's the very point I'm trying to raise, Mayor. Judge O'Donnell, in effect, by limiting them to the day we passed the Ordinance is ruling, in effect, that we had the right to terminate it by an Ordinance, and that's what we're appealing. In effect, that was his ruling - that we had the right by Ordinance to terminate the parity.

Mr. Lovell: Well, it says right here - he refuses to comment on the constitutionality or the legality of that Ordinance - it is an issue in another District Court.

FIREFIGHTERS
(continued)

Commissioner Franklin: Is this our final ruling by the Court that this - that we have the right by Ordinance to terminate parity - because there is a different Board now - I wouldn't want to appeal it, if it is the final order, but evidently - he is saying that directly without saying it directly -

Mr. Lovell: One main issue also that would be interesting in Court, is whether or not the Legislative Act creating the Metropolitan Police Department - cancelling out the Las Vegas Police Department is supervening legality where it just tore up the Parity Ordinance anyway.

Motion

Commissioner Morelli: I will make a motion for the appeal -

Commissioner Lurie: I think we have to take the same position as the Union would have taken - and they would have appealed it if they had lost it, and I'm sure we have to do the same thing.

Commissioner Franklin: In almost every case where a Judge rules against the City Board, no matter what the case, or the nature of the case, whether it's a privileged license or not, this Board should, automatically, authorize an appeal so that we don't have the situation of only one Judge out of ten running the City. I would go along with that.

Commissioner Christensen: Did you make a motion, Commissioner Morelli?

Commissioner Morelli: Yes - for the appeal.

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

REGIONAL STREET
& HIGHWAY
COMMISSION.
Agreement
Approved

COOPERATIVE AGREEMENT No. 55 - CONSTRUCTION OF A
TRAFFIC CONTROL DEVICE AT THE INTERSECTION OF EASTERN
AND WASHINGTON AVENUES

Mr. Lovell: The cost is about \$60,000.00 and we need the formal approval of this Board.

Motion

Commissioner Morelli: I move for approval.

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

(Commissioner Franklin temporarily absent)

SPECIAL IMPROVEMENT
DISTRICT No. 405
Resolution
Adopted

RESOLUTION ACCEPTING BIDS - SPECIAL IMPROVEMENT
DISTRICT No. 405.

Mr. Lovell: Next before you is a Resolution to accept bids for S.I.D. No. 405. We have two bids to be accepted - those of Wells Cargo in the amount of \$56,910.80 and that of Acme Electric in the amount of \$76,534.04. This Board needs to adopt the Resolution to accept the bids for consideration - not to award.

See page 61 of these Minutes

RESOLUTION ACCEPTING BIDS

WHEREAS, the Board of Commissioners of the City of Las Vegas has taken steps to create certain public improvements within the City of Las Vegas, all as designated as Las Vegas Special Improvement District No. 405; and

WHEREAS, by resolution passed, adopted and approved on the 25th day of July, 1973, the City Clerk and City Engineer were directed to publish notice of the receipt of bids for the furnishing of labor, materials, transportation and services for the improvements called for in said Special Improvement District No. 405; and

WHEREAS, proper notices were given by publication of the receipt for bids for the furnishing of such labor, materials, transportation and services; and

WHEREAS, bids were received and opened on the 27th day of August, 1974, and confirmation thereof was continued to a regular meeting; and

WHEREAS, the time has now arrived to award the construction contracts in accordance with Chapter 271 of Nevada Revised Statutes;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Las Vegas, at a regular meeting thereof held on the 18th day of September, 1974, that the following bids be, and the same hereby are, accepted:

WELLS CARGO, INC.	in the amount of	\$56,910.80
ACME ELECTRIC	in the amount of	\$76,534.04

BE IT FURTHER RESOLVED that the Mayor and Clerk of the City of Las Vegas be, and they hereby are, authorized to execute any and all documents necessary to carry this Resolution into effect.

PASSED, ADOPTED AND APPROVED this _____ day of September, 1974

ORAN K. GRAGSON, Mayor

ATTEST:

Edwina M. Cole, City Clerk

Motion

S.I.D. No. 405
(continued)

Commissioner Morelli: I move for approval of the Resolution accepting bids for Special Improvement District No. 405.

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

(Commissioner Franklin temporarily absent)

MONORAIL
RESOLUTION

MONORAIL RESOLUTION

Mayor Gragson: I would like to complete the other matters on the agenda before our consideration of this matter.

LEONARD
P. SMITH -
Appointment
Ratified

Mr. Lovell: The only additional item I have, Mayor, is the fact that the results of the State Bar Examination have come out and I am pleased to announce that one of our Law Clerks, Mr. Leonard Smith, former Deputy District Attorney and related experience, back in Detroit, Michigan and who has been working with us for some time now, successfully passed the Bar. And with the resignation and vacancy of Mr. Griffith, I would ask that you ratify the appointment of Mr. Leonard P. Smith as a Deputy City Attorney.

Commissioner Lurie: I will so move for ratification.

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

ORDINANCE
No. 1713
Adopted

ORDINANCE No. 1713 - CREATING JOINT BOARD OF PLUMBER EXAMINERS

Committee: Commissioners Franklin and Mayor Gragson

Published by Title 9/7/74 LAS VEGAS SUN

Ordinance No. 1713 moved out of Committee favorably

An ordinance entitled: "AN ORDINANCE TO AMEND TITLE IV, CHAPTER 2, SECTION 1B OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY ADDING TO THE SUPPLEMENTAL DOCUMENT A NEW SECTION 31; SAID SECTION TO CREATE A JOINT BOARD OF PLUMBING EXAMINERS AND SECTION 32; SAID SECTION TO SET FORTH THE DUTIES OF THE NEWLY CREATED BOARD OF PLUMBER EXAMINERS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH" was read by Title by the City Attorney.
(2nd reading)

Commissioner Franklin moved that Ordinance No. 1713 be ADOPTED, and the Clerk authorized to proceed with the 2nd publication, by Title, of said Ordinance No. 1713.

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

ORDINANCE
No. 1720
Adopted

ORDINANCE No. 1720 - PROVIDING THAT AMENDMENTS TO
THE MAJOR STREET PLAN SHALL BE BY ORDINANCE RATHER
THAN BY RESOLUTION

Committee: Commissioners Franklin and Lurie

Published by Title 9/7/74 LAS VEGAS SUN

Ordinance No. 1720 reported out of Committee favorably.

An ordinance entitled: "ORDINANCE No. 1720 - AN ORDINANCE TO AMEND TITLE IX, CHAPTER 14, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY AMENDING SECTION 12 THEREOF TO PROVIDE FOR AMENDMENTS TO THE MAJOR STREET PLAN BY ORDINANCE; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH" was read by title by the City Attorney. (2nd reading)

Commissioner Lurie moved that Ordinance No. 1720 be ADOPTED, and the Clerk authorized to proceed with the 2nd publication, by Title, of said Ordinance No. 1720.

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

ORDINANCE
No. 1722
Adopted

ORDINANCE No. 1722 - AMENDING ZONING REGULATIONS
REGARDING FEES, TIME LIMITATIONS, ETC., ON ZONING
AND VARIANCE APPLICATIONS

Committee: Commissioners Franklin and Morelli

Published by Title 9/7/74 LAS VEGAS SUN

Ordinance No. 1722 moved out of Committee favorably

An ordinance entitled: "ORDINANCE No. 1722 -AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY AMENDING SECTION 24 (A) 5 TO PROVIDE THAT APPLICATIONS FOR VARIANCES BE FILED A MINIMUM OF 24 DAYS PRIOR TO BOARD OF ZONING ADJUSTMENT MEETING; TO AMEND SECTION 24 (A) 6 TO PROVIDE THAT VARIANCE APPLICATION FEE BE INCREASED TO \$100.00; TO AMEND SECTION 24 (A) 16 TO DELETE REINSTATEMENT PROVISIONS ON APPROVED VARIANCE APPLICATIONS; TO AMEND SECTION 24 (A) 17 TO PROVIDE FOR A FEE OF \$25.00 FOR ADMINISTRATIVE VARIANCE APPLICATION; TO AMEND SECTION 25 (B) 4 PROVIDING REZONING APPLICATION FEE BE INCREASED TO \$200.00; TO AMEND SECTION 25 (B) 9 TO DELETE REINSTATEMENT PROVISIONS ON RESOLUTIONS OF REZONING; TO AMEND SECTION 25.7 (A) TO DELETE REINSTATEMENT PROVISIONS ON ZONING AND OTHER APPLICATIONS; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH" was read by Title by the City Attorney. (2nd reading)

Commissioner Morelli moved that Ordinance No. 1722 be ADOPTED and the Clerk authorized to proceed with the 2nd publication, by Title, of said Ordinance No. 1722.

