

MINUTES

Las Vegas, Nevada  
February 10, 1976

A Recessed Regular Meeting of the Board of City Commissioners of the City of Las Vegas, Nevada, held this 10th day of February, 1976, was called to order by His Honor, Mayor William H. Briare, at the hour of 9:00 a.m., with the following members present:

	Mayor	William H. Briare
	Commissioner	Myron E. Leavitt
	Commissioner	Ron Lurie
ABSENT (excused)	Commissioner	Paul J. Christensen
	Commissioner	Roy A. Woofter
STAFF PRESENT	Assistant City Manager	William E. Adams
	City Attorney	Carl E. Lovell, Jr.
	Dir., Department of Community Development	Donald J. Saylor
	Dir., Department of License & Revenue	Ila M. Britt
	S.I.D., Metropolitan Police Department	Stu Brown
	Fire Chief	J. D. Miller
	Dir., Department of Public Works	Laurence Hampton
	Traffic Engineer	Al Bossi
	City Clerk	Edwina M. Cole

VAC-11-75  
Approved

PETITION TO VACATE - V-11-75 - GOLDEN NUGGET, INC.

Property generally located within the block bounded by Fremont Street, Carson Avenue, 1st Street and So. Casino Center Blvd., extending northeast from Carson Ave. 250 ft., thence westerly 160 ft. to South 1st St.

Mayor Briare: This is the time set for the Public Hearing on the matter of the Petition to Vacate by the Golden Nugget and at this time we would like to hear from the applicant.

Mr. Wynn: Mr. Morris is here representing Mr. Hand, the landlord of The California Club and I think, Commissioners, that we have an understanding. The Golden Nugget, as you know, does not intend to close the alley, but rather to beautify it - to do a good deal of improvement work on the side of the alley by Carson Street.

Mr. Morris - and I don't mean to speak for him - but his main concern at the last meeting was that we not close the alley and the access to the back door to The California Club. I think he is convinced now that is not our intention. Nor is it our intention to block anybody else's access on the alley but, rather, in certain areas to widen it and make it possible for the entrance to our Hotel.

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Recessed Regular Meeting  
City Commission  
February 10, 1976

We have paid \$5,000.00 for the Engineering Study to Nevada Power. I did that just after your last meeting - their studies for burying the power lines - their final prices and their costs associated with increasing the voltage on our block to 12,000 volts from the present 4,000 voltage. That will be ready within two weeks so we are well under way in the planning and completing our prices, and I know

it is our responsibility to satisfy the Fire Department and the Utilities in this matter. We have come to grips with the Utility Company problem and our builder for the construction is in complete contact with the Gas Company and the Water Company. We have our prices from the Telephone Company and made our arrangements with them on burying the telephone poles in the north/south part of the alley, from Carson towards Fremont Street.

So, to the best of my knowledge, Commissioners and Mr. Mayor, in our planning, our Architect, Mr. Doriot, is here to answer any additional questions.

We are aware of the requirements that we must meet and we have either complied them or we are in the process of finishing compliance with the various regulations. I know that Mayor Briare did tell me when we started this that if he was to support this at all, he was going to have to have my assurance that we were going to make the whole area pretty because, as you know, these alleys Downtown are ugly so at least speaking for our block, the alley will be beautified - and cleaned up and pretty and portions repaved, and we'll do our best to make it attractive.

Incidentally, as a footnote, Mr. Gordon, my neighbor from the Derby Book, was very glad - and did support our application - and he intends to fix up the sides of his building concurrent with the Golden Nugget's construction, so that block, hopefully, 12 or 13 months from now, will have an entirely different look - for the better, I think.

Mayor Briare: Thank you, Mr. Wynn - I want to clear up something - it's probably a matter of semantics, but during the course of yours, the Architect's and my conversation - I wouldn't want your words "to support this" that this was a pre-committment -

Mr. Wynn: No - no -

Mayor Briare: I'm sure the other Commissioner feel the same way - anthing along these lines have to be made very clear before we would even want to discuss it with you . . .

Mr. Wynn: You were very clear on that - I hope I didn't misrepresent that point.

Mayor Briare: Mr. Wynn, is there anything in your application at the time we set this matter for Public Hearing that would be of any significance to the Board at this time?

Mr. Wynn: No, Mr. Mayor, nothing has changed. The scope of our project - the design of it - remains exactly the same as the last time I appeared.

Mayor Briare: Mr. Morris, are you familiar with the plans that were submitted to this Board, on which we based our conclusion to hold this Public Hearing?

Attorney Morris: I think we are, Your Honor -

Mayor Briare: The reason I say that is because I want to ask you if you felt it was necessary to go through - to again go through the procedures here?

Mr. Morris: No - that's not necessary - but Mr. Ham wants to address you -

Mayor Briare: Very well - he may proceed -

Mr. Ham: Mr. Mayor and Commissioners - there are only two things that I would like to point out. Certainly it is much too late to try to impede the progress of Las Vegas and we think the room addition to the Golden Nugget will be a very valuable asset to the community.

Mr. Wynn has indicated that he will leave the accessibility of the alley, which is of the utmost importance in the event we get the property back on Lots 1 and 2, which is the old California Club on the corner of 1st and Fremont.

And the other thing is - I think we should have some sort of a time limit on Mr. Wynn's commencing of the construction.

Other than for those points, we have no objection whatsoever.

Mayor Briare: Mr. Saylor, normally, is there a time limit on this?

Mr. Saylor: If you wish to attach a condition on it - on the Order of Vacation you have to record once the conditions are satisfied.

Mayor Briare: Was there a time limit placed on the original construction of the Hotel?

Mr. Saylor: No -

Mayor Briare: Is that unusual?

Mr. Saylor: No - not under a Vacation procedure -

Mayor Briare: I'm wondering about the procedure that went with the approval of the Hotel.

Mr. Saylor: Well, that involved no specific action before this Board - the only time we impose a time limit is on a rezoning action, or something of that nature.

Mr. Wynn: Mr. Mayor, the Golden Nugget would respectfully request that there not be a time limit.

Mayor Briare: None whatsoever?

Mr. Wynn: We are heavily involved in the planning - we have finished the design of the Hotel - we are very heavily involved in negotiations on the financing. It involves a great deal of money, and unless you feel it is publicly necessary that you do it and for a specific reason, we would request that no time limit be imposed.

Mayor Briare: You are going to have to file a Notice of Completion for your Hotel, at which time certain conditions - when you get around to the construction and improvement on the alley, then do you feel it would be unreasonable to have a time limit?

Mr. Ham: I'm not talking about a short time limit - two years - or three years - this is not a question of weeks or months -

Mr. Wynn: I see - I misunderstood -

Mr. Ham: I didn't mention any time limit because I don't know what his plans are -

Mr. Wynn: Twenty-four (24) months would certainly handle the problem - yes Sir - I misunderstood - I thought you were talking about some of these 90-day jobs. That's fine.

Mayor Briare: This is a Public Hearing - is there anyone here that wishes to be heard on this Petition?

(No response)

Mayor Briare: Any comments by Staff?

Mr. Saylor: If you do approve it, we suggest you do it in accord with the conditions that were set forth, which deal with the utilities, the access rights, etc.

See Page 5 of these Minutes (Notice)

Commissioner Leavitt: I have a question of Mr. Saylor - I'm a little confused here. Maybe you can straighten me out. I see that we have before us a Petition to Vacate an alley -

Mr. Saylor: Right -

Commissioner Leavitt: OK - so we have a Petition to Vacate an alley and now we're talking about leaving it open for access, and now I'm confused.

Mr. Saylor: Access rights are essentially what we're talking about, Commissioner.

Commissioner Leavitt: Are you going to block the alley, or leave it open?

Mr. Saylor: As it now stands, of course, it's a public access alley. The proposal is to vacate it as a public alley as access to the parking structure there will be a public driveway - about twice as wide as the present alley - from Carson into that and out -

Commissioner Leavitt: Is that back of the Bank?

Mr. Saylor: Yes - I will take you over to this drawing - (wall map) - it is not colored and may be a little more difficult, but this would be the driveway from Carson - this is the Bank and this goes in and out of the garage. That would be used for vehicles as a driveway.

The entrance to the Hotel will be at this point (wall map) and this will be . . . they are going to resurface the alley - put some planting in here - landscaping, etc., etc. This will not be open in terms of public access. However, the conditions under the Vacation that have been agreed to is that these properties would still maintain their access rights if for some reason they would want to utilize them, but it would not be public.

Commissioner Leavitt: When we vacate the alley, doesn't the alley split down the middle - half of it goes to the property owner on either side of the alley?

Mr. Saylor: Under State Law, half of it goes to each abutting property owner.

Commissioner Leavitt: OK - the north part - the Golden Nugget doesn't own the south portion?

Mr. Saylor: No -

Commissioner Leavitt: So half of that alley will revert back to the property owners?

Mr. Saylor: Right -

Commissioner Leavitt: And he agrees to leave it open too?

Mr. Saylor: Yes -

Commissioner Leavitt: We are talking about access rights - are these access rights supposed to go on forever?

NOTICE

NOTICE IS HEREBY GIVEN that a petition has been filed with the Clerk of the Board of Commissioners of the City of Las Vegas, Nevada, asking for the vacation of certain real property, hereinafter described; that said petition has been referred to the Planning Commission of the City of Las Vegas, and that said Planning Commission has recommended that said petition be approved; that the following property be vacated, to-wit:

Property generally located within the block bounded by Fremont Street, Carson Avenue, First Street, and South Casino Center Boulevard, extending northeast from Carson Avenue 250 feet, then westerly 160 feet to South First Street.


SUBJECT TO:

1. Access rights shall be retained to all abutting property owners on all portions of the vacated alley and all costs concerning relocation of utilities, aesthetic improvements and continued maintenance of this vacated area shall be at the expense of the Golden Nugget Hotel.
2. Satisfaction of the requirements of the various utility companies.
3. Conformance to the requirements of the the Public Works and Fire Departments.
4. Vacation shall not be recorded until all of the above conditions have been met.

A PUBLIC HEARING on the said Petition and recommendation of the Planning Commission will be held on the 10th day of February, 1976, at the hour of 9:00 A.M. in the Commission Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Clark County, Nevada.

If, upon such hearing, the Board of Commissioners of the City of Las Vegas be satisfied that the public will not be materially injured by such proposed vacation, the above described property will be ordered vacated.

THIS NOTICE is given pursuant to an Order made by the Board of Commissioners of the City of Las Vegas, Nevada, at a regular meeting thereof held on the 7th day of January, 1976.

  
EDWINA M. COLE, City Clerk

Mr. Saylor: It would be recorded as such. Unless some subsequent action - say that at sometime in the future all of the property owners agreed they wanted to do away with that, that could be done.

Commissioner Leavitt: Is the access right limited to pedestrians?

Mr. Saylor: It is not stipulated as to what it is limited to.

Commissioner Leavitt: Then at some time in the future the whole alley could be open to traffic -

Mr. Saylor: That's right.

Commissioner Leavitt: Who controls over whether it is open to traffic or not?

Mr. Saylor: There is no control over that.

Commissioner Leavitt: The Commissioners wouldn't have any say as to whether or not this should be limited to pedestrian only?

Mr. Saylor: Well, I think you could -

Commissioner Leavitt: Here's what I'm getting at - when we say "access rights" - what are we vacating it for when it's going to be open?

Mr. Saylor: You are vacating the public rights to the alley - that's what you're vacating.

Commissioner Leavitt: And that leaves it to the property owners to do whatever they want - is that right?

Mr. Saylor: Right - essentially that is what it amounts to -

Commissioner Leavitt: Why do we have to make it a condition -

Mr. Saylor: You don't have to, except that there was some disagreement, let us say, on the part of some of the property owners in terms of it being just totally vacated, and that was somewhat of a compromise condition which I think has satisfied the abutting property owners, if I understood Mr. Morris representing the California Club here and at the hearing before the Planning Commission, and the owner of the Race Book property.

Commissioner Leavitt: The way I understand what you're telling me now is that we are going to vacate the public's rights to the alley, but there will still be access subject to the whim of the private owners?

Mr. Saylor: Yes -

Commissioner Leavitt: Why are we concerning ourselves with what the private owners will do? If we're going to vacate it - vacate it . . . I don't understand why we're involved in this access thing.

Mr. Wynn: Commissioner, I believe I can explain a little further. I have entered into two (2) agreements. I have given a commitment to the Bank of Nevada and to the Derby Book which is, as you have pointed out correctly, not public business at all, but an agreement between two private adjacent property owners, with land backing up to one another, that has nothing to do with the public, nor does this access. That's why Mr. Ham's appearance is not . . . you are either going to vacate the alley or you're not. It is not the public's business or the Commission's business, once you vacate the alley, tell tell us - you have to leave it open

for this or that, because that is confusing.

What I've said publicly for the record was that the Golden Nugget's plans do not include closing the alley. But, as I understand it, the Commission of the City will either vacate the alley, or they won't, and it is between Mr. Ham and I as to whether . . . for example, I use half - the north half of that alley - I don't own the south half. Mr. Gordon does own the south half - he owns that building in fee and he could block it. Mr. Ham has no commitment from Mr. Gordon - that's correct. And that's why the point you're bringing up, Commissioner, is valid. Either you are going to vacate it or you're not. After you do vacate it, it's between private individuals.

Mayor Briare: In order to consider this, it would seem to me . . .

Commissioner Leavitt: Let me ask you this - suppose we vacate the alley - we give up the alley - it reverts back to private owners - one half the alley right down the middle goes to each abutting property owner - OK - now, however, before we approve the plans for the construction of the Hotel, we can provide that they must have access according to the plans they have submitted?

Mr. Saylor: Yes.

Commissioner Leavitt: So we would have control in that sense. In other words, we could require as part of the construction of the Hotel that they comply with the Plans & Specifications and the representations given to us that there will be at least access to the public . . .

Mr. Saylor: For example, Commissioner - let me point it out (wall map) the south portion is proposed as an approximately 40 ft. wide access to and from their Parking Structure.

Commissioner Leavitt: In other words, the condition has to come with the approval of the Plans - not conditions on the vacation of the alley. I don't see how we can put any conditions on the vacation of the alley - that's my point . . .

Mr. Ham: Commissioner Leavitt, may I point out something please? The rights in this alley are to all abutting owners. Now, when you vacate here (wall map) the alley in through this area, you stop the rights of these people to come back in and have a flow of traffic. Mr. Wynn, as I understand it, desires to improve this alley - he has no right to improve it now because it is City property. In order for him to come in and improve the entire red line through here (wall map) of alley, it must be vacated and taken away from the City - otherwise it's the City's responsibility.

Commissioner Leavitt: But he can only improve the part that will revert to him on the vacation -

Mr. Ham: No - that's not true - that's part of the understanding I have with him - he fully intends to improve all of this (wall map) -

Commissioner Leavitt: He has your permission and that of the other property owner involved -

Mr. Ham: This is true -

Mr. Wynn: Commissioner Leavitt, the Golden Nugget has a lease on Mr. Ham's property until the year 2025. Negotiating with Mr. Ham on this piece of property is a gratuitous thing, on my part . . .

Mr. Ham: The point we are getting at is that it is necessary

after 2025, presumably the property will still be there - we won't be, but the property will and I do believe there is an essential portion of this - the rights - they are in conformance with Mr. Wynn's plans - we are not trying to avoid any of his plans for this at all - we would like to encourage him to build if we can.

Commissioner Leavitt: I understand all of this, but I think the question is up to the City Attorney as to whether or not - I don't see how we can put a condition on a vacation -

Mayor Briare: In order to induce this Board to even give any consideration, Commissioner, we saw on the date when we set this date for Public Hearing some very lovely plans for a pedestrian mall which is, obviously, in all of our minds better than what you've got - a bunch of garbage cans and whatever is there now. Secondly, it would put the property on the tax rolls and, thirdly, it is my understanding that the City's Fire Department is concerned, and that concern is taken care of here in that the equipment would be able to move around in that area.

Mr. Wynn: It happens to be, Sir, that all of the properties affected - the Golden Nugget itself, the Bank of Nevada, Mr. Hatten, our neighbor - our attorney neighbor and the Derby Book - all have access insofar as fire equipment is concerned, besides the alley. They are all exterior-facing properties. Right now, Sir, a big Fire Truck can't get through the alley - the corner is too tight.