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

ORDINANCE
No. 1723
Adopted

ORDINANCE No. 1723 - AMENDING ZONING REGULATIONS
REGARDING PLANNING COMMISSION
Committee: Commissioners Christensen and Franklin

Published by Title 9/7/74 LAS VEGAS SUN

Ordinance No. 1723 moved out of Committee favorably.

An ordinance entitled: ORDINANCE No. 1723 - AN ORDINANCE TO AMEND TITLE XI, CHAPTER 2, SECTION 7, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY AMENDING SUBSECTION (A) THEREOF TO INCREASE TENTATIVE MAP FILING FEE; TO AMEND SUBSECTION (B) THEREOF TO INCREASE TIME PERIOD FOR TENTATIVE MAP SUBMISSION PRIOR TO MEETING; TO AMEND SUBSECTION (C) AND (D) TO CHANGE WORDING FROM 'DIRECTOR OF PLANNING' TO 'SECRETARY OF PLANNING COMMISSION'; TO AMEND SUBSECTION (E) THEREOF TO INCREASE TIME PERIOD ACTION REQUIRED ON TENTATIVE MAP BY PLANNING COMMISSION; TO DELETE SUBSECTION (F) THEREOF REQUIRING TENTATIVE MAP REFERRAL TO CITY ENGINEER; TO AMEND SAID TITLE AND CHAPTER TO PROVIDE A NEW SECTION 9.1 ENTITLED 'PARCEL MAP PROCEDURE'; TO AMEND SECTION 13 (C) OF SAID TITLE AND CHAPTER BY AMENDING PARAGRAPHS 2 AND 3 THEREOF TO ALLOW VEHICULAR ACCESS TO MAJOR PRIMARY STREETS FROM RESIDENTIAL LOTS WHICH HAVE A WIDTH OF 100 OR MORE FEET OF FRONTAGE; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith" was read by Title by the City Attorney. (2nd reading)

Commissioner Christensen moved that Ordinance No. 1723 be ADOPTED and the Clerk authorized to proceed with the 2nd publication, by Title, of said Ordinance No. 1723.

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

ORDINANCE
No. 1726
Adopted

ORDINANCE No. 1726 - AMENDING TITLE XI (ZONING REGULATIONS) TO ALLOW SCREENED PATIO OR CARPORT TO EXTEND TO WITHIN 15 FT. OF REAR PROPERTY LINE
Committee: Commissioners Christensen and Morelli

Published by Title 9/7/74 LAS VEGAS SUN

Ordinance No. 1726 moved out of Committee favorably.

An ordinance entitled: "ORDINANCE No. 1726 - AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY AMENDING SECTION 10(F) TO PROVIDE FOR A REAR YARD AREA OF NOT LESS THAN 30 FT. WITH A COVERED PATIO OR CARPORT AREA EXTENDING UP TO 15 FT. OF THE REAR PROPERTY LINE; TO AMEND SECTION 11(F) TO PROVIDE FOR A REAR YARD AREA OF NOT LESS THAN 25 FT. WITH A COVERED PATIO OR CARPORT AREA EXTENDING UP TO 15 FT. OF THE REAR PROPERTY LINE; 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 Morelli moved that Ordinance No. 1726

ORDINANCE
No. 1726
(continued)

be ADOPTED and the Clerk authorized to proceed with the 2nd publication, by Title, of said Ordinance No. 1726.

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

ORDINANCE
No. 1727
Adopted

ORDINANCE No. 1727 - AMENDING TITLE XI TO REQUIRE THE SCREENING OF AIR CONDITIONING UNITS, VENTS, ETC.
Committee: Commissioners Christensen and Morelli

Published by Title 9/7/74 LAS VEGAS SUN

Ordinance No. 1727 moved out of Committee favorably.

An ordinance entitled: "ORDINANCE No. 1727 - AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, SECTION 6, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY ADDING THERETO A NEW SUBSECTION, HEREINAFTER DESIGNATED AS SUBSECTION 'U', FOR THE PURPOSE OF WHICH IS TO SCREEN AIR CONDITIONERS, VENTS, MECHANICAL EQUIPMENT, TRASH RECEPTACLES IN OFFICE, COMMERCIAL AND INDUSTRIAL ZONES, ETC., IN ALL ZONING DISTRICTS FOR AESTHETIC PURPOSES; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith" was read by title by the City Attorney. (2nd reading)

Commissioner Morelli moved that Ordinance No. 1727 be ADOPTED and the Clerk authorized to proceed with the 2nd publication, by Title, of said Ordinance No. 1727.

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

ORDINANCE
No. 1729
Adopted

ORDINANCE No. 1729 - AMENDING TITLE 1, CHAPTER 5 (TO CORRECT ERROR IN CITY CODE CREATED BY ORDINANCE No. 1740)
Committee: Commissioners Christensen and Morelli

Published by Title 9/7/74 LAS VEGAS SUN

Ordinance No. 1729 moved out of Committee favorably.

An ordinance entitled: "ORDINANCE No. 1729 - AN ORDINANCE TO AMEND TITLE 1, CHAPTER 5 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY REPEALING SECTIONS 4 AND 5, CREATED BY ORDINANCE No. 1704, AND ADDING THERETO TWO NEW SECTIONS, HEREINAFTER DESIGNATED AS SECTION 6, PROVIDING FOR ADDITIONAL REGULAR MEETINGS OF THE BOARD OF COMMISSIONERS AND SECTION 7, PROVIDING FOR CANCELLATION OF MEETINGS OF THE BOARD OF COMMISSIONERS; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith" was read by title by the City Attorney. (2nd reading)

Commissioner Morelli moved that Ordinance No. 1929

ORDINANCE
No. 1729
(continued)

be ADOPTED and the Clerk authorized to proceed with the 2nd publication, by Title, of said Ordinance No. 1729.

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

PROPOSED
ORDINANCE
No. 1730-P
Referred
C and L

PROPOSED ORDINANCE No. 1730-P - CREATING SPECIAL
IMPROVEMENT DISTRICT No. 413

An ordinance entitled: "AN ORDINANCE CREATING LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT No. 413; ORDERING THE IMPROVEMENT OF CERTAIN STREETS AND PARTS THEREOF; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING ACTION HERETOFORE TAKEN RELATIVE TO SAID DISTRICT AND PROVIDING FOR RELATED MATTERS" was read by Title by the City Attorney, who recommended that it be referred to Committee: (1st reading)

Mayor Gragson appointed Commissioners Christensen and Lurie as the Committee for Recommendation on Ordinance No. 1730, and instructed the Clerk to proceed with the 1st publication, by Title, of said Ordinance No. 1730.

PROPOSED
ORDINANCE
No. 1731-P
Referred
C and L

PROPOSED ORDINANCE No. 1731-P - PROVIDING FOR TWENTY
(20) DAYS NOTICE TO PROPERTY OWNERS ON PUBLIC HEARINGS
BEFORE THE BOARD OF CITY COMMISSIONERS

Commissioner Christensen: We've had a question, Your Honor, on the way this is worded: . . . "with written notice being sent to each property owner shown on the latest assessment rolls of Clark County or other available public records within the affected area . . ." and we ask for an amendment, possibly this way: "written notice being sent to each property owner previously notified prior to the Board of Zoning Adjustment hearing, not less than twenty (20) days prior to the date of the hearing". The wording (affected area) is too nebulous . . . we want to make sure we get the same Notice to all of the people.

Commissioner Franklin: Would you like to have it moved into a Recommending Committee and then we can make that amendment when it comes up for adoption?

Commissioner Christensen: Fine - then we would like it read.

An ordinance entitled: "ORDINANCE No. 1731 - AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, SECTION 24, SUBSECTION 12 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, PROVIDING FOR WRITTEN NOTICE BEING SENT TO EACH PROPERTY OWNER SHOWN ON THE LATEST ASSESSMENT ROLLS OF CLARK COUNTY OR OTHER AVAILABLE PUBLIC RECORDS WITHIN THE AFFECTED AREA NOT LESS THAN 20 DAYS PRIOR TO THE DATE OF EACH CITY COMMISSION PUBLIC HEARING; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH" was read by title by the City Attorney, who recommended that it be referred to Committee. (1st reading)

Mayor Gragson appointed Commissioners Christensen and Lurie as the Committee for Recommendation on Ordinance

ORDINANCE
No. 1731
(continued)

No. 1731 and instructed the Clerk to proceed with the 1st publication, by Title, of said Ordinance No. 1731, as amended.

PROPOSED
ORDINANCE
No. 1728
Referred
F and M

PROPOSED ORDINANCE No. 1728-P - REPEALING CHAPTER 14
OF TITLE 1 AND CREATING A NEW CHAPTER 14 ENTITLED
"ISSUANCE OF CITATIONS"

An ordinance entitled: "ORDINANCE No. 1731 - AN ORDINANCE TO AMEND TITLE I, CHAPTER 14, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY REPEALING CHAPTER 14 ENTITLED 'SERVING OF SUMMONS' AND ADDING A NEW CHAPTER 14 ENTITLED 'ISSUANCE OF CITATIONS'; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH" was read by Title by the City Attorney, who recommended that it be referred to Committee. (1st reading)

Mayor Gragson appointed Commissioners Franklin and Morelli as the Committee for Recommendation on Ordinance No. 1728 and instructed the Clerk to proceed with the 1st publication, by Title, of said Ordinance No. 1728,

PROPOSED
ORDINANCE
No. 1732
Stricken

PROPOSED ORDINANCE No. 1732-P - SALARY INCREASES FOR
MAYOR AND COMMISSIONERS
Committee: Commissioners Christensen and Lurie

Commissioner Christensen: On this item, Your Honor, as Chairman of this Committee, my position has been adequately stated but I have an open mind and I feel there are inequities. After much discussion with Commissioner Lurie, the other member of the Committee, we are recommending that we hold a Public Hearing as soon as possible with the whole Board involved, to receive what citizen input we can on this matter, and I would like to leave the time for that Public Hearing up to when it would be convenient for the rest of the Board members and to determine whether we should have the Hearing at a regular Commission meeting or hold a Special Meeting. What is your pleasure?

Commissioner Franklin: Frankly, I would like to have it as soon as possible for one other reason - hold a Public Hearing because as the result of that I may want to recommend - and maybe the rest of you, too - that it go on the November ballot and we may be getting close to a time limit to go on the November ballot in the City area only, for a vote -

Commissioner Christensen: I've already checked that out - we are locked out of the November ballot -

Commissioner Franklin: Well then we can get it on our City ballot in the Spring - as long as the people vote on it.

Commissioner Christensen: I agree with you - to hold the Hearing as soon as possible - so I'm open as to when you'd like to have it and we'll schedule it for that time.

Mayor Gragson: Let me offer a suggestion. Remove this and as it is a recommendation of the Urban Action Committee, just refer it from this Board to the ballot in May and take this proposed Ordinance off. Then you will have the vote of the people.

PROPOSED
ORDINANCE
No. 1732
(continued)

Commissioner Franklin: I think you've got to have the vote of the people -

Commissioner Christensen: Then you are recommending that we just take it off the agenda . . .

Commissioner Franklin: Rather than have a Public Hearing, put it right on the ballot, directly to the people.

Commissioner Christensen: I'll support that -

Commissioner Franklin: Move to strike it from the agenda then -

Commissioner Lurie: And to put it on the ballot at the Spring Election -

Motion

Commissioner Franklin: And I will move that we strike Ordinance No. 1732 from the agenda and place the matter on the May, 1975 Ballot.

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

PROPOSED
ORDINANCE
No. 1733-P

PROPOSED ORDINANCE No. 1733-P - CREATING WARD SYSTEM
IN CITY OF LAS VEGAS FOR MUNICIPAL ELECTIONS
Committee: Commissioners Franklin and Christensen

Commissioner Franklin: I think we're going to have to wait until after October 5, 1974, at which time the registration closes - I interpret that we must adjust after October 5th anyway, so it might make some slight changes we have in the wards that we have in this proposed Ordinance. So I would just recommend more time -

Commissioner Christensen: That's the same information I have - that's it a little premature to act on this until after the close of registration for the November election, and it will take some little time after the close of registration before they will have the figures -

Commissioner Franklin: Our only problem is to make sure we don't have more than a 5% difference in wards -

PROPOSED
ORDINANCE

Abeyance

REVIEW OF ALL LIQUOR AND GAMING ORDINANCES
Committee: Commissioners Franklin and Christensen

Commissioner Franklin: Frankly, as soon as the City Attorney's office gets their recommendations as to what they consider are necessary changes in our Liquor and Gaming ordinances, I am ready to go ahead with the Public Hearing, and I'm sure Commissioner Christensen is, but I would like to have recommendations from the City Attorney because today we had one example - involving Love's - obviously things we've got to change in those Liquor and Gaming ordinances. So as soon as the City Attorney's office notifies Commissioner Christensen and myself that they are ready with their recommendations, then we can schedule a Public Hearing.

ORDINANCE
No. 1724
Referred
C and F

ORDINANCE No. 1724 -- ADOPTING BY REFERENCE THE 1973
UNIFORM BUILDING CODE, UNIFORM BUILDING CODE
STANDARDS 1973 EDITION, AND THE SUPPLEMENTAL DOCUMENT
TO THE 1973 UNIFORM BUILDING CODE

An ordinance entitled: "ORDINANCE No. 1724 - AN ORDINANCE AMENDING TITLE IV, CHAPTER 1 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, 1960 EDITION, BY ADOPTING THE 1973 UNIFORM BUILDING CODE; THEREOF ADOPTING AS PART 2 UNIFORM BUILDING CODE STANDARDS, 1973 EDITION, AND ADOPTING AS PART 3 A SUPPLEMENTAL DOCUMENT PROVIDING AMENDMENTS, CHANGES AND DELETIONS TO THE UNIFORM BUILDING CODE 1973 EDITION; ALL BEING ADOPTED BY REFERENCE AND PROVIDING FOR DECLARATION OF PURPOSE PROVIDING STANDARDS OF CONSTRUCTION; PROVIDING FOR PERMIT FEES; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO AND REPEALING ALL CHAPTERS, ORDINANCES, PARTS OF ORDINANCES OR SECTIONS IN CONFLICT HEREWITH" was read by Title by the City Attorney, who recommended that it be referred to Committee and that the Clerk be instructed to proceed with the 1st publication, by Title, of said Ordinance No. 1724. (1st reading)

Mayor Gragson appointed Commissioners Christensen and Franklin as the Committee for recommendation on Ordinance No. 1724.

ORDINANCE
No. 1725
Referred
L and M

ORDINANCE No. 1725 - PROVIDING THAT NO ADDITIONAL
LICENSE FEE SHALL BE CHARGED FOR CHANGE OF LOCATION
OF COIN-OPERATED AMUSEMENT MACHINES

An ordinance entitled : "ORDINANCE No. 1725 - FIRST AMENDMENT - AN ORDINANCE TO AMEND TITLE V, CHAPTER 1, SECTION 10 (C) 9, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, TO PROVIDE THAT NO FEE BE CHARGED FOR A CHANGE OF LOCATION OF ANY COIN OPERATED AMUSEMENT DEVICE OR ANY TYPE OF MECHANICAL GAME OR DEVICE, NOT INTENDED OR PLAYED FOR GAMBLING PURPOSES; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH" was read by Title by the City Attorney, who recommended that it be referred to Committee and that the Clerk be instructed to proceed with the 1st publication, by Title, said Ordinance No. 1725.