It is incidentally important that the Golden Nugget doesn't intend to close the alley. If you vacate the alley it seems to me that Mr. Gordon on one side of the alley and the owners of the property on the other, could close it if they wanted to, except for agreements they make between one another, and we have done exactly that - those who are on the alley. I don't have an agreement with Mr. Hand because I've got the property for fifty (50) years - I don't have to make an agreement with Mr. Hand. That's our position.

Commissioner Leavitt: These agreements are in writing?

Mr. Wynn: Yes Sir, they are in writing - they are going to be recorded, as a matter of fact.

Commissioner Leavitt: What I'm getting at - we've been asked to put a condition on the vacation . . . and I don't see how we can. I think when it comes to the approval of the Plans we can put a condition on it, but I don't see how you can put a condition on a vacation - how you can vacate an alley and still say it's going to be open -

Mr. Wynn: I don't either, Commissioner.

Mr. Saylor: May I explain this to you, Commissioner Leavitt: Several years ago we got into that - we had a procedure then of attaching conditions to the actual recorded Vacation, which we found out then that once it was recorded, the conditions no longer were valid. So what we've adopted, in essence, is a Resolution of Intent procedure whereby we say we will record the Vacation of the alley when these conditions have been satisfied, so that when the actual recordation takes place, it goes signed and pure. Under the law, once you have this Hearing, the Order of Vacation has to be recorded within a certain period of time, except that we have used the procedure of saying at this point in time a Resolution of Intent to do it when the conditions are satisfied.

In connection with the utilities, for example, once we get a letter from all the utilities saying satisfactory arrangements have been made, we write that off. On these access rights, when we get a copy of all the agreements necessary guaranteeing

everybody's access rights, we would record it -

Commissioner Leavitt: That will be recorded?

Mr. Saylor: It would have to be recorded.

Commissioner Leavitt: What conditions do you think ought to be on the Order of Vacation?

Mr. Saylor: The actual Vacation, when it's recorded, will have no conditions. Under the Resolution of Intent these conditions set forth are the access rights -

Question: To whom?

Mr. Saylor: All abutting property owners on all portions of the vacated alley and all costs concerning relocation of utilities, aesthetic improvements and continued maintenance of this vacated area shall be at the expense of the Golden Nugget Hotel; (2) Satisfaction of the requirements of the various utility companies; (3) Conformance to the requirements of the Public Works and Fire Departments and (4) Vacation shall not be recorded until all of the above conditions have been met.

Commissioner Leavitt: Those are the conditions you are recommending?

Mr. Saylor: Right, and those are the ones that came forth as the result of the Planning Commission's meeting.

Commissioner Leavitt: If we approve this, we approve a Resolution of Intent to vacate it, subject to the conditions as recommended by the Planning Commission?

Mr. Saylor: Right -

Commissioner Leavitt: The next question then is - can you live with that, Mr. Wynn?

Mr. Wynn: It says "Access rights shall be retained to all abutting property owners . . ." - I'm not in favor of conditions on the Vacation, except to the extent that I have made private agreements - access agreements - with my neighbors. Specifically, Mr. Hand's objections - as I've said before, because of the fact that we have such a long term lease on that property, which is in full force and effect, it strikes me that he should not - that he doesn't have proper status to impose conditions upon the Golden Nugget for the use of what amounts to its own land.

I'm a little confused - as you are, Commissioner Leavitt - it says "Access rights shall be retained to all abutting property owners on all portions of the vacated alley . . ." I presume, again, that this is a condition associated with the representation on the Plans that I have submitted, isn't it? But what happens if Mr. Gordon decides to build out in the alley?

Commissioner Leavitt: That's the question -

Mr. Wynn: He's not affected - he's not before this Board with any kind of a completion date . . .

Mr. Saylor: It was my understanding that you had had arrangements -

Mr. Wynn: We do - we have agreements with private property owners adjacent to one another, but what happens if Mr. Gordon wants to build all the way across Mr. Hand's property?

Commissioner Leavitt: That's why I was asking of those Agreements would be recorded to show there was an agreement

between the two property owners to leave that property open -

Mr. Wynn: Commissioner Leavitt, as you know, we have a contract - it's interesting if it's recorded, but I have a written contract with Mr. Gordon, which he can enforce against the Golden Nugget - that concerns my use of the property and his use of the property.

Commissioner Leavitt: Would you have any objection to letting the Planning Commission see that Agreement?

Mr. Wynn: Not at all - and I have an Agreement with the Bank of Nevada that is going to be recorded - it is a contract between that property owner and myself and before it's finished I'm going to have a written contract with Bill Hatten, my other neighbor - but that again, is an agreement between the two of us and, really, I don't see why the City is involved.

Mr. Saylor: Only to this extent - as far as I'm concerned you can change any of these conditions that you want. The reason they came about is that, for example, the fact they are opposed to the Vacation unless they have a guarantee of access to the rear of their buildings.

Mr. Wynn: But they are here and have said they reached an agreement with the Golden Nugget and they are satisfied, and they did that in terms of a private contract between adjacent land owners.

Commissioner Leavitt: Based on the representations that have been made, would we be getting into trouble if we vacated the alley?

Mr. Saylor: No - with that type of an arrangement -

Commissioner Leavitt: I don't see any reason for putting any conditions on this Vacation - I don't see how we can put conditions on a vacation when he has to construct a Hotel within a year. You either vacate the alley or you don't -

Mr. Wynn: My duty to pay for the maintenance begins immediately -

Commissioner Leavitt: How can you make a condition that he build a Hotel in two years?

Mr. Saylor: I can't answer that. As you know, I indicated that we do not normally put a condition of that type on a Vacation.

Commissioner Leavitt: Mr. Mayor, based on the representations made that Agreements have been reached with the property owners and on the representation of Mr. Wynn that he will furnish copies of those Agreements to the Department of Community Development, I move for the vacation of the alley under VAC-11-75.

M o t i o n

Mayor Briare: Commissioners, before we vote on the motion, is there anyone else present at this Public Hearing wishing to be heard?

(No response)

Mayor Briare: Hearing none, I hereby declare the Public Hearing on VAC-11-75, closed.

MASSEUSE PERMITS - NEW  
Denied

9:45 A.M.

Mayor Briare: Are there any other matters to be brought before this recessed meeting?

City Attorney, Carl E. Lovell, Jr.: There is one matter having to do with the Masseuse applications of

Esther Louise Chapman  
Aline Benchetrit  
Martha Sanchez Chavez  
Thelma Jean Gruber

These, pursuant to the memo I sent you, cases were continued until Thursday to see if the Commission would have the opportunity to decide on this particular matter.

Mr. Spizzirri advised me this morning at approximately nine o'clock that he was going to be here. He is in Court right now.

I think what I would like to do prior to his arriving is to give to you certain evidence which you already have, and have it made part of the record, and discuss with you some of the ramifications . . .

Commissioner Leavitt: I think we ought to wait for him and make it a public record -

Mr. Lovell: Well, this is already in Court - I have a Packet for him. I was just going to enter it into the record to save time.

"EVIDENCE PACKET" handed to City Clerk for the Record:

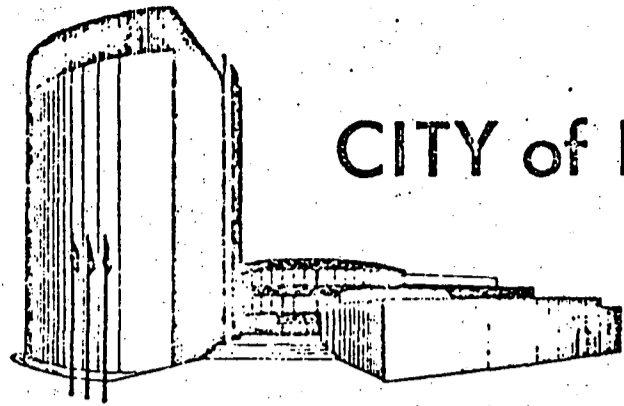
Evidence Packet containing:

- A. Letter dated January 14, 1976  
From: Dir., License & Revenue Dept., City of Las Vegas  
To: Los Angeles College of Massage & Physical Therapy, Inc., Santa Ana, Calif.
- B. Letter dated January 14, 1976:  
From: Dir., License & Revenue Dept., City of Las Vegas  
To: Calif. State Dept. of Education, Los Angeles
- C. Inter-Office Memorandum dated January 20, 1976  
From: Dir., License & Revenue Dept., City of L.V.  
To: City Manager, City of L. V.
- D. Inter-Office Memorandum dated January 20, 1976  
From: Dir., License & Revenue Dept., City of L. V.  
To: City Attorney, City of L. V.
- E. Letter dated January 22, 1976  
To: Mayor, Commissioners & Dir. of Licensing  
From: Carl E. Lovell, Jr., City Attorney
- F. Letter dated January 23, 1976  
To: Los Angeles College Of Massage & Physical Therapy, Inc., Santa Ana  
From: Dir., License & Revenue Dept., City of L. V.

EVIDENCE PACKET

(A)

MAYOR BILL BIRKBE  
 COMMISSIONERS  
 PAUL J. CHRISTENSEN  
 RON LURIE  
 MYRON E. LEAVITT  
 ROY WOOFYER  
 CITY ATTORNEY  
 CARL E. LOVELL, JR.  
 CITY MANAGER  
 A. R. TRELEASE



# CITY of LAS VEGAS



January 14th, 1976

Los Angeles College of Massage  
 and Physical Therapy, Inc.  
 1400 West McFadden Avenue  
 Santa Ana, California 92704

Gentlemen:

At the present time the City of Las Vegas has the following four (4) applicants requesting to be issued masseuse permits to work in a massage parlor in the City of Las Vegas, who have presented with their applications certificates of completion of a course of training at the Los Angeles College of Massage:

Name	Certificate of Completion Dated	Branch Attended
Aline Benchetrit	12-8-75	Costa Mesa
Martha Sanchez Chavez	12-8-75	Costa Mesa
Thelma Jean Gruber	12-8-75	Costa Mesa

The Board of City Commissioners, in considering these applications for masseuse permits, has requested certain additional information be obtained from your school in regard to the aforementioned applicants. The information and documentation requested by the Mayor and Board of City Commissioners is as follows:

- 1) Verified attendance records showing dates and hours of in-class instruction for each girl.
- 2) Certified copies of transcripts for each girl.
- 3) Copies of examinations given at the school precedent to certificates of completion being granted.

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Los Angeles College of Massage  
and Physical Therapy, Inc.

January 14th, 1976  
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Aline Benchetrit, Martha Sanchez Chavez, and Thelma Jean Gruber, appearing before the Board of Commissioners at a regular meeting held on January 7th, 1976, were individually asked whether they consented to the City of Las Vegas requesting this information from your school in regard to their own records at the school, and each girl did willingly give her consent.

Your cooperation in furnishing the above requested records will be appreciated. Your expeditious handling of this request will aid the City in the processing and determination of these applications.

Sincerely,

*Ila M. Britt*

Ila M. Britt, Director  
License & Revenue Department

IMB:LL

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February 10, 1976

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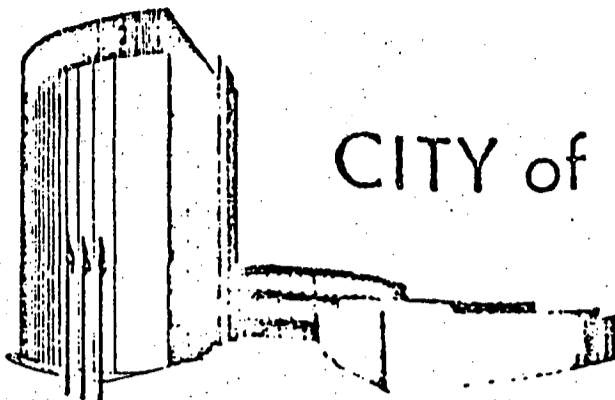
(B)

MAYOR BILL URIARE

COMMISSIONERS  
PAUL J. CHRISTENSEN  
RON LURIE  
MYRON E. LEAVITT  
ROY WOOFER

CITY ATTORNEY  
CARL E. LOVELL, JR.

CITY MANAGER  
A. R. TRELEASE



# CITY of LAS VEGAS



January 14th, 1976

California State Department of Education  
601 West Fifth Street  
Los Angeles, California 90017

Attention: William Unger, Field Representative  
Bureau of School Approvals

RE: Los Angeles College of Massage and Physical  
Therapy, Inc.

Dear Mr. Unger:

In July last year, I talked with you on the telephone in regard to the subject school, and you indicated to me at that time that the school was operating with a temporary approval issued in October of 1972. You also informed me at that time that the State Board of Education was in the process of writing and passing regulations to govern massage schools and that after July 1st of 1975, they would re-evaluate such schools pending final determination of each school's status with the State of California.

At the present time, the City of Las Vegas has several applicants for permits to work as masseuses in local massage parlors. These applicants have presented with their applications certificates of completion of a 225-hour course of instruction received at the Los Angeles College of Massage and Physical Therapy, Inc.

When the applications went on the agenda for action by the Board of City Commissioners, the Commission instructed this office to conduct a further investigation into the school and the courses of instruction which these applicants purportedly received.

I am writing to the school and requesting verified attendance records, transcripts, etc. Meanwhile, it would also be extremely helpful to this office if you would forward to us any information which you have in regard to this school, its present status with the California Department of Education, and if possible, any infor-

400 E. STEWART AVENUE, LAS VEGAS, NEVADA 89101 • (702) 386-6011

Page 15  
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Recessed Regular Meeting  
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February 10, 1976

California State Department of Education  
Re: Los Angeles College of Massage and  
Physical Therapy, Inc.

January 14th, 1976  
Page Two

mation regarding complaints or investigations which may have taken place -- in short, anything which you feel might be of value to the City of Las Vegas in ascertaining whether masseuse applicants in our City who received their training at this school have received legitimate training in the art of massage.

Your cooperation will be most sincerely appreciated, and I will be most grateful if you could expedite a reply.

Sincerely,

*Ila M. Britt*

Ila M. Britt, Director  
License & Revenue Department

IMB:LL

## INTER-OFFICE MEMORANDUM

1-20-76

## TO:

CITY MANAGER

## FROM:

ILA M. BRITT, DIRECTOR  
LICENSE & REVENUE DEPARTMENT

## SUBJECT:

LOS ANGELES COLLEGE OF MASSAGE  
AND PHYSICAL THERAPY, INC.

## COPIES TO:

MAYOR BRIARE  
BOARD OF COMMISSIONERS  
CITY CLERK  
CITY ATTORNEY

Subsequent to the January 7th Commission meeting at which applications for masseuse permits for Aline Benchetrit, Martha Chavez and Thelma Gruber were held in abeyance, in accordance with the expressed wish of the Commission, I wrote to the Los Angeles College of Massage and Physical Therapy, Inc. requesting verified attendance records including exact days and hours of in-class instruction, copies of transcripts and copies of examinations given to the applicants precedent to their being issued certificates of completion. I also wrote to the California State Department of Education requesting information in regard to the Los Angeles College of Massage and Physical Therapy, Inc.

Meanwhile, a petition for Writ of Mandamus was filed in District Court by Attorney George Spizzirri on behalf of the petitioners -- Baxter Boulet doing business as Sultan's Palace, Aline Benchetrit, Paula Lovell, Martha Chavez, Thelma Gruber, and Esther Chapman (Esther Chapman's application for a masseuse permit appears on the January 21st agenda for the first time). The City was ordered to show cause before District Court Judge Michael J. Wendell this date and after arguments from attorneys on both sides, Judge Wendell held the matter until Thursday, January 22nd, 1976.

Since I have not received replies from either of my letters of inquiry in regard to the School, I, this date, talked by telephone with Mr. William Unger, Field Representative, Bureau of School Approvals, State Department of Education in Los Angeles, California. I had talked with Mr. Unger previously last summer in regard to the Los Angeles College of Massage and Physical Therapy, Inc., and he informed me at that time that the school was operating under a temporary approval of the California State Board of Education issued in October of 1972. Mr. Unger further told me at that time that the State Board of Education of California had, as of July 1st, 1975, adopted new regulations and that massage schools were to be re-evaluated before final action in regard to State approval.