Mayor Gragson appointed Commissioners Lurie and Morelli as the Committee for Recommendation on Ordinance No. 1725.

INCENTIVE
PROGRAM FOR
CITY EMPLOYEES
Report
Requested

Commissioner Lurie: Your Honor, I have two matters I would like to bring up before we get to the Monorail Resolution. The first one is - back in September of 1973 Commissioner Franklin asked that an Incentive Program be presented to this Board. As of yet we haven't received a recommendation from the City Manager, or Mr. Bouton, and I would like this looked into and the Report made at our next regular Commission meeting.

Mr. Trelease: What was that on?

Commissioner Lurie: An Incentive Program for City Employees. There was a motion passed back in September of 1973 and I feel that is long enough to wait for a Program.

Page 69
Minutes
Regular Meeting
City Commission
September 18, 1974

FIREFIGHTERS
NEGOTIATING
COMMITTEE
C and L

Commissioner Lurie: The other item I have is - at the Police Commission meeting there was a Committee set up comprised of myself, Commissioner Christensen and Commissioner Broadbent, to discuss the possibilities of working out negotiations with the PPA.

I would like to have a Committee set up of members of the City Commission to set down with the Firefighters to work out some logical way that we can negotiate that doesn't cost both parties a tremendous amount of money. I would be willing to serve on that Committee.

Commissioner Franklin: What, in effect, you are asking on the latter one, is that the elected Officials be brought into the negotiating function?

Commissioner Lurie: Yes. We had a very good meeting with the President of the PPA the other day - a lot of good input was brought in from his side and also from our side, and they are going to make recommendations to us where both parties can save money in their negotiations.

Commissioner Franklin: I'm not so sure that a City elected Official should be a member of a negotiating team, but I do think there has got to be input by elected Officials into the negotiating process. A good many times people come at loggerheads when they shouldn't, when the people primarily involved might alleviate a situation and get it over with in a hurry.

Now, I don't know exactly how you're going to do it, Ron - I agree with you in principle that we've got to be brought into . . .

Commissioner Lurie: This way we can sit down with these people and possibly, with the recommendations we bring back, we might be able to make some headway or we might not, but I would like the chance to sit down with them and try.

Commissioner Franklin: Could it be a pre-Dodge Act hearing where you sit down to discuss things that the two teams will get together on and haggle out? I'm trying to get a little information to get it right, because I think you are right, but I think we should probably try to narrow the issues from an elective level before we turn it over to the two teams . . .

Commissioner Lurie: That's what we're trying to do.

Mayor Gragson: For that purpose I am going to appoint a Committee to develop the format and plan to use until we can consider the actual appointing of the Committee, and I will make that the same Committee that is working with the Metropolitan Police Department, Commissioners Christensen and Lurie.

Director of License & Revenue, Ila M. Britt: May I have permission to bring up one additional item?

Mayor Gragson: Yes, you may.

Mrs. Britt: We have an application for the following 1-day Liquor License:

SPECIAL EVENTS
LIQUOR
LICENSE
(continued)

SPECIAL EVENT LIQUOR LICENSE

Organization: GERMAN-AMERICAN SOCIAL
CLUB OF NEVADA

Location for event: Greek Orthodox Church
1229 E. Carson Avenue

Date: September 28, 1974 (only)

Responsible Licensee: Erika E. Betzler
Erika's German Delicatessen

Mrs. Britt: This is for September 28th which would be prior to your next meeting. We did have it in time to have put it on the agenda, but it was inadvertantly overlooked.

Commissioner Franklin: I move that the Special 1-day Liquor License be granted.

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

At the hour of 11:55 a.m. Mayor Gragson declared a 10-minute recess.

Meeting reconvened at the hour of 12:05 p.m. with the full Board and Staff in attendance.

MONORAIL
RESOLUTION
Adopted

MONORAIL RESOLUTION

Mayor Gragson: At this time I will ask the City Attorney to read this Resolution in its entirety because there may be some people in the audience who haven't had access to it.

See Pages 72 thru 75 of these Minutes

Mayor Gragson: At this point there are representatives from Rohr here and I would like to ask their concurrence in the conditions set forth in this Resolution, as well as any other comments they may have on this subject.

Walter Hesse: Mr. Mayor and Commissioners, I am from Rohr Industries. I'm from San Diego but I get here so often I feel like I'm a native of your City. I think it's important to point out that our local Rohr office is in the City Limits of Las Vegas.

Gentlemen, I urge you, very sincerely, to pass this Resolution to give us the opportunity to attempt to do the job that is spelled out in here, namely, in six (6) months to bring to you the private financing so that we can get on with the next step to build the Monorail in this community.

The Resolution, we think, is a very good one. It certainly justifies the choice of Rohr based on the prior technical supremacy and also our private financing plan. We think the Resolution is extremely good in regard to its safeguards for you gentlemen and the community. I think I heard on the radio this morning where the City Attorney used the words - "it has iron-clad protection". I agree with that. The key elements, of course, are it calls for no public faith or credit. It has in it a contingency fund in the event that some day the System shall fail or become economically unfeasible, where the System can be removed. It provides for a protection if you gentlemen feel that at some point later in time

RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE CITY OF LAS VEGAS, NEVADA

WHEREAS, there exists a need for an efficient rapid transit system (hereinafter "system") to serve the Las Vegas Metropolitan area, connecting McCarran International Airport with various business districts, entertainment centers, hotels, and other points of interest in the Las Vegas Metropolitan area, and

WHEREAS, it appears that the system would directly assist visitors to the Las Vegas Metropolitan area and local residents in their travel in and about the entertainment and business areas of the Las Vegas Metropolitan area, and Rohr represents that the system would generate revenues with which could be used by the City to improve the quality and level of service of other local transportation modes, including buses, and

WHEREAS, a vehicle for the financing, construction and operation of various public improvements was made available by the enactment of Chapter 502, Laws of Nevada (1971) which provides for the creation of public trusts having the state or any county, municipality, political or governmental subdivision as beneficiaries thereof, such trusts having authority to issue securities or evidences of indebtedness to provide funds for the furthering of authorized or proper functions of their beneficiaries and to repay indebtedness out of revenues, and

WHEREAS, Rohr Industries, Inc. and Monocab Inc., a subsidiary, (hereinafter "Rohr") have offered to contract with a public trust having as its beneficiary the City of Las Vegas, Nevada, to construct, install, operate and maintain the system, such contracts to be conditioned upon the obtaining by Rohr of private financing therefor within six months of designation of Rohr as exclusive system supplier and further conditioned upon obtaining of all necessary public and private rights of way and any necessary approvals by state, local and federal governmental agencies, and

WHEREAS, Rohr has negotiated an agreement with A. J. Kavanaugh & Associates, Inc. which will disengage and totally release the parties to the

December 30, 1971, contract therefrom if Rohr is designated a six-month period as exclusive supplier of the system and is given six months to obtain private financing to build a monorail system, such release to be without regard to the success or failure of Rohr in obtaining such financing or necessary approvals or support of the system if provided herein, and as a gesture of good faith and consideration in the project Rohr has agreed to advance to A.J. Kavanaugh & Associates, Inc., Two Hundred Fifty Thousand Dollars (\$250,000.00) in order to effectuate such disengagement and total release, and

WHEREAS, Rohr represents and guarantees that its plan of financing will insure that there will be no financial risk or commitment of the public faith or credit of the City of Las Vegas or the public trust whatsoever, and

WHEREAS, it was reported to the Joint City-County Monorail Study Committee that the system design submitted by Rohr was technically superior than the other systems proposed, and

WHEREAS, Rohr has agreed to enter into negotiations with private groups to obtain financing, which shall involve no pledging of the public reputation, faith in credit, or financial risk, for the system but may do so only after designation of Rohr as exclusive system supplier and will require six months within which to do so, and

WHEREAS, the Board of City Commissioners has not yet determined that the system is financially or economically feasible, but Rohr has expressed its belief that it can obtain the private financing necessary to construct the entire system, and

WHEREAS, it is the wish of this Board to select Rohr and contract with it to allow it to proceed with the financing and construction of the system, upon the conditions set forth herein,

NOW, THEREFORE, IT IS RESOLVED:

1. That Rohr be, and hereby is, designated as exclusive supplier of the system according to the proposals and documents heretofore submitted by Rohr including but not limited to the Executive summary and the specifications delivered to the City and at a price of \$103,600,000.00 together with a mutually agreed upon escalation factor from February, 1974 until the obtaining and acceptance of financing under the terms stated herein.

2. That Rohr is directed to obtain the support and approvals of the appropriate hotel and other business enterprises along the route

of the system, including approvals of station location and installations to make feasible the construction of the whole system as proposed.

3. That the City Attorney is directed to meet with appropriate representatives and attorneys to prepare contracts, according to the specifications, terms, and price, for the construction, installation, operation and maintenance of the system, such contracts to provide that they are conditioned upon the obtaining by Rohr, within six months, of adequate private financing for the construction of the entire system, together with appropriate reserves for contingencies and for removal of the system in the event of failure to successfully operate, such financing not to involve or commit in any degree or manner whatsoever the faith and credit of the City of Las Vegas or the public trust, and such contracts further to provide that they are conditioned upon the obtaining of all necessary approvals, permits, and licenses by local, state and federal agencies, including, without limitation, the use of public rights of way.

4. That the City Attorney is directed to meet with appropriate representatives of Rohr or others to prepare a contract of release of the contract of the City of Las Vegas and A. J. Kavanaugh and Associates, Inc., and Custom Cabs, Inc., dated December 30, 1971, according to the terms of the agreement of Rohr with A. J. Kavanaugh & Associates, Inc., A. J. Kavanaugh, individually, Custom Cabs, Inc. and Ross Bohannon, provided that such contract shall effect the release of the City of Las Vegas from all obligations to A. J. Kavanaugh & Associates, Inc. and Custom Cabs, Inc. without regard to the success or failure of Rohr to obtain financing or necessary approvals or support of the system as provided herein; that this Release shall be a Condition Precedent to the effectiveness of this Resolution or any contract or any agreement whatsoever with Rohr and other party or otherwise.

5. That the City Attorney is directed to participate to the extent he deems necessary in the preparation of a trust indenture, necessary under Chapter 512, laws of Nevada (1971), which shall fully protect the interest of the citizens and residents of Las Vegas, using, to whatever extent he deems advisable, the trust indenture of the Clark County, Nevada, transit authority entered into on or about April 25, 1972.

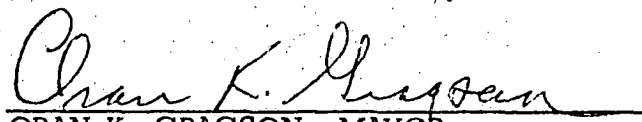
6. That if a contract with Rohr should exist there shall be a provision in the contract that prior to any sale of any bonds that the Board of City Commissioners shall first have the right to approve and ratify such a sale of bonds, in order to insure that a profit is being made before such issuance and to insure that the public faith and reputation will not be harmed by such issuance of bonds.

7. That the City of Las Vegas and Rohr consider it economically unfeasible for the citizens and public of Las Vegas to build a monorail system only to have it jeopardize the development and/or federally funded assistance of a mass rapid transit system here in Las Vegas; that therefore should such jeopardy or detriment to the development and/or federally funded assistance of a mass rapid transit system here in Las Vegas become known before the approval of the Environmental Impact Statement be given to the development of the monorail system, that that fact or facts shall be a Condition Subsequent and shall, therefore, clearly void this Agreement with all parties to pay their own costs.

8. That as a Condition Precedent to this Resolution becoming effective, an unconditionally expressed, willing, clear and concise waiver by Mr. Kavanaugh and his associates be delivered to the City Clerk's Office of the City of Las Vegas waiving any right whatsoever on any part of his sub-contractors, agents, independent contractors, or employees or himself to bring any cause of action, directly or indirectly, against the City of Las Vegas, its agents, employees, contractors, or directors.

9. That this Resolution is another step acknowledged by all parties as a positive attempt by the City of Las Vegas to clearly use its evaluation of the monorail system in an earnest and responsible manner.

PASSED, ADOPTED AND APPROVED this 18th day of Sept., 1974.


ORAN K. GRAGSON, MAYOR

ATTEST:


Edwina M. Cole, City Clerk

MONORAIL
(continued)

that it jeopardizes the use of Federal funds for Mass Transportation and I think, above all, and most important, it gets on with your committment to the earlier Kavanaugh contract and releases fully the City from that particular contract.

Now we recognize that by having the City as beneficiary, it is probably legal to proceed without the County by using State Highways, but we also are fully aware that as a practical matter, the County is going to have to get involved and their Agreement should be concurred in.

We believe that will help us to a great extent when we start talking to the Hotels in the County and I believe the County Commissioners will respect their endorsement.

To go one step further. Rohr has a further affirmation of its position. A Resolution quite similar to the one you have just read, only from Rohr's point of view.

I will ask Mr. Fred Garry to present to you this affirmation for the record. This is the first time that Mr. Garry has appeared before this Body.

MONORAIL
(continued)

Mr. Garry: This Resolution was duly adopted by the Board of Directors of Rohr Industries Corporation at its regular meeting on September 12th - last week.

See Pages 78 and 79 of these Minutes

Mayor Gragson: Thank you. Do members of the Commission have any questions?

(No response)

Mayor Gragson: Do you have any further comments?

(No response)

Mayor Gragson: Is there anyone else wishing to make any comments?

Forest McMullen: Gentlemen, I am representing the Chairman of the Board of the Tropicana Hotel on Las Vegas Boulevard, South, and its newly acquired associate. We would like to go on record that we are still very highly in favor of the Monorail connecting the Airport with Las Vegas. Thank you.

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

Ernest Becker, Sr.: I am a resident of Las Vegas and I want to commend the City for bringing up this thing that the County kind of threw out as something too big for them to handle, so I guess the urban area ought to be handled by the City and let the County go out and take care of the cow part of it.

We sat down here and had a Water District formed quite a few years ago when the town was about 27,000, and it has never fallen back on any of the property owners to support it - we couldn't have grown without it.

We've increased our resort business by having a Convention Authority that has given us quite a few million dollars in bonds to make a Convention Center that has had support - that has not had support - but, again, it has carried itself as the City has grown to where it now has to be expanded again.

Our sewer systems have been made large enough to take care of a large city and we shouldn't kid ourselves but that the resort area is what is making us a large City. It certainly isn't the Henderson Industrial Complex that makes us grow - it isn't the Downtown area that is growing from a retail standpoint - it is our Resort Area. I happened to be out on the Strip last night and if we continue to grow, with all of these things we have done to make the City grow, we have to move people different than they are being moved today.

I think you've got a program here now that is going to be able to not put a burden on anyone - you have to help support it - we will have a Monorail in the area - if anybody today says that a bus system that takes care of our areas - areas like we have produced out in Charleston Heights - our bus system doesn't support itself. It is supported by the Strip runs - the tourists that come into town - that supports all of the bus system, so we can't say - we will only support it if you take care of the outlying areas because there is no way they can support it at this time, but they can support a bus system, or other systems, into our outside areas, if the Monorail is in - it's there to take care of the system in a

CERTIFICATE

I, R. W. HEIDRICH, hereby certify that I am the duly elected, qualified and acting Secretary of Rohr Industries, Inc., a Delaware corporation; and do further certify that the following resolution was duly adopted by the Board of Directors of said corporation at a regular meeting held at Chula Vista, California, on the 12th day of September, 1974, at which a quorum was present and acting throughout, and that said resolution has not since been modified or rescinded and remains in full force and effect.