CL. 1

City Manager

Re: Los Angeles College of Massage  
and Physical Therapy, Inc.

January 20th, 1976

Page Two

As of this date, Mr. Unger told me that after adoption of the new, more stringent regulations by the California Board of Education, that the Los Angeles College of Massage and Physical Therapy, Inc. and its President, Dr. Donald Peterson, D.C., went to court and got an injunction against the California State Board of Education restraining the Board from enforcing the new more stringent restrictions. Mr. Unger indicated to me that the Board had "backed off" and rather than battle the injunction in court has adopted far less stringent regulations, including lowering the educational requirement from the previously required 225-hour course to a new 100 hours of in-class instruction requirement.

It is to be noted, however, that the certificates of completion issued to the subject applicants were accompanied by transcripts showing that the applicants had 50 hours of Anatomy, 50 hours of Physiology, and 125 hours of Theory, Ethics and Practice, for a total of 225 hours. According to Mr. Unger, the Costa Mesa branch of the Los Angeles College of Massage and Physical Therapy, Inc., at which the applicants received their training, is still operating under the temporary State approval granted in October of 1972.

\* Mr. Unger indicated a Dr. Jackson would be able to furnish additional information to the City; however, he was out of town at this time. Mr. Unger said Dr. Jackson would be answering my letter and sending all pertinent information requested upon his return to Los Angeles.

Inasmuch as these masseuse permit applications do appear on the January 21st agenda and the matter will be heard again in court the following day, I am submitting at this time the information I have been able to gather.

IMB:LL

INTER-OFFICE MEMORANDUM

1-20-76

TO:

CITY ATTORNEY

FROM:

ILA M. BRITT, DIRECTOR  
LICENSE & REVENUE DEPARTMENT

(D)

SUBJECT:

APPLICANTS FOR MASSEUSE PERMITS  
SULTAN'S PALACE  
RE: DISTRICT COURT CASE #A-14990

COPIES TO:

CITY MANAGER

I am submitting the following information in regard to the five (5) applicants for masseuse permits who are petitioners along with Baxter Boulet in the subject case which will be heard in court on Thursday, January 22nd, 1976:

ESTHER CHAPMAN:

Esther Chapman applied for a masseuse license at Sultan's Palace on 2-8-74. This license was marked out on 4-1-75 after passage of the City's new escort bureau ordinance.

Esther Chapman was one of the petitioners in District Court Case A-143789. At the conclusion of this case, Judge Goldman ordered the City to issue permits to eight (8) of the petitioners; however, in spite of the fact that Esther Chapman had been previously licensed, she was not one of the petitioners that Judge Goldman ordered a permit be issued to. Her original application was certified and sent to Judge Goldman's court and was not returned to this office.

*Never  
Licensed*

To the best of my memory and knowledge, we did have a few telephone inquiries in regard to Esther Chapman's application, but she never pursued the matter beyond inquiry until December 1975 at which time she submitted to this office a certificate of completion from the Los Angeles College of Massage dated 13 July, 1975, together with a transcript showing she completed 225 hours at the West Los Angeles branch; and, the date of graduation is shown on the transcript as 7-18-75.

At this time we received an investigation fee from Esther Chapman and gave her a referral to Special Investigations dated 12-18-75. Special Investigations completed their investigation and have referred the application back to this office, and it is on the agenda for the January 21st Commission meeting. The report furnished by the Special Investigations Bureau shows that the applicant has a non-derogatory police report.

[ 1

City Attorney

Re: Applicants for Masseur Permits - Sultan's Palace  
District Court Case #A-14990

January 20th, 1976

Page Two

ALINE BENCHETRIT, MARTHA SANCHEZ CHAVEZ, THELMA JEAN GRUBER:

During the early part of October 1975, Baxter Boulet brought to the License Department office the applications of Martha Chavez, Aline Benchetrit and Thelma Jean Gruber, which they signed before a Notary on 9-22-75. The applications were not accompanied by a diploma or certificate of graduation but did have attached a letter undated and addressed "To Whom It May Concern" and signed by Baxter Boulet, stating that the applicants attended a course of study equivalent to or greater than 225 hours of instruction, the instruction given by Doris Diedeman from the Los Angeles College of Massage, Los Angeles, in the form of on-the-job training at Sultan's Palace. Due to the lack of a diploma, this office informed Mr. Boulet that the applications were not completely acceptable.

During the early part of November 1975, it is my understanding that this matter was heard in District Court, and District Court ruled that the City must proceed with the investigation of these applicants. At that time we, therefore, accepted investigation fees and all three of the mentioned were given referrals to the Special Investigations Bureau on 11-4-75. Subsequently, the Writ of Mandamus petitioning the Court to order the City to issue permits to these applicants was denied, the court ruling that the schooling which these applicants had on the premises at Sultan's Palace did not comply with the State Statutes in regard to schools.

Thelma Jean Gruber and Aline Benchetrit were on the December 3rd, 1975, Commission agenda. Special Investigations at that time gave unfavorable police reports due to the fact that they did not qualify under the Ordinance in regard to the 225-hour educational requirement (Ordinance #1770, Title 5, Chapter 29, Section 1, subsection "E"). Thelma Jean Gruber and Aline Benchetrit were stricken from the December 3rd agenda because they were not present at the meeting.

Meanwhile, these three girls did go to Los Angeles and take a course of instruction at the Los Angeles College of Massage and Physical Therapy, Inc., Costa Mesa branch, and on 12-18-75 presented to this office certificates of completion dated 12-8-75 and copies of transcripts showing they had received 225 hours of instruction. On that same date they were given amended referrals to the Special Investigations Bureau.

City Attorney

Re: Applicants for Masseur Permits - Sultan's Palace  
District Court Case #A-14990

January 20th, 1976  
Page Three

Thereupon, the Special Investigations Bureau referred the applications for the January 7th Commission meeting. Updated Special Investigations Bureau reports indicated the fact that the girls now had diplomas; however, Special Investigations gave unfavorable police reports based on the type of business and the enforcement problems caused. The three applications were held in abeyance, the Commission expressing its desire to get more information on the school and the schooling which the girls attended.

All of the above facts pertain to all three applicants, Benchetrit, Chavez and Gruber, with the following exception: Martha Sanchez Chavez first appeared on the Commission agenda on December 17th at which time the annotated agenda notes her application was withdrawn at her request. I believe this withdrawal was by telephone conversation with one of the officers in the Special Investigations Bureau.

PAULA DIANE LOVELL:

Paula Diane Lovell listed three arrests in her application; however, she failed to list a Petty Larceny arrest in St. Joseph, Michigan in August of 1973. However, in sworn testimony before the Board of City Commissioners on January 7th, 1976, Paula Lovell did state that in September of 1973 in St. Joseph, Michigan, she plead guilty to a charge of Petty Larceny, was fined \$100.00 and placed on two years probation. This arrest and sentence were not listed in her application, and the Commission denied the application based on a falsified application. Otherwise, the dates and facts in the above relating to the other three applicants are also true in the case of Paula Diane Lovell.

IMB:LL

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Recessed Regular Meeting  
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February 10, 1976

Professional Public  
Services

CARL E. LOVELL, JR.

JANSON F. STEWART  
Chief Civil Deputy  
RONALD L. WARREN  
DANIEL E. AHLSTROM  
LEONARD P. SMITH  
RICHARD C. MAURER

JOHN J. GRAVES, JR.  
Chief Criminal Deputy  
DANIEL S. HUSSEY  
DON L. GRIFFITH  
GERALD M. WELT  
Consumer Protection Division

City of Las Vegas  
Carl E. Lovell, Jr.  
City Attorney  
400 EAST STEWART  
LAS VEGAS, NEVADA 89101

January 22, 1965



Area Code 702  
Telephone  
386-6201  
386-6213  
(Criminal Division)

MAYOR  
COMMISSIONERS  
DIRECTOR OF LICENSING, ILLA BRITT

RE: BAXTER BOULET, doing business as SULTAN'S PALACE,  
ALINE BANCHETRIT, PAULA LOVELL, MARTHA CHAVEZ,  
THELMA CHAVEZ, THELMA GRUBER and ESTER CHAPMAN Vs CLV.

Gentlemen and Ms. Britt:

Please be advised that on this date we appeared on behalf of the City before the Honorable Judge Wendell, Sultan's Palace and the masseuse applicants being represented by George Spizzirri.

I moved for abeyance of this hearing due to the fact that the City had not exhausted its administrative right of investigation due to the fact that the masseuse applicants agreed that we might independently verify their receipt of diplomas, hours of training, etc., through the California State Board of Education and the school of massage involved.

Judge Wendell agreed and held in abeyance this case until February 5, 1976, the day after the Commission's first meeting in February. The Judge indicated that for three of the four masseuses the 90 day period in the Ordinance would have run by then, and would expect that the City would have complete its investigation and would have taken action at the February 4th meeting regarding these masseuses.

Indeed, pursuant to our ordinance (90 day period) we have run out of "a reasonable period of time" for investigation. That investigation, indeed, is the City's burden.

Therefore, I suggest coordination between the License Department and the City Commission regarding the investigation being in order that all information that is available be "truly analysed".

Judge Wendell agreed that the City had a right to carry out its investigation to a reasonable degree; however, it is common sense to know that if the results of our investigation showed nothing, it could not justify a denial, and the City would make swift remedies regarding any unnecessary delay or unnecessary inaction by the City of Las Vegas.

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Minutes  
Recessed Regular Meeting  
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February 10, 1976

IMB:LL


Carl E. Lovell, Jr.  
City Attorney

Page 2  
MAYOR  
COMMISSIONERS  
DIRECTOR OF LICENSING, ILLA BRITT

RE: BAXTER BOULET, et al.  
vs. CLV

Therefore, I urge extremely, the need for coordination in  
this matter prior to the next commission meeting.

Very truly yours,

  
Carl E. Lovell, Jr.  
City Attorney

CEL/kd

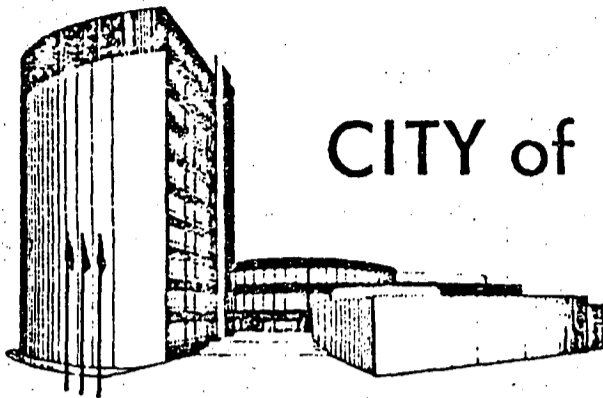
(F)

MAYOR BILL BRIARE

COMMISSIONERS  
PAUL J. CHRISTENSEN  
RON LURIE  
MYRON E. LEAVITT  
ROY WOOFER

CITY ATTORNEY  
CARL E. LOVELL, JR.

CITY MANAGER  
A. R. TRELEASE



# CITY of LAS VEGAS



REGISTERED MAIL  
RETURN RECEIPT REQUESTED

January 23rd, 1976

Los Angeles College of Massage  
and Physical Therapy, Inc.  
1400 West McFadden Avenue  
Santa Ana, California 92704

Gentlemen:

I am attaching a copy of a letter which this office sent to you on January 14th, 1976, regarding verification of certificates of completion and attendant documentation in regard to the schooling received at the Los Angeles College of Massage by: Aline Benchetrit, Martha Chavez, and Thelma Jean Gruber.

As of this date we have not received a reply, and I am writing to urge that you forward the requested information as soon as possible. As previously stated, the aforementioned masseuse applicants did give their consent to the Mayor and Board of City Commissioners for the City to request these records for independent verification of their schooling.

Their applications will be on the agenda for a regularly scheduled Commission meeting to be held February 4th, 1976, and it is of the utmost importance that we have your reply as well ahead of that date as possible.

Your cooperation will sincerely be appreciated.

Sincerely,

Ila M. Britt, Director  
License & Revenue Department

IMB:LL

✓ cc: City Attorney



The Los Angeles College  
of  
Massage & Physical Therapy Inc.

Famous since 1927

2930 W. COAST HIGHWAY • NEWPORT BEACH, CALIF. 92660 • 24 HOUR PHONE (714) 540-6936

January 29, 1976

Mr. Carl E. Lovell, Jr. Esq.  
City Attorney  
City of Las Vegas  
400 East Stewart Avenue  
Las Vegas, Nevada 89101

Dear Mr. Lovell:

I am sending you a copy of the enclosed letters because you were shown as getting copies of Mrs. Britt's letter to us and perhaps the same enclosure we received (a copy attached).

Also enclosed is a copy of my letter to Dr. Jackson.

Although it may be difficult to believe, we are trying to do our job, as we see it, in training people how to do honest Massage.

Perhaps someday there won't be the problems Massage is having, not only in your state, but here and elsewhere.

If we can be of assistance, please do not hesitate to call upon us.

Thanks and best wishes.

Sincerely,

THE LOS ANGELES COLLEGE OF  
MASSAGE & PHYSICAL THERAPY INC.

Dr. Donald M. Petersen  
President

DMP/cc



Famous since 1927

The Los Angeles College  
of  
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January 29, 1976

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City Attorney  
City of Las Vegas  
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Las Vegas, Nevada 89101

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Thanks and best wishes.

Sincerely,

THE LOS ANGELES COLLEGE OF  
MASSAGE & PHYSICAL THERAPY INC.

Dr. Donald M. Petersen  
President

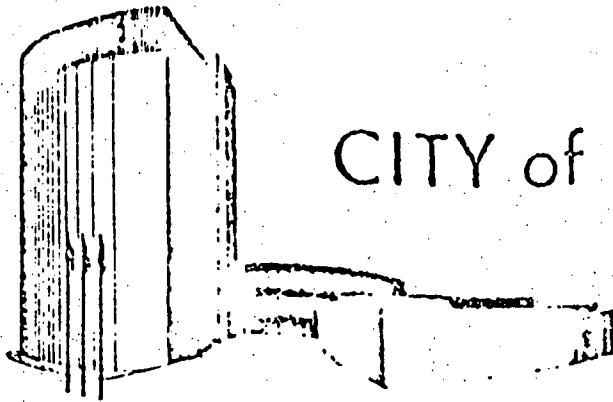
DMP/cc

MAYOR BILL BRIARE.

COMMISSIONERS  
PAUL J. CHRISTENSEN  
RON LURIE  
MYRON E. LEAVITT  
ROY WOOFER

CITY ATTORNEY  
CARL E. LOVELL, JR.

CITY MANAGER  
A. R. TRELEASE



# CITY of LAS VEGAS



January 14th, 1976

California State Department of Education  
601 West Fifth Street  
Los Angeles, California 90017

Attention: William Unger, Field Representative  
Bureau of School Approvals

RE: Los Angeles College of Massage and Physical  
Therapy, Inc.

Dear Mr. Unger:

In July last year, I talked with you on the telephone in regard to the subject school, and you indicated to me at that time that the school was operating with a temporary approval issued in October of 1972. You also informed me at that time that the State Board of Education was in the process of writing and passing regulations to govern massage schools and that after July 1st of 1975, they would re-evaluate such schools pending final determination of each school's status with the State of California.

~~At the present time, the City of Las Vegas~~ has several applicants for permits to work as masseuses in local massage parlors. These applicants have presented with their applications certificates of completion of a 225-hour course of instruction received at the Los Angeles College of Massage and Physical Therapy, Inc.

When the applications went on the agenda for action by the Board of City Commissioners, the Commission instructed this office to conduct a further investigation into the school and the courses of instruction which these applicants purportedly received.

I am writing to the school and requesting verified attendance records, transcripts, etc. Meanwhile, it would also be extremely helpful to this office if you would forward to us any information which you have in regard to this school, its present status with the California Department of Education, and if possible, any infor-

400 E. STEWART AVENUE, LAS VEGAS, NEVADA 89101 • (702) 386-6011

California State Department of Education  
Re: Los Angeles College of Massage and  
Physical Therapy, Inc.