BE IT RESOLVED, that Rohr Industries, Inc. hereby reaffirms its belief in the financial and operational feasibility of the proposed Monorail System for the City of Las Vegas; and

BE IT FURTHER RESOLVED, that the Corporation reaffirms the Monocab Personal Transportation Proposal (Executive Summary) submitted on June 3, 1974, to the members of the Joint Task Force Committee for the Las Vegas Monorail Project (the "Committee") by W. J. Hesse, Vice President - Advanced Transportation Systems, subject to mutual agreement on price, schedule, and system description; and

BE IT FURTHER RESOLVED, that the Corporation reaffirms its belief in its Plan of Private Financing submitted to the Committee, which Plan provides for the financing of the construction of the Monorail System without involving any requirement of a commitment of the public faith and credit of the City of Las Vegas and Clark County. This plan presumes the wholehearted endorsement of Las Vegas area business enterprises, the City, and the County; and the support of the operating and financial plan of those Las Vegas area business enterprises and the suppliers who stand to benefit from the system. Such a plan provides funds for the acquisition of the Las Vegas Transit Company if the Trust decides to acquire the Las Vegas Transit Company; and

"BE IT FURTHER RESOLVED, that the Corporation reaffirms its offer of agreement to reach a settlement between the City of Las Vegas, Rohr Industries, Inc. and A. J. Kavanaugh and his associates including the payment of the initial sum of \$250,000 as set out in that proposal."

IN WITNESS WHEREOF, I have set my hand and the seal of said Corporation this 17th day of September, 1974.

SEAL



Secretary

MONORAIL
(continued)

total transportation system that we will need in here.

All I want to say is that the City has grown because it has taken far-reaching people like you gentlemen here who I hope are going to vote "yes" for this - and get it on its way - it's going to take six months - it's going to take years to build it - it is something that ten years from now, or five years from now, we'll say we might need it and then it would take another ten years to get it developed. Everything in Clark County seems to be big - Boulder Dam was a large undertaking at the time it was started.

So, all I can say is that we are in favor of it - we want the Resort Area to grow - everything we have done has been for growth in Clark County and I think with a sensible growth a Monorail can certainly help. It is the hope, from my standpoint, that you vote in favor of it.

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

Mr. J. F. Mitchell: I believe I represent 17,000 Senior Citizens who are living on Social Security and if any of these gentlemen want to try it, see how you can live on \$177.10 a month. These people do not live anywhere near where the Monorail is proposed to be built. These people live all over the City and the Monorail, so far, has kept these people from having a bus line because so much attention has been paid to transporting people from such a limited place as the Airport down to such a limited ending as this building, we'll say, that nothing of any great value has been accomplished for the people - the poor ones as well as the well-to-do.

This Monorail will have to be built - if any of you gentlemen ever drive up and down on the Strip any time, you will find that the Strip right now is crowded. Putting in a construction for a Monorail is going to tie up the traffic on the Strip and make it even worse, and much more difficult to get around and get down from the Airport to the Downtown by use of the Strip.

The Monorail is certainly going to take months to do it, and then it's going to have a very limited - a very limited amount of traffic. One Hotel, I hear, is in favor of it. Quite a number are opposed to it.

In speaking for the poor - for the people who are living - the 17,000 who are living on Social Security checks, I have found that when they are ill, they can't get any place. They certainly couldn't use a Monorail to get from one mountain to another. Our people - our poor - are living way out - not right alongside the middle of our City, and we have no way of knowing how many Senior Citizens have died of hunger - we have no way of knowing how many of our Senior Citizens have died for lack of medical attention, because they cannot get anywhere. This Monorail is going to hold us back whether it comes in right now - if you do approve it, it's going to take years before it is finished and in all that time we keeping the mass transport that we do need for the poor - we do need a jitney bus system. From that jitney bus system we certainly will expand to something greater, but we're holding back for the sake of a few people who are going to make a lot of money - or hope to. The hardware that would be used for a Monorail - we could put at least 10,000 busses - just figure it out - at the price of the Monorail and the price of a 10 ft. or 12 ft. bus at a cost of only \$10,000.00.

MONORAIL
(continued)

I am speaking, not for myself - I have a car - I can get along - my wife has a car - she can get along - I am speaking for 17,000 people who are going to be held back from transport if this thing comes in.

We hope, if it does come through, that it isn't going to jeopardize the reputation of Las Vegas - certainly if our poor are going to be kept away from the hospitals, away from the markets, away from visiting one another and die at home because they have no transport, this will be one of the causes. Thank you.

Mayor Gragson: Thank you. At this point I believe the Commission has all of the reports that I have received - I know you have - other than the one that was delivered this morning from the Downtown Hotel & Casino Association:

See Page 82 of these Minutes

Mayor Gragson: I believe there is another one that you don't have is one from the Greater Las Vegas Chamber of Commerce:

"The Board of Directors of the Greater Las Vegas Chamber of Commerce supports the concept of the Monorail as presented in the Resolution of the Board of Commissioners for the City of Las Vegas."

This was made of record at a meeting held September 17th and is signed by Herb Stout, President.

I have had letters from two Senior Citizens groups who are in direct opposition and I've had letters from three private citizens who have expressed their support who are not connected with any group or organization - merely as private citizens.

My position is, and I believe you have known it for some time, is that I did not choose Rhor over any of the others who were proposing this, with the exception that Rohr was the only one that presented to this Commission, and the County Commission, a plan which did not include some degree of public risk on behalf of the City and the County, and also that our Technical Committee did advise us that either of the proposed hardware suppliers - that their system would be adequate and would meet the needs, but they preferred Rhor's system over the other.

And I believe, hopefully, if this Commission does approve this Resolution, that the County will reconsider based upon the additional information and support that we have.

I did have a telephone call from the President of the construction firm of the Del Webb Corp., and I will read that message as my Secretary has taken it down:

"We have been discussing the proposed Rapid Transit System and I would like to evidence to you our interest in this Project and our support of the Project."

I asked him, personally, if that represented the Hotel and he said - I cannot speak for the Hotel - we are individualized - we have discussed it at a Corporation meeting and I cannot be quoted as to how the Hotels feel.

Other than those, you gentlemen have the Bartenders & Culinary Union, International Union of Operating Engineers, the Carpenters and Millwrights - you have those recommendations in your folders, as I have.

MONORAIL
(continued)

City Clerk

DOWNTOWN CASINO ASSOCIATION
No. 1 Fremont St.
Las Vegas, Nevada

September 17, 1974

TO: Honorable Mayor Oran K. Gragson, City of Las Vegas and all
City Commissioners of the City of Las Vegas

FROM: Downtown Casino Association

SUBJECT: Mono Rail Transportation

Honorable Gentlemen:

The members of the Downtown Casino Association held a special meeting on Tuesday, September 17, 1974 at the hour of 2:00 P.M. We read with interest a proposed "Resolution of the Board of Commissioners of the City of Las Vegas" that we understand will be presented, discussed and voted on at your convened meeting Wednesday September 18, 1974.

Please be advised that the entire membership of the Downtown Casino Association endorses the contents of the resolution and we wholeheartedly recommend its passage.

Respectfully submitted,

DOWNTOWN CASINO ASSOCIATION

By

Don E. Ashworth
Don E. Ashworth, Chairman

DEA:al

Mayor Gragson: That is all the comment I have at this time and will ask for further comments from any member of the Board.

Commissioner Franklin: As you will all remember in 1971 when the former A. J. Kavanaugh contract was brought before this Board, I gave what I thought at that time were many compelling reasons why we should not enter into that contract, and I voted against it. As usual, I was in the minority - all seven County Commissioners and four of my prior brothers on the City Board, saw differently and went ahead with the contract with Mr. A. J. Kavanaugh.

I think that even before Mr. Kavanaugh got into the picture there were four or five years of Legislative maneuvering of every possible kind to try to create a Public Trust Act that could be used as a vehicle of fraud against the best interests of the people of Clark County, or anybody that would use it. I think that was one of the biggest reasons I gave at the time - that I would not vote for any contract which was predicated upon the use of the existing Nevada Public Trust Act, which was totally immaculated of every possible protective device that the State of Nevada had developed over a hundred and eight years of its history. It was permitted to go ahead with the sale of bonds without bids - a violation of the State Security Act - but it was specifically waived in this Bill; they were permitted to waive all of the requirements of the State Purchasing Act, which is a built-in security for the sake of taxpayers. I will never vote for any proposition based upon funding by a Public Trust until that law is changed to throw back into that law the protective devices that are necessary for people.

Number two, I don't see how any possible Monorail can succeed - can possibly succeed - without the unanimous support - the total support of the Strip Hotels. As a matter of fact it is contemplated that there should be a branch running into the second or third floor, depending upon height, of each major Hotel - this has got to be done in order to make it economically feasible. I don't think it can possibly succeed without the support of the County Commission. Now, I'm not saying they must be a part of the program because I think their Counsel hit it on the nail when he said they do not have the delegated authority to engage in transportation. In other words, after three or four years of total legal frustration by trying to get the County to hand something they don't have a legal right to get involved in. And their Counsel has so told them.

I do think, however, that if any organization such as Rohr, would like to come to us and get us to give them such a carte blanche option for six (6) months, they should have gone to the Hotels first - got that unanimous consent instead of having the six months after they've got a binding contract - and that's exactly what this says - we will enter into a contract with them as the Supplier - Rohr is designated here as being the exclusive Supplier for the System . . . "according to the proposals and documents heretofore submitted by Rohr . . .". I think they could have gone to the County Commissioners and said - even though you will not participate, would you support the City of Las Vegas going into this System? And they might have said - Hail and Halleluiaah - we're out of it - we will endorse it and support the concept for the City, which does have the right to engage in urban mass transit and go ahead with the Project. They, like myself, I think feel it is not feasible, even though every one of them voted for it.

MONORAIL
(continued)

We also were told in several phrases here that there is no degree of public risk in the Rohr contract. That has been used and thrown around a dozen times. A couple of weeks ago when I voted for a proposed Resolution to be brought back to this Board, I turned to Mr. Lovell and said - I'd like to see you and your whole Staff draw up a contract that will take out any public risk. And Mr. Lovell will tell you right now that there is no way it can be done, and especially when I read into your Resolution - not that you are operating costs - that you will see that this continues to operate if you have to put up and guarantee operating costs - in complete opposition to that you put in a clause that you will appropriate reserves to tear it down if it can't be operated. I find it a heck of a lot different to put up money to tear a system down if not successfully operated than to put up a guarantee that you will see that it is successfully operated if you have to pay for it - that is a lot of difference.

I've got a lot of friends - down town gamblers - the Chamber of Commerce, and everybody else - who have sent very kind letters endorsing the Monorail concept, and supporting the Monorail concept, and all I can tell you on that score is - it's a lot easier - a hell of a lot easier - to endorse something and support it than it is to be responsible for it. There's a wide world of difference in that.

At this stage I would like to see, and I'm not saying the Monorail will not ultimately be a people moving function - at this time I am not in any way trying to infer that Rohr is not a feasible and very well qualified operator/manufacturer. The last reports I heard on the new Tube under the Bay up there is that it is a fantastic success and it is moving people by the thousands and alleviating a lot of problems. So I don't want to be misinterpreted in any way as to being anti-Rohr - I think they have some good Projects. But I think because this was initiated in Legislative maneuvering for the benefit of a few people and because it's been carried on in that concept for a number of years, let's let it die and let's let out of the ashes of our frustration for the last four years come the Phoenix of a proper system, properly handled.

Obviously, if someone does make a motion to adopt the Resolution, you can tell by my comments, I am opposed to it and it is a very sincere opposition that has been constant from the day this thing was brought up.

Mayor Gragson: Is there anyone else?

Commissioner Morelli: I attended the Sixth International Conference of Urban Transportation in Pittsburgh. It is underwritten by the United States Department of Transportation - Carnegie/Mellon - in Pittsburgh - it never moves out of that City - it is not an annual affair - this was the sixth one in, I guess, eighteen years. The people who spoke there included the President, Mr. Jerald R. Ford, who informed us he will give the states some twelve (12) billion dollars in transportation funds.

We had people from the Walt Disney Productions - I talked to Mr. Stannick, the Director of Research & Planning for Disney World and Disney Land in Anaheim, and he knows what we have here in Las Vegas and he said - design your System around the people who will use it. And we're talking about tourists. In Disney Land in Orlando, 27,000 square acres, the Monorail has been there a year and a half and they've had sixteen million

MONORAIL
(continued)

riders. It's a money-making proposition. It's moving people - it's moving people into the Hotel. Without the Hotels on the Strip I'm afraid our Monorail concept will not work. It seems like that area on the Strip, when it first came up in 1971, the Hotels seemed to be for it. Everybody is for it until you get a final count - you want something on paper or a guarantee - and you can't find anyone who wants to take the responsibility of answering - you can't get anybody from Del Webb so yesterday afternoon I called Mr. Herb McDonald and I said - Herb, are you for or against the Monorail? You have one of the key locations for a station - you separate the City from the County. He said - Hal, we are not interested in the Monorail.

Transportation for the masses is a very delicate program in the entire World. This was not a Conference where we had people coming in from little areas and talking about their little transportation problems. We had people there from the London Transport, the Metropolitan Transport Authority out of New York, the Mayor of San Francisco - we had the EPA with stringent governmental controls on evaluation of air quality index and the people you're going to move and how you're going to move them. There were people there from Sweden - from Norfolk, Virginia, which has now put seventeen hundred acres under one roof and the inner city now is becoming part of a Mall. People park their cars at the perimeter. To go into the inner core of the city you have to take a mass made of transportation and because of this fact the Air Pollution Index in the City of Norfolk has now decreased some 62%. This is what you have to do. We talk about environmentalists and we talk about EPA control, but you have to look at it, and the thing we have to do is not as Mr. Mirchell has said, put another ten thousand little jitney busses on the streets - we've got to get them off the streets - either you go subterranean or you go Monorail. And Monorail is going to be a great concept of a people-mover all over this World within the next decade.

So I wish that some of the people who are self-made experts on transportation would attend a Conference like this because I found nobody from Las Vegas there with the exception of our Traffic Engineer and myself, and I saw some people from Rohr and Aerial Transit. We have to rely on experts, but at this particular point - this Resolution that is facing us today, I have to go against the Resolution because of my conviction that we do not have the support. I'm not going to ram it down somebody's throat. I am a firm believer in the Monorail - I have since the day it was started in 1971 as a concept. I know the problem here, and let's face it - we're going to have to clear that corridor out there one of these days, and the sooner we do it, the better it's going to be for all concerned. But we do have a Regional Transportation Study being made - let me point out one thing - a Director of the Westinghouse Corporation in Pittsburgh has taken out a full page ad in the National League of Cities - a double spread - in which he says - people movers, and it is all elevated - it's all electric - there is no pollution whatsoever. And as long as we have a Transportation Study being made, let's complete that Study - let's hold up the Monorail for a little bit - let's not rush into everything . . . I'm a firm believer that we have to have it, but at this particular point in time and after attending the Conference, I am going to vote "no" on the Resolution. We can always come back and look at it a little bit later. Let's clear our minds a little bit on this thing - take a look and see what our needs are because our needs are different than the Bay Area - they're different than in

MONORAIL
(continued)

Norfolk - they are different from any place in the World. We are in a very unique situation and I would like to have Mr. Stannick from Disney World come up here because this is the type of transportation we're talking about. It's moving people and moving tourists. And once we move those tourists out of those corridors and we're making money, then we can go into our own transportation - urban transportation - and it has been predicted by the President that by the year 2000, 80% of the population of the United States will live in an urban area.

So let's take a look at our Transportation Survey, which goes regional, and then we can go from there later.