January 14th, 1976  
Page Two

Information regarding complaints or investigations which may have taken place -- in short, anything which you feel might be of value to the City of Las Vegas in ascertaining whether masseuse applicants in our City who received their training at this school have received legitimate training in the art of massage.

Your cooperation will be most sincerely appreciated, and I will be most grateful if you could expedite a reply.

Sincerely,

*Ila M. Britt*

Ila M. Britt, Director  
License & Revenue Department

IMB:LL



The Los Angeles College  
of  
Massage & Physical Therapy Inc.

Famous since 1927

2930 W. COAST HIGHWAY • NEWPORT BEACH, CALIF. 92660 • 24 HOUR PHONE (714) 540-6936

January 29, 1976

Mrs. Ila M. Britt  
Director  
License & Revenue Department  
City of Las Vegas  
400 East Stewart Avenue  
Las Vegas, Nevada 89101

Dear Mrs. Britt:

This letter is in response to your registered letter of January 23, 1976 wherein you wrote that you were enclosing a copy of your previous letter to us regarding 3 of our graduates.

What was actually enclosed with that letter was a copy of your letter to a William Unger of the Bureau of School Approvals of the California Department of Education.

Unfortunately Mr. Unger, either through error or oversight gave you to believe that all we had was a "temporary approval" -- which is not the truth.

We wish that you had been able to talk to Dr. Henry I. Jackson of the Los Angeles Office of the Bureau of School Approvals. Dr. Jackson has handled the College's file since I have been its president, and we have a permanent approval at our main office and we have approximately 20 branches in the state that are approved on a "temporary basis"

But -- it was because the Bureau of School Approvals is so overworked and understaffed that we have these branches on a "temporary" basis, and not due to any fault of the College.

Thanks to an error that was rendered by Mr. Unger, the problems you have had with Massage in Las Vegas in general, plus the manner in which we have tried to see things done properly, we find ourselves in the position of being suspected -- and trying to defend ourselves as being legitimate.

Naturally it is difficult to not feel resentful, particularly when in the eyes of some you have already been judged guilty and must set about to prove yourself innocent -- which is just a little reversed of what our system is supposed to guarantee.

I don't know what response you have had to your letter to Mr. Unger, but I am sending a copy of everything relative to this case to Dr. Henry I. Jackson at the Los Angeles office, in the hopes that if additional errors, oversights or inferences have been made that would cause you to continue to question The Los Angeles College of Massage & Physical Therapy -- that perhaps Dr. Jackson

might possibly be able to provide you with a better and hopefully correct picture of what we are and what we have been trying to do in the field of Massage -- in the hopes of helping people learn how to be in this business honestly and legitimately.

To most people, here in California atleast, the fact that we are given any kind of approval by the Department of Education is an indication or varification that we are giving our students a course of "LEGITIMATE TRAINING IN THE ART OF MASSAGE".

I hold nothing personal against you Mrs. Britt, for I know you are merely doing your job, working in a highly sensative and sometimes explosive situation regarding Massage there in Las Vegas -- but the answer to the whole problem lies in encouraging education and not stifling it.

Once you get a good school of Massage there in Las Vegas that is providing their students with a real course of study that shows them how they can go forth and be well paid for giving people a GOOD MASSAGE -- and at a realistic parice -- you are going to see the beginning of the end of your problems regarding Massage there in Las Vegas.

So long as your City tries to stop people from being licensed they make it possible for a select few to continue to operate charging ripe-off prices -- and in many cases not even give the consumer a decent Massage for their money -- and the cause of continued hate and distrust for EVERYONE in Massage.

It has grown to the point where EVERYONE in any way associated with Massage has to start defending themselves as being legitimate -- even a school where someone might go to learn.

We stand willing, and I have expressed this to Mr. Lovell when I met with him personally, to do anything we can to assist in bringing about some honest respect for Massage and the many good, honest, dedicated people who are working in it, both giving Massages -- and teaching it.

I look forward to meeting you personally in the not to distant future and I hope the Mayor and the Commissioners will call upon us if they would like us to assist in anyway possible.

Kindest personal regards,

THE LOS ANGELES COLLEGE OF  
MASSAGE & PHYSICAL THERAPY INC.

Dr. Donald M. Petersen  
President

DMP/cc

cc: Dr. Henry I. Jackson  
Carl E. Lovell Jr., Esq.  
Anthony M. Glassman, Esq.



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of  
Massage & Physical Therapy Inc.

Famous since 1927

2930 W. COAST HIGHWAY • NEWPORT BEACH, CALIF. 92660 • 24 HOUR PHONE (714) 540-6936

January 29, 1976

Dr. Henry I. Jackson  
Bureau of School Approvals  
California Department of Education  
601 West 5th Street, Room 910  
Los Angeles, California 90017

Dear Doctor Jackson:

Enclosed you find a letter from Mrs. Britt of the City of Las Vegas wherein she states that Mr. Unger told her we only had a "temporary approval" -- which perhaps has led to the City of Las Vegas wondering whether our students get a "Legitimate course of instruction in Massage".

I sure hope the letter was not answered by Mr. Unger, but rather passed along to you. For as you can see from other enclosures, we have been caused a great deal of problems in providing our course for some people from Nevada, and we sure do want the folks in Las Vegas to think a little better of us than they do now.

Therefore Dr. Jackson, here is what I would really appreciate:

- (1) If Mrs. Britt's letter has already been answered by someone in the Bureau, I would like to receive a copy of that response, to see if the error that Mr. Unger had made were corrected.
- (2) If the letter has not been answered, although it would add to your burden (for which I am sorry), I would ask that if possible you were to answer the letter and then send us a copy of that response.

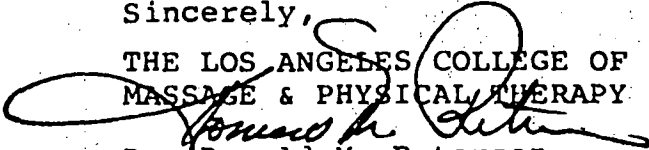
You know that we have been working hard these past years trying to provide those people who wish to do Massage legally and effectively with branches, instructors and courses of instruction that will do just that.

Since we have been planning to open a branch of the College in Nevada, it would be extremely important to know that no further errors were made, and previous errors corrected from the Bureau to the City of Las Vegas -- as we are going to do everything we can to regain some respect from the officials in Las Vegas, if at all possible.

Thanks and best wishes, I hope to hear from you soon.

Sincerely,

THE LOS ANGELES COLLEGE OF  
MASSAGE & PHYSICAL THERAPY INC.

  
Dr. Donald M. Petersen  
President

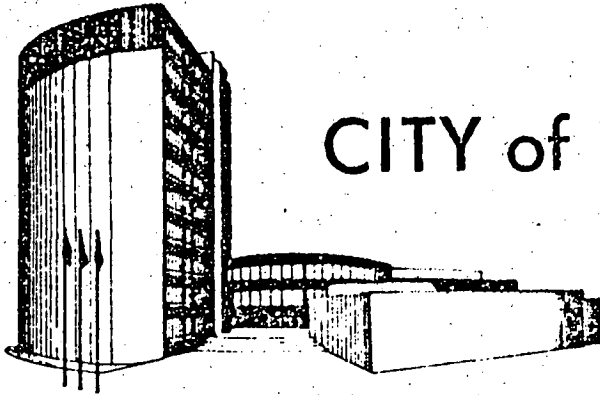
cc: Mrs. Britt  
Mr. Lovell, Jr. Esq.  
Mr. Glassman, Esq.

MAYOR BILL BRIARE

COMMISSIONERS  
PAUL J. CHRISTENSEN  
RON LURIE  
MYRON E. LEAVITT  
ROY WOOFER

CITY ATTORNEY  
CARL E. LOVELL, JR.

CITY MANAGER  
A. R. TRELEASE



# CITY of LAS VEGAS



REGISTERED MAIL  
RETURN RECEIPT REQUESTED

January 23rd, 1976

Los Angeles College of Massage  
and Physical Therapy, Inc.  
1400 West McFadden Avenue  
Santa Ana, California 92704

Gentlemen:

I am attaching a copy of a letter which this office sent to you on January 14th, 1976, regarding verification of certificates of completion and attendant documentation in regard to the schooling received at the Los Angeles College of Massage by: Aline Benchetrit, Martha Chavez, and Thelma Jean Gruber.

As of this date we have not received a reply, and I am writing to urge that you forward the requested information as soon as possible. As previously stated, the aforementioned masseuse applicants did give their consent to the Mayor and Board of City Commissioners for the City to request these records for independent verification of their schooling.

Their applications will be on the agenda for a regularly scheduled Commission meeting to be held February 4th, 1976, and it is of the utmost importance that we have your reply as well ahead of that date as possible.

Your cooperation will sincerely be appreciated.

Sincerely,

*Ila M. Britt*

Ila M. Britt, Director  
License & Revenue Department

IMB:LL

cc: City Attorney

400 E. STEWART AVENUE, LAS VEGAS, NEVADA 89101 • (702) 386-6011

## INTER-OFFICE MEMORANDUM

2-2-76

TO:

CITY MANAGER

FROM:

*Ila M. Britt*ILA M. BRITT, DIRECTOR  
LICENSE & REVENUE DEPARTMENT

SUBJECT:

LOS ANGELES COLLEGE OF MASSAGE  
AND PHYSICAL THERAPY, INC.

COPIES TO:

MAYOR BRIARE  
BOARD OF COMMISSIONERS  
CITY ATTORNEY  
CITY CLERK

I have this date received a reply to my inquiry regarding the schooling of masseuse applicants Aline Benchetrit, Martha Chavez and Thelma Gruber, from Dr. Donald M. Petersen, President of the Los Angeles College of Massage and Physical Therapy, Inc. Included with Dr. Petersen's letter, which gives certain information in regard to the three applicants' schooling, are copies of their applications to the school, copies of their transcripts, and a copy of the examination given.

An additional letter was sent to the school requesting the same information for applicant Esther Louise Chapman. As of this date I have no reply to that letter.

Attached hereto for your information and evaluation are the following:

- 1) Letter from Dr. Henry I. Jackson of the State of California Department of Education dated January 22nd, 1976.

After I received Dr. Jackson's letter I did talk to him by telephone. He was unable to give me any additional information other than to verify that one of the Los Angeles College's of Massage has had an annual approval for three years and all of the other schools owned by the Los Angeles College of Massage and Physical Therapy, Inc. are operating on temporary approval.

He stated that their curriculum does meet California State Board of Education standards and additionally informed me that there is to be an administrative hearing in the office of the California Attorney General in Sacramento during the early part of February in regard to the California State regulations for massage schools.

- 2) Copies of letter from Dr. Donald M. Petersen dated January 26th, 1976, with attachments, as outlined in the first paragraph of this memo.

IMB:LL

CL 1

WILSON RILES  
Superintendent of Public Instruction  
and Director of Education



STATE OF CALIFORNIA  
DEPARTMENT OF EDUCATION

9th AND 10th FLOORS  
601 WEST FIFTH STREET, LOS ANGELES 90017  
January 22, 1976

Ila M. Britt, Director  
License & Revenue Department  
City of Las Vegas  
400 E. Stewart Avenue  
Las Vegas, Nevada 89101

Dear Ms. Britt:

Mr. Unger referred your letter received January 19 to me for response since the massage schools operated by the Los Angeles College of Massage and Physical Therapy, Inc., are all assigned to my supervision.

All of the schools operated by the above-named corporation are still on temporary approvals except one which has been on annual approval for more than three years. The approved curriculum for each includes 225 clock hours of instruction which includes didactic and clinical training. Each school has a separate temporary approval because that is the way the California Education Code is currently worded.

At the present time I must regretfully decline to write to you information about complaints, investigations, or certain other items since there is a pending legal action involving massage schools vs. the State Department of Education. I might mention, however, that there is a possibility that I will be in Las Vegas early in February (6th through 8th) for a conference concerning "work experience" courses offered in community colleges. It is possible that I would have some time to discuss this subject with you at that time.

Yours very truly,

*Henry J. Jackson*  
Dr. Henry J. Jackson  
Field Representative  
Bureau of School Approvals  
(213)620-4256

*Henry J. Jackson  
1-28-76*

HJ:ej



The Los Angeles College  
of  
Massage & Physical Therapy Inc.

Famous since 1927

2930 W. COAST HIGHWAY • NEWPORT BEACH, CALIF. 92660 • 24 HOUR PHONE (714) 540 6936

January 26, 1976

Mrs. Ila M. Britt  
Director  
License & Revenue Department  
City of Las Vegas  
400 East Stewart Avenue  
Las Vegas, Nevada 89101

Dear Mrs. Britt:

Please forgive the delay in answering your January 14, 1976 letter, but once it arrived in Santa Ana, it was forwarded to me at our administrative office.

I understand that we have mutual friends and that you were formally a resident of this area and a member of St. James. My family have attended the ~~re~~ often although we are member of St. John The Divine in Costa Mesa.

Mrs. Britt, when we were asked to complete the training of the 3 young ladies mentioned in your letter, I wanted to get involved personally because of the sensitivity of the problem there in Las Vegas. Although I cannot agree philosophically with the manner in which Massage services are being offered where they were employed, I do feel that as a educator, I must not let that stand in the way of treating all students fairly.

For that reason I was involved in their enrollment, training, testing and grading, not only from a theoretical standpoint but in their Massage technic as well. My wife, Mavis E. Petersen and one of our better instructors Natalie Miller joined in working with those young ladies from early morning until late at night for 5 straight days starting December 1, 1975. They started between 8 and 9 AM each morning and they were still going at 10 or 11 at night -- and in the hopes of being able to pass their tests, I understand they stayed up very late at night studying after they left our Costa Mesa branch.

We tested each when it came to anatomy, physiology, hygiene & sanitation, plus the history, theory and ethics of Massage -- but our chief concern in addition to their obtaining a passing grade in the above subjects -- was that they were able to give a VERY GOOD Massage.

Each of these students Massaged me PERSONALLY -- and I can assure you that they were capable of giving a very good Massage at the end of their stay with us -- and we spent a great deal of time talking with them about how they could put this new gained skill into honest, worthwhile benefit to others if they would just set their mind to it.

From that respect I do believe that we have completed the task that we are called upon to do.

January 26, 1976

Although each of these students, Aline Benchetrit, Martha Chavez and Thelma Gruber were only in class approximately 65 hours during their week with us, by virtue of our approval by the California Department of Education, we are able to give course hour credits for previous related work and/or study, and I have attached photocopies of a form we use in collecting this information on each, along with a certified copy of our transcript on each.

(1) ALINE BENCHETRIT This young lady was exceptionally well prepared having graduated from a beauty college and licensed as a cosmetologist. She had previously studied anatomy, physiology and facial and hand and arm Massage. Although she has a very slight problem converting English with her native French, she did very well, and not only passed all her written tests but gave me an excellent Massage.

(2) MARTHA S. CHAVEZ Martha like Aline graduated from a School of Beauty and was a licensed cosmetologist learning anatomy, physiology facial and hand and arm Massage in the process, but prior to your new license requirements worked for more than a year giving Massages in Las Vegas, and was willing to swear under oath that she had given a minimum of 1280 Massages, which gave her considerable practice.

(3) THELMA J. GRUBER Thelma had also gained considerable experience giving Massages and swore to a minimum of 600 Massages in a period of slightly less than a year, plus Thelma also took 70 hours of special training in anatomy, physiology, Massage, etc. in Las Vegas which was conducted by one of our former instructors, a Mrs. Doris Dietemann. Although the instruction failed to qualify an individual for license in as much as there was no State of Nevada approval for the classes she attended, we ruled that Miss Gruber should not be personally penalized in as much as she did attend the classes and did gain a great deal of knowledge from the time she spent. For this reason, when we added her time in classes in Las Vegas together with her 600 practice Massages given with the time she spent with us in Costa Mesa and her performance on both our written and practice examination, in our judgement she was entitled to be graduated from our 225 hour course.

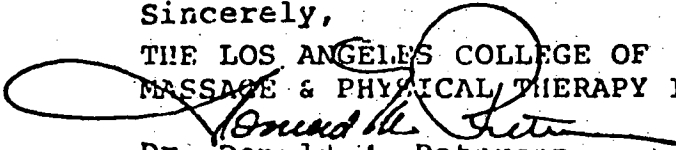
We cannot vouch for anything other than their ability to do Massage and their basic knowledge of the theoretical portions of our course. If there is some reason morally, criminally or legally why they should be denied their license that is one thing -- but I personally will vouch for their qualifications as a Massage Technicians.

Enclosed you will find a copy of the examination we gave to each of these students and they were monitored all the while they completed it and each received a satisfactory grade.

Please call upon us at anytime if we can be of further assistance. Thanks and best wishes,

Sincerely,

THE LOS ANGELES COLLEGE OF  
MASSAGE & PHYSICAL THERAPY INC.

  
Dr. Donald M. Petersen  
President

# APPLICATION

FOR COURSE HOUR CREDITS FROM PREVIOUS RELATED WORK & STUDY

TO: The Los Angeles College of  
 Massage & Physical Therapy  
 3043 South Oak Street  
 Santa Ana, California 92707 (714) 540-6936

I have enrolled in your MASSAGE TECHNICIEN course, in your  
COSTA MESA branch on contract number 6190

Listed below is a detailed resume of my related work, study and/or special training or instruction, which I believe would entitle me to course hour credits needed for graduation from the above named course.

(Please print or type)

Name ALINE BENCHETIT Sex FEM Date of Birth 7/10/51

Address 1065 FLAMINGO # 407

City LAS VEGAS State NEV Zip Code 89109

Telephones: HOME: (702) 732-82-28 WORK: ( )

**COURSES OF INSTRUCTION** (List any courses taken in related subjects where taken in the health or science field).

Name of the School	City-State	Dates	Subjects
YANANO'S BEAUTY COLLEGE	L.A. CALIF	7/68	PHYSIOLOGY
SULTON'S PALACE TRAINING SCHOOL	LV, NEV	9/75	ANATOMY
ON-THE-JOB TRAINING	70-HOURS COURSE		STUDY OF MASSAGE

(List that which you have been taught in the health and science field while at work).

Employer	City-State	Dates	Subjects
SULTON'S PALACE	LAS VEGAS NEV	NOV -	MASSAGE

**PRACTICAL EXPERIENCE** (List fully the work you have done, such as the number of Massages given, etc. at each place of employment).

Employer	Dates	Job Position	Massages Given	Other
SULTON'S PALACE	NOV -	MASSAGE	15	

**OTHER**  
 LICENCED COSMETOLOGIST IN PARIS FRANCE  
 " CALIFORNIA

Under the penalties of perjury, I hereby swear and affirm that the information listed above is a true and complete resume of my personal Massage (or related) Education and experience.

Date 1/1/75 Signed By A. Benchetit

Witnessed By [Signature]

Title [Signature]

# APPLICATION

FOR COURSE HOUR CREDITS FROM PREVIOUS RELATED WORK & STUDY

TO: The Los Angeles College of  
 Massage & Physical Therapy  
 3043 South Oak Street  
 Santa Ana, California 92707 (714) 540-6936

I have enrolled in your MASSAGE TECHNICIAN course, in your  
COSTA MESA branch on contract number 6192

Listed below is a detailed resume of my related work, study and/or special training or instruction, which I believe would entitle me to course hour credits needed for graduation from the above named course.

(Please print or type)

Name MARTHA S. CHAVEZ Sex F Date of Birth 3-22-52

Address 4995 MARYLAND PARKWAY

City LAS VEGAS, 1 State NEVADA Zip Code \_\_\_\_\_

Telephones: HOME: (702) 739-6633 WORK: (\_\_\_\_) \_\_\_\_\_

**COURSES OF INSTRUCTION** (List any courses taken in related subjects where taken in the health or science field).

Name of the School	City-State	Dates	Subjects
<u>MARITIMO School of Beauty</u>	<u>PASADENA</u>	<u>1972</u>	<u>ANATOMY - Physiology</u>
<u>SULTAN'S PALACE 70 W. TENNIS COURT IN MESA</u>	<u>LAS VEGAS</u>	<u>SEPT. 1975</u>	<u>ANATOMY - Physiology &amp; Massage</u>

**ON-THE-JOB TRAINING** (List that which you have been taught in the health and science field while at work).

Employer	City-State	Dates	Subjects
<u>SULTAN'S PALACE</u>	<u>LAS VEGAS</u>	<u>7-73 to 11-74</u>	<u>MASSAGE</u>

**PRACTICAL EXPERIENCE** (List fully the work you have done, such as the number of Massages given, etc. at each place of employment).

Employer	Dates	Job Position	Massages Given	Other
<u>SULTAN'S PALACE LAS VEGAS</u>	<u>7-73 - 11-74</u>	<u>MASSAGE TECH.</u>	<u>1280</u>	

**OTHER**

Under the penalties of perjury, I hereby swear and affirm that the information listed above is a true and complete resume of my personal Massage (or related) Education and experience.

Date 2/1/76 Signed By Marttha Chavez

Witnessed By Ronald W. Sutton

Title Observer

# APPLICATION

FOR COURSE HOUR CREDITS FROM PREVIOUS RELATED WORK & STUDY

TO: The Los Angeles College of  
Massage & Physical Therapy  
3043 South Oak Street  
Santa Ana, California 92707 (714) 540-6936

I have enrolled in your massage Tech. course, in your  
Coast mesa branch on contract number 6189.

Listed below is a detailed resume of my related work, study and/or special training or instruction, which I believe would entitle me to course hour credits needed for graduation from the above named course.

(Please print or type)

Name Thelma J. Greber Sex F Date of Birth 10-13-47

Address 5370 Hillsbor. Ln.

City L. V. State Cal. Zip Code 92620

Telephones: HOME: (702) 451-6001 WORK: (702) 732-3115

## COURSES OF INSTRUCTION

(List any courses taken in related subjects where taken in the health or science field).

Name of the School	City-State	Dates	Subjects
<u>Sutton Palace Training School - 170 hr. course</u>	<u>L. V. Cal.</u>	<u>Sept. 75</u>	<u>Anatomy - Physiology massage</u>

## ON-THE-JOB TRAINING

(List that which you have been taught in the health and science field while at work).

Employer	City-State	Dates	Subjects
<u>Sutton Palace</u>	<u>L. V. Cal.</u>	<u>Sept 74 June 75</u>	<u>massage</u>

## PRACTICAL EXPERIENCE

(List fully the work you have done, such as the number of Massages given, etc. at each place of employment).

Employer	Dates	Job Position	Massages Given	Other
<u>Sutton Palace</u>	<u>Sept 74 June 75</u>	<u>massage tech.</u>	<u>600</u>	

## OTHER

Under the penalties of perjury, I hereby swear and affirm that the information listed above is a true and complete resume of my personal Massage (or related) Education and experience.

Date 12-1-75 Signed By Thelma J. Greber

Witnessed By Ronald M. Oster

Title President



The Los Angeles College  
of  
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# TRANSCRIPT

Name THELMA J. GRUBER  
 Date of birth 10/13/47 Height 5'5½" Weight 117 Color of: Hair auburn Eyes green  
 Address 5320 Hillsboro Lane  
 City Las Vegas State Nevada Zip Code \_\_\_\_\_

## MASSAGE TECHNICIAN COURSE

Branch COSTA MESA No. 6189

SUBJECT	INSTRUCTOR	GRADE	HOURS
ANATOMY	N. Miller	S	50
PHYSIOLOGY	N. Miller	S	50
Theory, Ethics and Practice of Massage	N. Miller	S	125
Date of Graduation <u>December 8, 1975</u>			TOTAL HOURS 225

Comments:

GRADE SYMBOLS	
S	= Satisfactory
F	= Failed
W	= Withdrew
EX	= Expelled
INC.	= Incomplete



When this record bears original seal and signature it is an official transcript. Student in good standing unless otherwise indicated.

Cindy Clair Nichols  
Registrar  
Jan 26, 1976  
Date



The Los Angeles College  
of  
Massage & Physical Therapy Inc.

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1400 WEST McFADDEN AVE. • SANTA ANA, CALIFORNIA 92704 • 24 HOUR PHONE (714) 541-0900

# TRANSCRIPT

Name MARTHA SANCHEZ CHAVEZ  
 Date of birth 3/22/52 Height 5'3" Weight 110 lbs Color of Hair brn Eyes brn  
 Address 4995 Maryland Parkway  
 City Las Vegas State Nevada Zip Code \_\_\_\_\_

## MESSAGE TECHNICIAN COURSE

Branch COSTA MESA No. 6192

SUBJECT	INSTRUCTOR	GRADE	HOURS
ANATOMY	N. Miller	S	50
PHYSIOLOG	N. Miller	S	50
Theory, Ethics and Practice of Massage	N. Miller	S	125
Date of Graduation <u>December 8, 1975</u>		TOTAL HOURS	225

Comments:

GRADE SYMBOLS	
S	= Satisfactory
F	= Failure
W	= Withdrawn
EX	= Excluded
INC.	= Incomplete



When this record bears original seal and signature it is an official transcript. Student in good standing unless otherwise indicated.

Cindy Clark  
Registrar  
Date Jan 5, 1976



The Los Angeles College  
of  
Massage & Physical Therapy Inc.

Famous since 1927

1400 WEST McFADDEN AVE. • SANTA ANA, CALIFORNIA 92704 • 24 HOUR PHONE (714) 540-0915

# TRANSCRIPT

Name ALINE BENCHETRIT  
 Date of birth 7/10/51 Height 5'2" Weight 110 Color of: Hair brn Eyes blu  
 Address 1065 Flamingo #407  
 City Las Vegas State Nevada Zip Code 89109

## MASSAGE TECHNICIAN COURSE

Branch COSTA MESA No. 6190

SUBJECT	INSTRUCTOR	GRADE	HOURS
ANATOMY	N. Miller	S	50
PHYSIOLOGY	N. Miller	S	50
Theory, Ethics and Practice of Massage	N. Miller	S	125
Date of Graduation <u>December 8, 1975</u>		TOTAL HOURS	225

Comments:

GRADE SYMBOLS	
S	= Satisfactory
F	= Failed
W	= Withdrawn
EX	= Expulsion
INC.	= Incomplete



When this record bears original seal and signature, it is an official transcript. Student in good standing unless otherwise indicated.

Cindy Clark Miller  
Registrar

Date Jan 30, 1976

Branch \_\_\_\_\_

Date \_\_\_\_\_

INSTRUCTIONS: Read each question thoroughly to make certain you understand the question before starting your answer. Answers should be in your own words. All books closed & no talking please.

1. What is body Massage ?
2. What training is needed to qualify as an expert in body Massage ?
3. How often should body Massage be given to an individual ?
4. What is the origin of the word "Massage" ?
5. Name & explain the 3 most popular systems of Massage in use today.
6. What kind of equipment & supplies are needed to give body Massages ?
7. Why are body Massage records important ?
8. What conditions are the most comfortable for the patron during Massage ?
9. What are the signs of a sanitary Massage area ?

11. Why is improved circulation beneficial to the body ?
12. What are the benefits of regular facial Massage ?
13. What are the immediate effects of body Massage on the skin ?
14. Name & explain the 4 basic movements in Swedish Massage.
15. What are the benefits of superficial Massage ?
16. What are the benefits of <sup>DEEP</sup> ~~superficial~~ Massage ?
17. What is the proper way to apply friction movements to the body ?
18. In which conditions should a Massage never be given ?
19. What control should a Technician have over the Massage treatment ?
20. How does Massage eliminate stiff or sore muscles ?

Branch \_\_\_\_\_

Date \_\_\_\_\_

**INSTRUCTIONS:** Read each question thoroughly to make certain you understand the question before starting your answer. Answers should be in your own words. All books closed & no talking please.

1. What is Anatomy ?
2. What is Physiology ?
3. Name the main divisions of the body ?
4. What is a cell and name it's principle parts ?
5. What are tissues and name 5 ?
6. What are organs and name 5 ?
7. How many important systems are there in the body & name them ?
8. What is metabolism ?
9. Name the various shapes of bones.
10. How many bones are there in the body ?

(b) Posterior:

(c) Medial:

(d) Dorsal:

(e) Lateral:

(f) Proximal:

12. What is the function of the heart ?

13. What is the function of the arteries ?

14. What is the function of the veins ?

15. In what way does the blood protect the body ?

16. Name the important organs of the excretory system.

17. Explain the difference between a "duct" and "ductless" gland.

18. What are the functions of the skin ?

19. Name the important organs found in the chest cavity.

20. Name the important organs found in the pelvic cavity.

21. Name the important organs found in the abdominal cavity.

22. Why are hormones important to the body ?

23. What is lymph and explain it's function ?

24. Name the main layers of the skin.

25. What digestive changes occur in the:

(a) Mouth:

(b) Stomach:

CITY OF LAS VEGAS

Date

(1)

INTER-OFFICE MEMORANDUM

2-3-76

TO:

CITY MANAGER

FROM

*Ila M. Britt*

ILA M. BRITT, DIRECTOR  
LICENSE & REVENUE DEPARTMENT

SUBJECT:

MASSEUSE APPLICANT --  
ESTHER LOUISE CHAPMAN

COPIES TO:

MAYOR BRIARE  
BOARD OF COMMISSIONERS  
CITY ATTORNEY  
CITY CLERK

Attached are copies of the following received this date:

- 1) Letter from Los Angeles College of Massage and Physical Therapy, Inc. - Dr. Donald M. Petersen, President -- re: Esther Louise Chapman
- 2) Letter dated August 5th, 1975, to Esther Chapman from Dr. Petersen
- 3) Copy of transcript
- 4) Certificate of Completion
- 5) Copies of Esther Chapman's examination papers.

*murphy :*  
 y Johnson doc  
 y unlawful assembly  
*Bobbie Ray Brown*

RECEIVED  
 FEB 3 12 33 PM '76  
 CITY CLERK

IMB:LL

CL 1



The Los Angeles College  
of  
Massage & Physical Therapy Inc.

Famous since 1927

2930 W. COAST HIGHWAY • NEWPORT BEACH, CALIF. 92660 • 24 HOUR PHONE (714) 540-6936

January 29, 1976

Mrs. Ila M. Britt  
Director  
License & Revenue Department  
City of Las Vegas  
400 East Stewart Avenue  
Las Vegas, Nevada 89101

Dear Mrs. Britt:

Re: Esther L. Chapman

This young lady was one of several from your area that came to our West Los Angeles branch last summer for an extensive night and day training program, in the hopes they would qualify for your new Massage Technician licensing program.

Since I was aware of the very involved legal hassle that was going on between the City of Las Vegas and certain persons operating under the name of Massage -- I wanted to make certain that we here at the College could not be drawn into it -- since we looked to possibly putting a branch of our College in Las Vegas, to meet the growing need for legitimate Massage education in your area.

When I learned of these students being enrolled in our West Los Angeles branch of July 7, 1975, I informed Mrs. Doris Dietemann, the director of training of that branch, that I PERSONALLY planned to give these students their final examinations, both in theory and the art of Massage at the end of her training.

The young ladies were at our West Los Angeles branch for over two weeks and I understand they were in class night and day, but we do not have an exact minute by minute record of their time in class.

Mrs. Petersen and I went to our West Los Angeles branch on July 30, 1975 and proceeded to give 11 young ladies from Las Vegas a special examination in anatomy, physiology and massage ethics, history, theory etc. -- plus an intensive test of their personal Massage ability.

For one reason or another 6 of the 11 did not receive a passing grade on all three examinations sufficiently for Mrs. Petersen and I to want them to get their diploma.

Esther Chapman was one of those we did not pass, and on August 5, 1975 she was sent a letter (see attached photocopy) explaining that she had failed and would have to return for additional work and further testing.

Well, needless-to-say, when we did not pass these students, things began to happen. We were threatened with several law suits and Mrs. Dietemann our instructor and director of training began her eventual termination with the College.

We were accused of siding with the City of Las Vegas, we were later accused of siding with other people in Massage in Las Vegas, plus we were accused of trying to discredit our instructors and even wanting to try to get more money out of the students.

Mrs. Britt, all we were trying to do is to make certain that ANY graduate of our various branches has a basic knowledge of the human body, but most important, that they know how to give a great Massage.