Mayor Gragson: I concur wholeheartedly - 100% - in the position taken by the man from Disney Land, and I believe 100% totally that that is what we are doing here with the Monorail - is developing the System to meet the needs of the people. I know it is awfully easy to procrastinate and wait until something else comes up or something else comes up - I'm sure there hasn't been a Hotel built in this town - when there hasn't been a Bank building built in this town - or anything of magnitude built but what they hadn't considered postponing it and delaying it. It is my opinion - and I want to say it now to everybody here involved - that the time to act is now, and by acting now we are not guaranteeing by any means, but we are going Rohr the opportunity to see if they can develop the total support that you are requiring - the support of the County - and I am as sure as you are, and I'm as sure that Rohr is, that they know if their financing is successful, that they must develop this support - at least, a majority of the Hotels on the Strip and you are not going to be pushing it down their throats.

Mr. Hesse: That is the appeal I want to make to Commissioner Morelli. First I'd like to say that I've been to three of those Pittsburgh conferences - not this most recent one, but I've found them all very stimulating and they do get the transportation experts there.

There have been misunderstandings all along in this Monorail Project by the Hotels and the Suppliers. Fundamentally, the Hotels will not sit down and talk and discuss, seriously, with either Supplier in the past because they say first of all - we're not sure there's going to be a Monorail Project. Secondly, we don't know whether you're going to have your System or the other guy's System.

So, gentlemen, I appeal to you to give us the chance to be able to sit down and talk seriously with all the Hotels. I fully recognize that if they don't come in and support it - the County as well as City hotels - then we've got no ball game. It's really a chicken-and-egg deal. If you designate a winner, whether it's us or another Company, then they have the authority and the license to go out and talk to these people real seriously about the guarantee - about the ridership - about the benefits we can give that hotel - about the benefits to the whole community. We haven't had that opportunity yet. It is just not going to come by itself. So this is why we've always said - designate us - give us the six months - that's not just to get the financing - we have an awful lot of work to do - every one of the Hotels has to be convinced that they want the System - that, indeed, it will help them make more money, relieve the congestion and do other beneficial things.

Commissioner Franklin, I'm sorry if you misunderstood - we are guaranteeing the operating costs -

Commissioner Franklin: Why you even put a clause in there that you will deposit sufficient money to tear the System down if it is not operational . . .

Mr. Hesse: Well, some people have a concern say, in ten years from now - the System has been running - making money - generating an average of about five million dollars a year for the City, which you can use to buy other busses and many other things. Suppose there's an earthquake or suppose Los Angeles endorses gambling and suddenly your tourism goes downhill - so maybe ten or twelve years from now we're not making money on the Monorail, we've put in as an added protection to you that there are sufficient monies to tear the thing down and put it in the junkyard. It's that simple -

Commissioner Franklin: The Resolution even infers that you will bear the operating costs . . .

Mr. Hesse: We put it in there -

Commissioner Franklin: I didn't see it -

Mr. Hesse: I'm sorry there was that misunderstanding -

Mayor Gragson: This provision for tearing it down - this was one in the beginning that was one of the main objections. It was brought forth by several people - what would happen if it isn't successful? We would have a white elephant on our streets. And I for one felt that in order to address ourselves to that legitimate objection, that should be incorporated in the agreement, and that was discussed some eighteen months ago -

Mr. Hesse: I appeal to you - give us a chance.

Commissioner Christensen: I believe, George, the answer to your question is at the bottom of Page 2 under the first "Therefore":

"That Rohr be, and hereby is, designated as exclusive Supplier of the System according to the proposals and documents heretofore submitted by Rohr including but not limited to the Executive Summary and the specifications delivered to the City"

That particular document is where it guarantees the operating costs, etc. Isn't that correct, Dr. Hesse?

Answer: Yes -

Commissioner Franklin: I have never seen a document yet that shows me that it can be guaranteed and unless you do away with the Bankruptcy Law of the United States, or something else, there is no document . . . is there any way, Mr. Lovell, that your Staff has been able to determine that we can have an ironclad guarantee that they will guarantee operating costs - when we don't know who the corporation is - the validity of the corporation - corporations can go into bankruptcy - do you know of any way we can be guaranteed operating costs?

Carl E. Lovell, Jr., City Attorney: This Resolution, because you wanted it with "zero risk" is an ironclad as we could get it. It does include, as Commissioner Christensen indicated, in the

MONORAIL
(continued)

agreement, thus far, that they would guarantee the operating costs. However, that guarantee is as good - any time anybody gets into a contract, there are no guarantees as such. You are guaranteed by the financial stability and the validity of all of the corporations that might enter into this thing, whether subcontractors, or financiers, or whatever. I suppose the only idealistic "zero risk" you could ever get would have to be a cash deposit.

Commissioner Franklin: That's right -

Mayor Gragson: But you are convinced that there are no costs or liabilities on behalf of the City and the County, are you not?

Mr. Lovell: Yes, I think we've taken care of that sufficiently in here.

Mayor Gragson: I am sure that private financing will require, if this Monorail is developed, is not going to build a System - take a few photographs of it and then tear it down - it will never pay for itself unless it is in operation and they intend for it to operate or they wouldn't commit themselves for the total financing and package of it. If they were to develop and build it under a public bond issue, then they would be in a lot different position than where they are putting up their own through privately financed funds to build and to operate. Yes . . . it may not operate - Western Airlines may not fly tomorrow - the Union Pacific Railroad may run tomorrow, but in all likelihood the Union Pacific Railroad will continue to run and Western Airlines will continue to fly.

Commissioner Lurie: A lot has been said concerning the Monorail over the past year and a half or two years, going back to 1971, and I have made my comments on the Monorail - the concept - I believe in the concept.

When this Resolution was first brought to the Board to have a Resolution drawn up, I was against it because I felt it was useless to go with a partial System rather than a whole System. By passing the Resolution I believe that the other Hotels would go along with the Downtown area Hotels that are in favor of the Monorail. I believe there are not too many things that are left out of this Resolution to protect the City and the people who live in the City. I believe it is important that we look at our tourism. If we didn't have tourists, we wouldn't have Las Vegas. These people pay our salaries - they support our Hotels and that is our industry, and we have to look for means to support our industry and if one of those is moving the people from the Airport to the Hotels, to the Downtown, then I'm in favor keeping this Monorail open and in favor of passing this Resolution. I hope that the County Commission will enter into an agreement with us on this Monorail that it will become a joint effort. I feel that Rohr has gone overboard insofar as putting clauses in here to protect the City as well as the people who live here in our City, and I support the Resolution.

MONORAIL
(continued)

Commissioner Christensen: I agree, in principle, with what Commissioner Morelli said about jamming things down peoples' throats and I agree, as I publicly stated, that I don't think this Monorail can succeed without the blessings of our fellow Commissioners in the County.

However, I think we must recognize that this is a Resolution only, and not a contract to build. What this Resolution states - it gives Rohr a chance to prove what Feasibility Studies haven't been able to . . . I've been in business long enough to know that when you're all through with all the Feasibility Studies, the only way you can really find out is to give it a whirl.

I think that this Resolution is predicated upon the support of the Hotels on the Strip, the County Government, and if we don't get their support, it won't go. This takes care of my fears so, since I'm the last one, it appears it is going to fall on me to move for approval of this Resolution.

Motion

Commissioner Franklin: One comment before I vote - if it's so damn feasible, why in the world don't they just come in for a Franchise and build it themselves without any governmental concern at all?

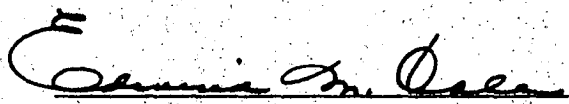
Motion carried by the following vote: Commissioners Christensen, Lurie and Mayor Gragson voting aye; noes, Commissioners Franklin and Morelli.

There being no further business to come before the Board, at the hour of 1:00 p.m. Mayor Gragson declared this Regular Meeting of the Board of City Commissioners ADJOURNED.

APPROVED


ORAN K. GRAGSON, MAYOR

ATTEST:


EDWINA M. COLE, CITY CLERK

APPROVED BY REFERENCE at a Regular Meeting of the Board of
City Commissioners held on the 3rd day of October, 1974.