Esther Chapman passed everything on July 30, 1975 EXCEPT we didn't feel she could give the quality of Massage that we wanted a person with our diploma to be able to offer.

As you will note from the attached photocopy of our letter to Ms. Chapman, we offered to set up a special class to assist her to complete her studies to qualify for her certificate -- AND WITHOUT ANY ADDITIONAL CHARGES. Which meant that it was further costing us, just to make certain the student was indeed qualified.

Ms. Chapman came to our Costa Mesa branch at the sametime that 3 young ladies, Ms Benchetrit, Chavez and Gruber did and our people worked with Ms. Chapman on her personal Massage technic.

I personally had Ms. Chapman give me a Massage AFTER I watched her give another a Massage, since, if she was to be passed, I wanted to be able to vouch for her ability personally. And she was capable at that time of doing real good Massage.

By that time, her previous instructor Mrs. Dietemann was no longer associated with the College, so rather than try to go back and get her to sign a new updated "certification letter" (marked "A") and a new transcript, we went ahead and forwarded the certificate of graduation we were holding that was already made up and signed that had the July 18, 1975 date on it that corresponded with the dates Mrs. Dietemann had signed.

This is the reason that everything you have probably been presented with has the July 18, 1975 date.

After all this, we have spent a tremendous amount of time and money trying to do the right thing with respect to our College, our students and the public and we end up looking as though we are defending ourselves -- but frankly, if we had to do it all over again, we would probably do things exactly as we did originally, no matter what the cost.

Much like the 3 young ladies you asked about earlier, we cannot vouch for Ms Chapman's qualifications for license OTHER than whether or not we feel she is qualified from a basic education standpoinjt -- and on that score, we would have to say that she was.

Enclosed you will find a recent copy of Ms Chapam's transcript certified by our Registrar, a copy of the certification letter signed July 18, 1975 by Mrs. Dietemann BEFORE the students returned for another week of special training -- and our special examination.

Mrs. Ila M. Britt

-3-

January 29, 1976

Also enclosed you will find a copy of the "SPECIAL EXAM" I and II that Mrs. Petersen and gave Ms. Chapman and the other 10 from Las Vegas on July 30, 1975. The third large page that we are sending you a copy is our practice test score sheet that Mrs. Petersen and I used for grading the actual Massage given. And although I did not sign it, it was in my handwriting and I was the one who failed Ms. Chapman on her Massage technic on July 30, 1975.

I hope my explanation and the materials I have enclosed are helpful to you and the Commisioners in reaching their decision.

If we can be of further assistance, please do not hesitate to call or write. Thanks and best wishes.

Sincerely yours,

THE LOS ANGELES COLLEGE OF  
MASSAGE & PHYSICAL THERAPY INC.



Dr. Donald M. Petersen  
President

DMP/cc

Enclosures



The Los Angeles College  
of  
Massage & Physical Therapy Inc.

Famous since 1927

2930 W. COAST HIGHWAY • NEWPORT BEACH, CALIF. 92860 • 24 HOUR PHONE (714) 540-6936

August 5, 1975

Ms. Esther Chapman  
4820 South Mountain Valley Road  
Las Vegas, Nevada 89106

Dear Ms. Chapman:

Im sorry, but it becomes my painful duty to advise you that you failed our examination in Massage that you took last week at our West Los Angeles branch.

Perhaps you were just nervous or having difficulty taking such an examination. In any event, it will be necessary for you to return for additional training and an additional examination before you can be granted your certificate showing you have successfully completed our Massage Technician course.

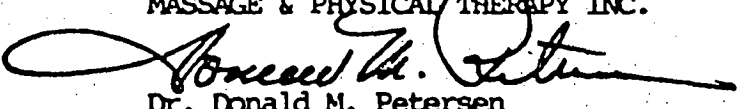
Please be assured that we will do everything we can to assist you in gaining the additional knowledge and understanding necessary to prepare yourself for completion of this course.

There is of course no additional charge for this assistance, since the one tuition fee covers everything from enrollment through graduation, and we will continue to work with you until you have successfully completed this course.

Please call us at (714) 540-6936 to make arrangements for a special class we have set up for you to attend. We look forward to working with you in the near future. Thanks and best wishes.

Sincerely,

THE LOS ANGELES COLLEGE OF  
MASSAGE & PHYSICAL THERAPY INC.

  
Dr. Donald M. Petersen  
President

DMP/cc



The Los Angeles College  
of  
Massage & Physical Therapy Inc.

Famous since 1927

1400 WEST McFADDEN AVE. • SANTA ANA, CALIFORNIA 92704 • 24 HOUR PHONE (714) 540-6936

# TRANSCRIPT

Name ESTHER CHAPMAN  
 Date of birth \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Color of: Hair BRN Eyes \_\_\_\_\_  
 Address 4820 South Mountain Valley Road  
 City Las Vegas State Nevada Zip Code 89106

## MASSAGE TECHNICIAN COURSE

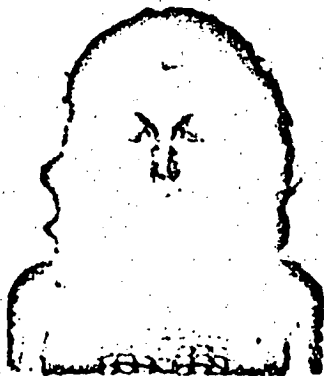
Branch WEST LOS ANGELES No. 7146

SUBJECT	INSTRUCTOR	GRADE	HOURS
ANATOMY	DORIS E.L. DIETEMANN	S	50
PHYSIOLOGY	DORIS E.L. DIETEMANN	S	50
Theory, Ethics and Practice of Massage	DORIS E.L. DIETEMANN	S	125
Date of Graduation <u>JULY 18, 1975</u>		<b>TOTAL HOURS</b>	<b>225</b>

Comments:

GRADE SYMBOLS	
S	= Satisfactory
F	= Failed
W	= Withdrew
EX	= Expelled
INC.	= Incomplete

When this record bears original seal and signature it is an official transcript. Student in good standing unless otherwise indicated.



\_\_\_\_\_  
Registrar  
\_\_\_\_\_  
Date

LOS ANGELES COLLEGE of MASSAGE & PHYSICAL THERAPY

(Please print and check appropriate box)

Branch:

WEST LOS ANGELES

Office of the President  
The Los Angeles College of  
Massage & Physical Therapy Inc.  
3043 South Oak Street  
Santa Ana, California 92707

Dear Sir:

This is to certify that:

Name ESTHER CHAPMAN  
Address 4820 SOUTH MOUNTAIN VALLEY ROAD  
City LAS VEGAS State NEVADA Zip Code 89109

a properly registered student, enrollment contract number 7146 has:

completed the required course, attended the prescribed classes and has turned in all assignments and successfully passed the established tests and examinations, both oral and written, and has demonstrated to me personally sufficient proficiency in the Art of Scientific Massage, and is therefore entitled to receive the certificate of completion for the course.

Once you determine everything to be in order, please make up the certificate and forward same to me for my signature and presentation to the student.

been dropped as a student in this course effective \_\_\_\_\_ date

Other

Attached you will find a copy, signed and dated of the student's progress report card, and a transcript form signed, showing both the hours and grades.

A copy of this form has been sent to the student, and a copy has been placed in the student's file here at the branch.

Thank you very much. If you require anything else, please let me know by return mail.

Sincerely,

Date July 18 1975 Signed by [Signature]  
Title Director Training

John Chapman

1. WHY DO YOU WANT TO BECOME A MASSAGE TECHNICIAN?  
 relieve stress, reduce pain, improve circulation, health, relaxation, improve appearance
2. LIST ALL THE BENEFITS OF A MASSAGE.  
 relax, improve health, improve circulation, improve the organs and systems of the body, stress reduction, improve skin
3. DEFINE SWEDISH, GERMAN AND FRENCH MASSAGE.  
 Swedish - vigorous, deep manipulations of the body  
 German - moderate, water or bathing with Swedish technique  
 French - light stroking and tapping for toning and relaxation
4. NAME AND EXPLAIN 4 BASIC MASSAGE MOVEMENTS.  
 Effleurage - light stroking  
 Petrissage - kneading  
 Friction - rubbing  
 Tapotement - tapping
5. HOW LONG SHOULD THE AVERAGE MASSAGE LAST?  
 45-60 minutes
6. HOW MUCH SHOULD THE AVERAGE MASSAGE COST?  
 \$15-25
7. WHEN SHOULD YOU NOT GIVE A PERSON A MASSAGE?  
 when pregnant, when severe disease, when fever
8. WHAT SHOULD A MASSAGE TECHNICIAN DO TO PROPERLY PREPARE A PATIENT AND THE ROOM ITSELF BEFORE STARTING A MASSAGE.  
 Wash hands, check temperature and pulse, use clean sheets and towels, have supplies ready, relaxing atmosphere, temperature
9. HOW CAN A MASSAGE TECHNICIAN AVOID SPREADING A PATHOGEN?  
 by getting and cutting nails
10. LIST THOSE THINGS YOU KNOW TO BE ILLEGAL OR UNETHICAL IN MASSAGE.  
 (Prostitution, pedophilia, etc.)

H. Commission

Resolution proposed by the Commission  
to amend the ~~provision~~ <sup>provisions</sup> of the City Charter

1. A. DEFINE ANATOMY

The study of the structure of the body

B. DEFINE PHYSIOLOGY:

The study of how the body functions

2. LIST THE SYSTEMS OF THE BODY.

- Skeletal system
- Muscular system
- Circulatory system
- Respiratory system
- Excretory system
- Digestive system
- Reproductive system
- Endocrine system
- Nervous system

3. EXPLAIN EACH SYSTEM.

The skeletal system is the framework of the body

Muscular system is

Circulatory system is the system that carries blood

x Digestive is the process by which the food is broken down

Excretory system involves the removal of waste products

4. LIST THE CAVITIES OF THE BODY.

Head, chest, abdominal, pelvic

5. LIST THE ORGANS FOUND IN EACH CAVITY.

Head - brain

Chest - heart, lungs, trachea, esophagus

Abdomen - stomach, liver, small and large intestine, spleen

6. EXPLAIN METABOLISM, ANABOLISM, + CATABOLISM.

Metabolism is how the body keeps in balance through chemical reactions

Anabolism is the construction of the body cells

Catabolism is the destruction

7. EXPLAIN THE FUNCTIONS OF ARTERIES + VEINS.

Arteries carry pure blood to the organs of the body

Veins take the impure blood away by transporting them to the capillaries

8. EXPLAIN THE FUNCTION OF BLOOD.

Supplies nutrients (oxygen, food) to the body

and carries away the waste products

9. HOW IS BLOOD PURIFIED?  
through the liver

4. Circulation (cont.) Expansive organs to receive blood from the heart to supply nourishment and carry away waste products.

Chyme (cont.) to be absorbed into the body, the process starting an enzyme action in the stomach. In the small intestine the chyme is absorbed and the rest of the food matter goes into the large intestine and then the waste matter. It is still being digested and it is absorbed.

Excretory (cont.) bladder and rectum. They excrete waste from the body.

Endocrine system takes care of the coordination of the body through the pituitary and other glands.

Respiratory system the lungs are the main organs where we take in air through the trachea and bronchi. The air is then put out as the the lungs are the main organs where we breathe. They take in oxygen and give out carbon dioxide.

Reproductive system concerns the production of the species through the gametes of sperm and egg.

Nervous system (cont.) with neural impulses to control the body which are carried by motor neurons. It controls all involuntary and voluntary actions, sensation, thought, conduct and will.

5. pituitary - reproductive organs, rectum sigmoid colon.

W. B. Chapman

- 1. PLACING PERROW ON TABLE  
good help
- 2. DRAPING  
None
- 3. HOW MASSAGE WAS STARTED.  
OK for foot
- 4. HOW OIL APPLIED  
all over foot - hands leaving position  
pounce directly on foot
- 5. CONDITION OF TECH'S  
HANDS good  
NAILS fairly nice  
JEWELRY none

- 6. DEMONSTRATION OF
  - A. EFF LOUNGE good
  - B. PETTING to foot - but illium in  
wrist joint
  - C. PERCUSSION only
  - D. JOINT MOVEMENT

7. TECH'S POSTURE + BODY MOVEMENT  
Stomach in front of pelvis when eff. head.

8. GENERAL USE OF HANDS  
OK-

9. REMOVING OIL

10. ATTITUDE OF TECH WHILE MASSAGING.  
OK.

MASSEUSE  
APPLICATIONS  
(continued)

- G. Letter dated January 29, 1976:  
From: Dr. Donald M. Petersen, Pres., Los Angeles  
College of Massage & Physical Therapy, Inc.  
To: Carl E. Lovell, Jr., City Attorney
- H. Inter-Office Memorandum dated February 2, 1976:  
From: Dir., License & Revenue Dept., City of L.V.  
To: City Manager, City of L. V.

NOTE: EXHIBITS "G" AND "H" contain Enclosures

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Mr. Lovell: Item A refers to a letter dated January 14, 1976 by the Director of Licensing to the Los Angeles College of Massage & Physical Therapy, Inc. requesting certain information, as follows:

1. Verified attendance records showing dates and hours of in-class instruction for each girl.
2. Certified copies of transcripts for each girl.
3. Copies of examinations given at the School precedent to Certificates of Completion being granted

Item "B" is a letter dated January 14, 1976 by the Director of Licensing to the California State Dept. of Education request-information on that particular School - the Los Angeles College of Massage.

Item "C" is a memo of January 20, 1976 from the Director of Licensing to the City Manager concerning the on-going investigation of these applicants.

Item "D" is a memo of January 20, 1976 to the City Attorney's Office from the Director of Licensing stating that in reference to Miss Chapman - her application indicated a course completed dated 7/13/75 while the date of graduation is shown on the transcript as 7/18/75. As to Benchetrit, Chavez and Gruber, that there were no diplomas and in addition to that, there was a withdrawal of that application by Chavez on December 17th and that later the other applications were stricken by this Commission December 3rd. As I have indicated, at that time we did not have the prerequisite number of hours of 225 hours of training. And pertaining to Paula Lovell that she did not list a fourth action to her record - that of petty larceny resulting in a \$100.00 fine and 2-year probation.

Item "E" is a letter dated January 22, 1976 by the City Attorney's office to you concerning the Hearing before Judge Wendell.

Item "F" is a letter of January 23, 1976 by the Director of Licensing to the L. A. College of Massage & Physical Therapy indicating that we still needed a reply.

Item "G" is a letter dated January 29, 1976 directed to me from Dr. Petersen, who is evidently the head of the Los Angeles College of Massage & Physical Therapy, together with certain letters that he wrote to enable us to complete the investigation and give us the verification we had previously asked for.

Item "H" is a memo of February 2, 1976 from the Director of Licensing to the City Manager with an attached letter of January 26, 1976 which stated that Benchetrit, Chavez and Gruber only completed 65 hours of in-class instruction, and that the rest of their 225 hours requirement was based upon some type of credit from past experience. Except for

MASSEUSE APPLICATIONS  
(continued)

certain generalities in his letter, there was no specific information or data in his letter regarding this reason for giving credit. All of this is not in accordance with California State Law. A third thing that letter stated, from Mr. Peterson, was that there was no verification of on-the-job-training, as such, of the various places which in the applications to the School it was put down they had previous training in cosmetology, etc.

Item "I" is a memo dated February 3, 1976 to the City Manager, including attachments, regarding Miss Chapman. It appears, concerning Miss Chapman that she indicated in her application to the City that she stated she had completed her course by July 18th. She indicated that she passed and the director of training at that time indicated she had received a diploma. Then on August 5th of 1975, there is a letter from Dr. Petersen, the Director of the School, to this same applicant - Miss Chapman, indicating that she had flunked that particular exam. And in his letter there is an indication that he gave her another special exam - personally carried on the examination - however, he felt he did not wish to issue another diploma after she had allegedly successfully passed this exam and related back to the former one which he had indicated previously was no good.

That's about as far as we want to go, except for some comments by Mrs. Britt, at this time.

Director of License & Revenue, Ila M. Britt: Did you have something specific you wanted me to comment on?

Mr. Lovell: Actually, I am a little reluctant to go any further - unless Mr. Spizzirri would arrive - I understood he was to have been here about 9:15 -

Mayor Briare: Mr. Lovell, is Mr. Spizzirri's planned appearance here before us at his request, or at your suggestion? What motivated Mr. Spizzirri to be here?

Mr. Lovell: When we were all in Court last Wednesday, it was indicated that this particular consideration might come up before you. It was not until yesterday that we, in fact, determined that it would be. I talked with Mr. Spizzirri yesterday and this morning and he indicated he would be here. However, he did not think it would be able to get in touch with the applicants themselves. He indicated he would be here, although he had a nine o'clock Court appearance.

Mayor Briare: Is it my understanding that we are under Court Order to act on these matters?

Mr. Lovell: No, you're not under a Court Order at all. What the Court did was to continue the matter until Thursday of this week to see if you might consider these applications.

Mayor Briare: The point being, Mr. Lovell, that at our meeting of February 4th we indicated to these applicants that we did not have a conclusion to the investigation being held - also that the Director of Licensing was ill that day - and as a consequence we would hold these off until such time as we could consider those matters that are before us now.

Mr. Lovell: I advised the Judge of this -

Mayor Briare: OK - the Judge then gave us, in what would be my opinion - we either had to take some kind of a definitive action on these applications - he indicated there was some emergency to it notwithstanding the fact that the Licensing Director was ill - also a recap of all the investigations hadn't come before this Board, so we are really here because the Court told us to be here and have some kind of an answer prior to Thursday - that prior to Thursday we had to

MASSEUSE APPLICATIONS  
(continued)

take some further action on this as a result - you say it is not an Order of the Court?

Mr. Lovell: No. He continued it because of my representation that I would try to get it on today.

Mayor Briare: So it is before us because of your representation in Court that you would make every effort for us to do something - one way or the other?

Mr. Lovell: That's right -

Mayor Briare: Now, is it your advice that before we ask further questions, or comment further on the matter that is before us right at the moment, that we want until the arrival of Mr. Spizzirri?

Mr. Lovell: Yes.

Mayor Briare: How long should we give Mr. Spizziri to arrive?

Mr. Lovell: If you will take a 5-minute recess I will call his office.

NON-PARTISAN  
BALLOTS  
Approved

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Mayor Briare: We do have a couple of other items that are not connected in any way, shape or form with this type of activity, so if you will go ahead and make your call we will refer to some of these other matters.

Mayor Briare: I have been advised just before coming to the meeting, gentlemen, that our Registrar of Voters - the crisis he is under - I didn't understand last Friday when I talked to him in the Plaza area, was not that he had to have the ballots printed in the event for any reason we might want to have some kind of a question on the Presidential Preference ballot on May 25th. That was the wrong impression and I apologize to this Board for having received the wrong impression.

The problem is - he has to actually order the ballot material to go to the printing press to be printed 35 days prior to the Election. So, what he has to do now - if the City - or any other entity would be interested in putting something on the ballot they actually have to have the ballot cards because it is going to be necessary in the event of a Bond Election to have non-Partisan ballots.

It is not the intention of the Registrar because of the Presidential Primary to print non-Partisan ballots. They will have only Partisan ballots.

Consequently that is the urgency he has. He must order these ballots.

Commissioner Leavitt: Who pays for them?

Mayor Briare: I asked that, Commissioner, and the expense - if he has an answer today to go ahead and order his ballots for the non-Partisan election - if we were to ask him to go ahead and order non-Partisan ballots on the possibility there might be a non-Partisan question, it would cost no more than \$500.00. He said that was a real rough estimate, but that he didn't want to get caught short - that he would rather estimate too high than estimate too low. I asked him the question - would this be something that would be shared by everybody who would be asked to vote on the matter and Mr. Colton did not respond to that question.

Commissioner Leavitt: Mr. Mayor, I would like to see Mr. Colton go ahead and order the ballots because I think - it is my intention anyway, that we asked to be placed on the ballot

NON-PARTISAN BALLOTS  
(continued)

a Question as to whether General Obligation Bonds - whether or not the City and County should enter into General Obligation Bonds in order to finance a combined Cultural Center, Convention Hall and Sports Complex. It is my idea to combine all three in one big shot - fine out whether or not the people of this community are willing to support such a project, since we're going to a Presidential Election anyway.

It is my intention to ask for all three of them. I know there have been some studies on the Cultural Center - there have been some studies on a Convention Center and there have been some studies on a Sports Complex. It is my opinion that the logical place for that would be downtown Las Vegas, but that we should combine all three into one multi-purpose facility - so that we don't have a Sports Complex that is used only seventeen or twenty times a year - you don't have a Convention Center that's used part of the time and a Cultural Hall that's used part of the time - have a multi-purpose type building to be used for all three activities.

Commissioner Lurie: I have discussed this with the Chairman of County Commission and it is on their agenda for the 17th to discuss the possibility of joining with the City to finance a Cultural Center. It was mentioned about a Bond Issue, but I don't think putting the three items together is the smart thing to do. I believe that people who enjoy sports would go for that . . .

Mayor Briare: Right now, Commissioner, I was hoping your remarks might be to the request of the Registrar to go ahead and order the non-Partisan ballots -

Commissioner Leavitt: It's a question of what we would put on the ballot -

Mayor Briare: I think the matter before us is whether we authorize the request.

M o t i o n

Commissioner Leavitt: I move that we authorize the Registrar of Voters to order non-Partisan ballots with the idea that they be used in the Presidential Preference Primary for a Question to possibly be placed on that ballot.

Motion carried by the following vote: Commissioners Leavitt, Lurie and Mayor Briare voting aye; noes, none.

Mayor Briare: Will the City Clerk please call Mr. Colton at the end of this meeting and tell him of this action.

Mayor Briare: Mr. Lovell, have you been able to contact Mr. Spizzirri yet?

Mr. Lovell: He is still in Court, Your Honor.

Mayor Briare: Would you like to give us a time limit?

Mr. Lovell: What I'd like to do, if he doesn't arrive, is to in any event have Mrs. Britt speak to you on some of the investigations she had conducted in California, and then if you feel you have sufficient information, to go ahead and take action based upon the evidence which you have already had, and have had comment on in Court -

Mayor Briare: Very well, we will get to that in a few moments. I would like to dispose of one other item before we do.

Every time it rains in Las Vegas, especially in the amount it has rained the past several days, we always come up with the question of flood control - what damage has been done and one thing and another. I've talked with Mr. Hampton

REPORT - FLOODING  
(continued)

this morning and, Mr. Hampton, I would like to pose a question to you. It has nothing to do with this ballot coming up in the Presidential Primary - I don't believe that is the proper place for it, but we often have suggestions as to why the City and the County don't do something to improve the conditions that cause damage every time it rains. No matter how diligently we try to explain that - yes, things are being done and, believe it or not, progress is being made, the suggestion came up that maybe we should renew the proposition to the people in the area - an item that was brought up twelve or thirteen years ago, or whenever it was, for a Bond Issue, which was soundly rejected by the voters.

We have a lot of new people here that weren't here when that Bond Issue came up which, as I've said, was soundly rejected. It may, or may not, be feasible to suggest that perhaps now it would take A Hundred Million Dollars to satisfactorily handle all the types of damages that have occurred because of rain waters.

So I have asked Mr. Hampton if he would come to this meeting this morning to give us a comment or two relative to the question and I thought he might be in a position to give us a report on what is going on in the City and County relative to flood control so that people in the area would recognize that notwithstanding the occasional rains do a lot of damage to homes and property, the alternatives we have to look at.

Director of Public Works, Laurence Hampton: This is one of my favorite subjects to discuss because it does create a real problem for us.

I think it all boils down to cost effectiveness. The damage from the recent storm that we had will probably not exceed \$15,000.00 in damage to the City of Las Vegas property. There is some private damage that we are not at this time able to estimate. But, just assuming that the damage could reach as high as \$100,000.00, the interest on any type of mammoth Flood Control Project would probably exceed the damage. Even if you considered the July 3rd flood where the City's damage was less than \$200,000.00, the interest alone on a One Hundred Million Dollar Project would be Five Million Dollars a year, which would be twenty times the damage.

I appreciate the Mayor asking me to write a Report. I am more than happy to do so. I would like to point out the Projects that have been done, and the ones, particularly, that we have planned for the future.

The Bond Issue, if you recall, was a quite heavily financed by - or the Project would have been heavily financed by the Federal Government - to the tune of Thirty Million Dollars with only a Six Million Dollars local share. Today if we were to finance a Project of this nature, I know of no Federal participation so therefore the local people would be paying for the total bill, and it would be very difficult to sell.

As a matter of interest, the major damage we had yesterday was damage to the Reed Whipple ballfield area and this, of course, will be solved after we complete Phase II of the Washington Drain Project, which was recently approved by this Body - part Sewer Funds and part Grant Block monies, along with \$350,000.00 from the State Highway Department. This Project is being designed by the State and we hope to start construction in August of this year.

REPORT - FLOODING  
(continued)

Mayor Briare: Mr. Hampton, would you give us a Report - I don't know if that's the right word - an up-date of the activities that are going on under some of the Projects you are talking about?

Mr. Hampton: I would be happy to -

Mayor Briare: Sometime within the next thirty or forty-five days. At that time there might be some questions. I am told that Mr. Brechler, and others, would be willing to cover it rather extensively and the information can be disseminated to the people of the whole area here.

Commissioner Thalia Dondero has some comments she would like to make:

Clark County Commissioner Thalia Dondero: I wanted to comment just a little bit on the flood problems and the control, because it does include the County too and I personally went out and reviewed a lot of the damage yesterday, and especially west of town and east of town - southeast of town, where there was heavy damage.

A lot of the problems are across property where there is no right-of-way for a flood channel and I think that is probably one of the biggest problems we face. I am sure Mr. Hampton would concur with this, but I do feel like when the Reports are done and when the Projects are put forth that it will include some of those County areas because I think this is one place we could coordinate our funds and whatever expertise we have, because it really was terrible in some places, even though we have flood channels. But what happens is that the flood channel goes only to some certain point and then across somebody's private property - it has to fan out someplace - and then you pick up like it was at the Tomiyasu School - a channel underneath the School - and on the other side where the water came out with heavy damage - it eroded underneath the road and pushed the grates down. That's another big problem - the grates across those big pipes are put there to protect the youngsters and keep them from going into those big drains, because evidently they ride their bicycles and their motors near those big drainpipes, so they put those grates up there. The grates catch all the debris that is collected in the flood channels - so all of that garbage and stuff that everybody dumps in the channels, is collected on that grate and then what happens? It all goes over.

So there are a lot of problems, but even where they put the grates on, the kids have unscrewed them and taken them off. I don't know what the answer is there - maybe you have some answers - but I do hope that we can coordinate the Flood Control Program in the City and County areas. It really would help.

Commissioner Lurie: What we need is help from the citizens and more strict enforcement of the "No Dumping" signs to prevent debris from clogging up these facilities..

Commissioner Dondero: I think we have to be more careful in the way we develop the total community, because planning, in some cases - where a subdivision has gone in - probably through a channel - then that diverts that channel some other way, and someone who has never had flooding problems before is now faced with this kind of a problem. And where we live in the desert and the water all comes down usually at one time and floods - I don't know - I have to agree that sometimes all this expenditure is for naught if we aren't going to do better planning in the area.

Mayor Briare: Thank you, Commissioner Dondero - I don't know whether you commented on it now, but you did comment to me this morning that the Report we will be getting will

REPORT - FLOODING  
(continued)

not be just a City of Las Vegas Report - it will be in conjunction with George Monohan - with the Sewer Departments - it will be quite comprehensive in the sense that it will apply to the entire Valley - not just those areas in the City because I think we are very fortunate to have the kind of people we have that are involved in this, in that they do work together. Mr. Hampton, is that what you anticipate?

Mr. Hampton: Yes, and one other thing - Commissioner Dondero talked about the blockage of drains - the one thing that gives us the greatest problem are grocery carts -

Director of the Department of Community Development, Donald J. Saylor: Just one comment, Mayor - for several years now in the City we've had a Major Flood Control Channel Ordinance, which prohibits the construction within these delineated major flood channels. Even though we keep them void of any construction, it still doesn't stop the problem of debris, etc., plugging them up but, at least, we don't allow anybody to build there.

Mayor Briare: I think it would be good to have all of this reduced to a Report, not only to the City Commission, but I can assure you, Commissioner Dondero, that copies will be made available to you in the event you would want to show it to members of the County Commission.

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Mayor Briare: Will the City Clerk show in the record that - at least by my watch - the time is 10:15 A.M.

Mrs. Britt, would you please come forward now prepared to make your comments?

MASSEUSE APPLICATIONS  
(continued)

(See Page 4 of these Minutes)

Director of License & Revenue, Ila M. Britt: The various branches of the Los Angeles College of Massage and Physical Therapy are licensed by the California State Board of Education and have a curriculum approved by them. Dr. Jackson of the Bureau of School approvals has charge of this particular School - various branches - was in Las Vegas on Friday and came to my office and brought a copy of the State Regulations that govern these schools.

Two of the regulations in particular are of interest and he verbally interpreted them for me; one saying that they must keep an accurate record of attendance and another that they must in giving credit for other in-class hours of instruction - must document this. I feel we lack that information in those two respects. We do not have verified hours of in-class instruction on any of these girls. Also we have no verification of how much credit was given for previous training and education and if, in fact, they gave credit for that, whether or not they verified any of that past training and education.

Did you have anything else you would like me to comment on?

Mr. Lovell: I have a couple of questions:

10:25 A.M.

Mr. Lovell: Mrs. Britt, is it true that in reference to your letter to the Los Angeles School of Massage & Physical Therapy of January 14, 1976, you still have yet to receive independent verification from that School on the diplomas themselves, hours of training and attendance, hours of instruction and copies of the examinations?

Mrs. Britt: The girls themselves presented diplomas with their applications. The School has not verified that

MASSEUSE APPLICATIONS  
(continued)

but they have sent copies of the transcripts showing graduation dates. They have not yet furnished us with any record of actual dates and hours the girls attended class.

Mr. Lovell: The School didn't send you any copies of the diplomas, did they?

Mrs. Britt: No, they did not.

Mr. Lovell: Did they send you any lists of hours of training and of the girls' attendance?

Mrs. Britt: They did not.

Mr. Lovell: They didn't send you the hours of instruction they attended, did they?

Mrs. Britt: No Sir -

Mr. Lovell: Did they send you copies of the examination of those applicants, didn't they?

Mrs. Britt: They did for Esther Chapman only..

Mr. Lovell: All of this was requested by you - do you recall at the meeting of January 21, 1976 that the girls agreed to this verification?

Mrs. Britt: Yes Sir, I do -

Mr. Lovell: Did this gentleman, a representative from the State of California who talked to you, indicate to you that the California Civil Code, Sec. 29025, Paragraphs 4 and 6, that it was, in fact, a requirement for the Schools in California to keep specific records with reference to hours of training, attendance, etc., in addition to the bases and specific data of requirements of how they give credit for experience for out-of-class instruction?

Mrs. Britt: Yes, he did. He pointed out those particular Sections and explained them to me.

Mr. Lovell: And is it true that on January 26, 1976, Dr. Petersen of the Los Angeles School of Massage & Physical Therapy indicated to you that he did not have those types of records?

Mrs. Britt: He never did state, in my opinion, specifically that he did not have them, but he made rather broad statements about days and hours and did not furnish attendance records which were requested

In one letter which made reference to girls that went to the School, back in July of 1975, he made a statement - we do not have a minute-by-minute record of their attendance, but he didn't ever really state that he did not have attendance records for these girls that went in December.. If they do have, he didn't furnish it.

Mr. Lovell: Do you recall that in his letter of January 26th he stated that applicants Benchetrit, Chavez and Gruber had only completed 65 hours of training inside the classroom?

Mrs. Britt: Yes Sir.

Mr. Lovell: And did he then send you a letter on January 29th regarding Miss Chapman?

Mrs. Britt: Yes Sir -

Mr. Lovell: Did that letter indicate that she had at one time been given a Certificate, or a Diploma on July 18th,

MASSEUSE APPLICATIONS  
(continued)

only to be revoked by his letter to her on August 5th indicating that she had failed the examination?

Mrs. Britt: That is correct -

Mr. Lovell: And that even to this date he has not issued a new diploma, even though he stated that he has given her some type of special examination?

Mrs. Britt: And that is correct -

Mr. Lovell: And he has not furnished you either with courses of instruction or hours of training on her?

Mrs. Britt: No Sir -

Mr. Lovell: Would you give us some indication of the background regarding the School's accreditability itself from your history of dealing with it as to individual verification?

Mrs. Britt: Our first knowledge of the Los Angeles School of Massage & Physical Therapy was in July of last year when thirteen (13) applicants from the Sultan's Palace came in with applications, in which they stated that they had attended this college. At this time we had a Court Reporter come in to take sworn testimony and interviewed all thirteen of these applicants individually.

There were many, many discrepancies in their stories of what days and hours they attended the School. They claimed at that time to have received seventy (70) hours of instruction, which is what was required at that time.

After all of this testimony was taken and Mr. Crow and Lt. Martin from Special Investigations went to Los Angeles and visited the School and from Doris Dienerman, herself, who was the instructor that gave these thirteen girls their training, they ascertained that they were in class for 34-1/2 hours. Apparently, the balance of the 70 hours being given for massages that they had given while working at Sultan's Palace.

Eight (8) of those thirteen (13) girls were issued Permits on Order of District Court. However, it was my understanding that this was on the basis that they had been previously licensed by the City before we had the educational requirements.

Commissioner Leavitt: May I ask a question concerning these three - Aline Benchetrit, Martha Chavez and Thelma Gruber - were they by any chance grandfathered in?

Mrs. Britt: No, they were not grandfathered in. They had previously worked but were not among those that were . . .

Commissioner Leavitt: Were those three previously licensed?

Mrs. Britt: Aline Benchetrit was not. The other two were.

Commissioner Leavitt: According to what Aline Benchetrit said, she gave fifteen massages at Sultan's Palace -

Mrs. Britt: That is correct - she did not have a License.

Commissioner Leavitt: In other words, she was doing it without a License?

Mrs. Britt: It would appear that is a fact.

Commissioner Leavitt: What about the other two? Were they performing any massages without being licensed?

MASSEUSE APPLICATIONS  
(continued)

Mrs. Britt: During the period of time they state they gave massages, they were licensed - at the time we did not have the educational requirements. All of the Licenses of masseuses that had been issued previously - before the new Massage Parlor Ordinance - were marked out when we adopted the new Ordinance, and the girls were given a certain amount of time to come in and reapply and become relicensed.

Commissioner Leavitt: Would they have been grandfathered in then?

Mrs. Britt: The City did not grandfather anyone in, but by a District Court Order 8 of them were, but those 2 girls were not among those eight.

Mayor Briare: Mr. Lovell, do you have anything further?

Mr. Lovell: Your Honor, I think that the requests by this Board relative to these applicants has not been forthcoming from California. Further, that a representative of the State Board of Education in California, through Mrs. Britt's testimony, has indicated some violations and failures on the part of the School with reference to specific records kept - to be furnished to us - regarding diplomas, hours of instruction, etc., and specifically how they were given credit for out-of-class instruction - based on past experience, etc.

I don't know if there would be anything else forthcoming from the School - have we Mrs. Britt?

Mrs. Britt: We have heard nothing further from the School.

Mayor Briare: It would appear to me, gentlemen, that all the papers we have had before us since Mrs. Britt was able to put them together because of her illness, together with other matters we've had before us and in addition to what Mr. Lovell has given to us just now - all of this is interlaced with conflicts and misrepresentations, etc. on the part of the applicants and on the part of the School they attended, and officers of the School, all to the point where the accreditability of the Los Angeles College of Massage & Physical Therapy leaves a lot to be desired.

Mr. Lovell, I don't know whether it would be the pleasure of this Board - or whether it would be legal - to suggest that until such time as the Los Angeles College of Massage & Physical Therapy demonstrates to the City of Las Vegas that they are, indeed, a reputable, creditable organization, that anyone that comes forward to our Licensing Department with a request to be licensed as a masseuse, who shows in order to fulfill the requirements for education that they graduated from the Los Angeles College of Massage & Physical Therapy, that their application should be rejected.

And, furthermore, it would seem to me that it would be perfectly in order for us to take whatever action you feel proper, not only as the City Attorney of the City of Las Vegas, but also a licensed officer of the Court system - as an officer of the Court - to put the State of California on notice as to the discrepancies and the perhaps misrepresentation, contradictions, etc., that have emanated from this School because as we know from data that has been given to us that even the State of California is under some kind of a Court Order regarding regulations for this particular operation. We sympathize with those in California who are having their problems, but we don't want to be sharing their problems.

I don't know what action you want to take, Mr. Lovell - whether this transgresses the authority for the City Attorney to go to California before the proper California legal authority and tell them what the problems are. I think these should be brought to their attention.

MASSEUSE APPLICATIONS  
(continued)

Mayor Briare: And while we're on the subject, I wonder if it might be the time - because I think this Board has indicated by various means that we don't want to be taking up the time of the Courts - we don't want to be taking up our own time - we have other important matters before us - I wonder if it might be in order to suggest that we take a whole new look at all of our Ordinances and all of the regulations in the licensing procedures along the lines of the businesses we've been talking about - perhaps to include something where we can impugn criminal liability - for example, Sultan's Palace by allowing that one masseuse that Commissioner Leavitt mentioned, to go ahead and work in a place and she is not licensed - whether we have the authority to close down Sultan's Palace as the result of criminal liability, or what. I don't know, but maybe it would be a good idea to put everybody on notice that any applicants - any people who want to go into this business, will just have to wait until we have some Ordinances, or until we revise our Codes to properly reflect what is the true feelings of the people of the City of Las Vegas, in such a way that the Courts will recognize and understand what our problems are.

It might even be in order - I realize I'm including a lot of things here, Mr. Lovell - I expect there will probably be problems involved here - that any fees that you have in your office, Mrs. Britt - refund these fees on pending applications and tell them we're sending back their money because we are not able until some of these matters are cleared up to consider their application.

We have these matters come before us - as on February 4th - we even have because we weren't prepared to act for a number of reasons - we are threatened by the Courts - Court actions - that we must - that we have to take extraordinary action on all these businesses and I think to put everybody on notice - if it is legally possible - because of these problems that are constantly before us. I think the City Attorney has aptly presented them. I think that Mrs. Britt has accurately presented them - we feel these are things we are obliged to consider. I think the Law should hold equally lenient with us in our trying to consider these matters, the same way as it gives consideration to those who are asking to become licensed under our existing laws.

After all of that, I don't think I've been very specific -

Commissioner Leavitt: Mr. Mayor, I agree. I think we ought to make a review of our Ordinances and regulations, not only concerning Massage Parlors, but Jam Auctions and other Ordinances that have been tested in the Courts, with the idea that maybe we can fomm up with an Ordinance can that pass the constitutional legal test requirements by the Courts.

I would also suggest that maybe such an Ordinance ought to be drafted along the lines similar to our Liquor Ordinances - since we could probably consider them Privileged Licenses. I know that if we have a situation where a person who holds a Liquor License violates the law by serving liquor to a minor, he could be subject then to revocation of their Liquor License. By the same token it was noted this morning that at least one Massage Parlor has allowed a person to work and give massage in their place of business who had not been licensed by the City of Las Vegas. I think the City Attorney ought to investigate that possibility - that if, in fact, Sultan's Palance did allow someone to give massages in their place of business without License, that would be cause to revoke their License to operate a Massage Parlor - for letting unlicensed people work. I think that's a possibility for an Order to Show Cause, as to why they shouldn't have their License revoked. Obviously, this woman did work there - at least, if she's telling the truth - she said she gave fifteen (15) massages and used that on her application for experience -

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(continued)

that she gave 15 massages at Sultan's Palace. If this is so and as indicated by the Director of Licensing, she was not licensed, that is certainly a violation of our law - to allow someone who is unlicensed to perform massages. It might be ground for revocation of Sultan's Palace's License. That should be investigated. If our ordinance does not allow us to do that, perhaps we had better redraft our Ordinances so that we can take this type of action.

Commissioner Lurie: I'd like to add one thing, Mayor - that we form some kind of a task force of people who can help us write an Ordinance that is going to meet all of the requirements - meet the standards of the Courts - be constitutional - so that we can control this type of business.

Mayor Briare: Now that we have brought the monster's head again to the forefront, Mr. Lovell, do you have anything further? Where do we stand now? Can we take a formal action relative to these various applications that are pending before us right now, in view of the comments that have just been made relative to the accreditability of the College and relative to the statements that have been made by the Licensing Director and the statements made by the City Attorney's office relative to these applications?

Mr. Lovell: Yes, you can.

Mayor Briare: We can take action, one way or the other - is it the pleasure of the Board to take action on these matters this morning?

Commissioner Leavitt: What action is before us? What are the alternatives?

Mayor Briare: I gather that on Thursday the Judge is going to say to you, Mr. Lovell, has the Board taken some sort of action?

Mr. Lovell: That's right - to either approve or deny -

Commissioner Lurie: Based on the information that was given this morning in the Evidence Packet and the testimony of the License Director, I would move that these applications be denied.

Mayor Briare: And also the fact that no representatives of any of the applicants have shown up. Are there any further comments?

(No response)

Motion carried by the following vote: Commissioners Leavitt, Lurie and Mayor Briare voting aye; noes, none.

Mayor Briare: There being no opposing votes, the motion is approved. (10:40 A.M.)

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MASSEUSE APPLICATIONS  
(continued)

Mayor Briare: Mr. Lovell, are we in some proper legal position to prosecute down in Southern California, or inform them? Are we in a legal position to hold off on any further applications that would come from that College? Are we in a legal position to go on record that we're not going to accept any more applications until a time certain when we would expect to have new Ordinances and Regulations?

Mr. Lovell: Number one, while we cannot prosecute in California, we certainly will get in touch with the Attorney General's office in California, as well as the State Board of Education, and supply all the information we've had with reference to the inconsistencies and possible violations of their own California Civil Code.

Number two, as long as we have an Ordinance on the books, that is what these individuals may rely on and therefore they may apply if they wish, under the present Ordinance. We can change the Ordinance and depending upon the investigation of new applicants when a new Ordinance would become effective would then apply.

Let me say this about the Ordinances: The Massage Parlor Ordinance is in excellent shape. It has been one of three around the country thus far that has been held constitutional. There are suggested changes by this Board to once again set up a Board on Massage which, almost two years ago Commissioner Lurie wanted to set up, but the previously constituted Board of Commissioners would not go for it. Now that it is being considered again, we are drafting that . . . .

We have a new Escort Ordinance before you with tougher laws - also we will add in there aspects concerning criminal negligence - we are also, for the protection of certain individuals, going to require certain written contracts between escorts and the citizen, and have them kept of record -

The Supreme Court of the United States, the Supreme Court of the State of Nevada and the District Courts have said that we cannot prohibit these businesses just because we don't like them, but we can regulate them. And this is what we're going to have to accept.

Once again - I'll get back to this aspect - if, for some reason we can find some question - as you did today - on the applicants for a masseuse, or escort, then we can deny them on that basis. If we cannot find any criminal record or questionable character, etc., those people who apply and meet the requirements of the Ordinance, the Courts will continue to tell us we must continue to license these people in these businesses, and then let the Police catch them. The Courts are going to continue - while we can regulate to the strength that we can - the limits that we can - the Courts are going to say we've gone the limit. Once people get a license, by Court Order or otherwise, it's going to be up to a uniformed officer to control as law enforcement, Massage Parlors, Escort Bureaus, Jam Auctions - because if you don't, otherwise you are not going to be able to control them, and if you don't have a Police Officer or a Vice Officer there, then you're not going to be able to do any policing.

I have said it before and I have requested it from Vice and Metro and have informed you of it - I think that with the good job that Vice is doing, somewhere down the line a decision is going to have to be made - judgments have to be made whether they can spare enough Vice Officers to serve this area, because if we don't, your desire to get rid of the hookers is not going to happen - you're not going to be able to police the Escort Bureaus and Massage Parlors.

MASSEUSE APPLICATIONS  
(continued)

We have to urge the Police Commission, now that the City and County are going through Consolidation, what priorities they must give to these - or want to give to these things. It's one thing to want to control it, but it's another thing to have the manpower to do it. And your hands as the City Commission, and my hands as the City Attorney, or the District Attorney's hands would be tied unless the Policeman gets out there first - makes the arrest and takes some action. Unless he does, all we can do is write Ordinances - request or direct them to do it and plead for them to do it. Unless they do, we can't get them into Court.

Mayor Briare: Mr. Lovell, notwithstanding the fact that the City of Las Vegas has one of the three exemplary Ordinances in the United States, it seems like this Board certainly does spend an unusual amount of time . . . it would almost be my inclination to remmend to the City Commission right here and now that if we cannot put a "freeze" on the issuance of these Licenses, in view of the evidence and papers we have before us this morning, and also those which we gathered relative to advertising - and just all sorts of things - if we're not in a position then to make a reasonable determination by this Board that no more Licenses of this nature shall be issued until such time as a new Ordinance or new Regulations can be provided, it would be my suggestion in the best interests of the City of Las Vegas, in view of the large volume of business that has to be discussed by this Board other than these so-called adult oriented businesses, that we instruct our Director of Licensing that if the present Ordinances which emanate from the City Attorney's office are in the proper form, that she go ahead and do what her duty is, and that if she has any questions that she direct them to the City Attorney's office, because heretofore Mrs. Britt has been under kind of a difficult position where this Board, by previous determination has said that all of these Licenses must come before this Board. When they do come before this Board it seems that in the minds of those applicants that we have pre-determined certain things when we have, indeed, not - that we endeavot to give them the proper consideration we have to give. It is just coincidental that none of them have been approved . . . I think the records will show that is the case. Maybe we should retreat from that position and indicate to Mrs. Britt that under the present Ordinances and Regulations that she proceed under the authority vested by those Ordinances - and if you do have any questions (Mrs. Britt) that you address them to the City Attorney's office

Mrs. Britt: I am not sure that I am understanding what you are saying . . .

Mayor Briare: More than likely, as usual, I'm not stating it very well. It just seems that if we have Ordinances that we cannot improve on - other than the ones before Mr. Lovell right now - if we can't improve on them, then we're all bound by them, I'm told.

If we can't "freeze" these applications and hold off until we improve on the Ordinances, then we just have no course to take - we have no other course to follow - so, consequently, Mrs. Britt, in order to make your job tenable - in order to save our time every time we get together here on these matters (It is now 10:50 a.m.) - and this has been a short session, as you know - maybe we're just all wasting time - maybe it's just a matter of what is on the written record. Go ahead and issue them their Licenses if that is what the City Attorney's office rules you must do as the result of the Ordinances that are in force and existence.

Mrs. Britt: I would make just one point - that the Ordinances themselves as presently written do require your action either to approve or deny. It does not give the Director the authority . . . I would not like to see that discretion placed upon one person.

MASSEUSE APPLICATIONS  
(continued)

Mr. Lovell: If you want that taken out and go back to the administrative level . . . we feel these Ordinances are very strictly drawn right now -

Ila M. Britt: I have one more matter I would like to have considered today - Mr. Crow will give you the details.

BOOK CITY NEWS

Howard Crow: We would like your permission to conduct a Show Cause Hearing in the matter of Lydo Enterprises, Inc. dba BOOK CITY NEWS, licensed to do business at 114 South 3rd Street - now operating from 119-1/2 S. Casino Center Blvd., in violation of Title V, Chapter 1, Sections 1, 3 and 16.

Commissioner Lurie: I would so move.

Motion carried by the following vote:  
Commissioners Leavitt, Lurie, Christensen,  
Woofter and Mayor Briare voting aye; noes,  
none.

There being no further business to come before the Commission,  
at the hour of 11:00 A.M. the meeting was ADJOURNED.

APPROVED

  
WILLIAM H. BRIARE, MAYOR

ATTEST:

  
EDWINA M. COLE, CITY CLERK

APPROVED BY REFERENCE at a Regular Meeting of the  
Board of City Commissioners held December 14, 1977.