

M I N U T E S

Las Vegas, Nevada
March 3, 1976

A Regular Meeting of the Board of City Commissioners of the City of Las Vegas, Nevada, held this 3rd day of March, 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	Paul J. Christensen
	Commissioner	Myron E. Leavitt
	Commissioner	Roy A. Woofter
	Commissioner	Ron Lurie
STAFF PRESENT	City Manager	A. R. Trelease
	City Attorney	Carl E. Lovell, Jr.
	Director, Department of Community Development	Donald J. Saylor
	Director of Finance	Marvin A. Leavitt
	Fire Chief	J. D. Miller
	Director, Department of License & Revenue	Ila M. Britt
	SID, Metropolitan Police Department	Stu Brown
	Director of Personnel	J. Robt McPherson
	Director, Purchasing & Contracts	J. C. Cathcart
	Director, Department of Public Works	Laurence Hampton
	City Clerk	Edwina M. Cole

INVOCATION

The Invocation was given by Rev. Juanita Pickett, Co-Pastor, Spiritual Science Mother Church:

"Our Heavenly Father, we ask Your Blessings upon this assembly this morning. We ask Blessings especially upon our City Commissioners and those involved in these discussions and decisions, that there may be harmony and understanding, tolerance and compassion. Our Father, Bless our Country and our City and our State. In Your Name, we Pray. Amen."

PLEDGE OF
ALLEGIANCE

The Pledge of Allegiance was given and the meeting called to order by His Honor, Mayor William H. Briare.

PURCHASING & CONTRACTS DIVISION

J. C. CATHCART, DIRECTOR

AWARD OF
CONTRACTS

BID No. 76.10 - SOFTBALLS, BASEBALLS, PLAYGROUND AND SUMMER
CENTER PROGRAMS - BID GROUP I (Items 1, 2, 3 and 4) II, III
and IV (Recreation Dept.)
(Estimate: \$15,000.00 (revised))

Reject

Commissioner Lurie moved that the recommendation of the Purchasing & Contracts Division for rejection of the proposal submitted by A-1 Sports Center under Bid No. 76.10 for failure to submit a proper Bid Bond, be APPROVED.

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

Reject

Commissioner Lurie moved that the recommendation of the Purchasing & Contracts Division for rejection of the proposal submitted by Turf Equipment for Item 5, Bid Group I, under Bid No. 76.10 for failure to meet technical specifications, be APPROVED and permission granted to readvertise this Item.

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

Award

Commissioner Lurie moved that the recommendation of the Purchasing & Contracts Division for award of contract - Bid Group I, Items 1, 2, 3 and 4 and Bid Groups II, III and IV, under Bid No. 76.10, to TURF EQUIPMENT for the sole bid received in the amount of \$15,983.25, be APPROVED, and the Purchasing & Contracts Division authorized to proceed.

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

RFQ 108-1223 - CONCEALED WEAPONS SCANNING SYSTEM (Public Works)
(Estimate: \$2,750.00)

Reject

Mr. Cathcart: We would recommend rejection of the proposal of Infinetics. They did not meet the specifications and we are recommending award to FARGO INTERNATIONAL for the low bid in the amount of \$2,998.00. The second low bid was from Federal Labs, Inc in the amount of \$3,227.73. Four (4) bids were received.

Also, permission to receive bids was tied in with the personnel, I believe, to operate this Scanning System and I believe the Personnel Department has something to say on that if you care to go into it at this time.

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Director of Personnel, J. Robt McPherson: Mayor, we have reviewed the operational needs of this equipment and it would appear that two (2) people will be needed to operate this. It would be about \$26,000.00.

Mayor Briare: Two people on how many an hour basis?

Mr. McPherson: It would be about sixty-four (64) hours. Eventually this will increase when the Juvenile Traffic work load is assumed by the Court.

Mayor Briare: Were these figures included in the original discussion?

Mr. Cathcart: It was discussed, Mayor, and I was requested to proceed with the bids to see what the unit would come in for before they discussed the personnel to operate this. That's why I brought this up at this time, before you approved the award.

Mayor Briare: Would the Board wish to discuss this with the Municipal Judges?

(No response)

Mayor Briare: What is the time element on delivery of the equipment?

Mr. Cathcart: Approximately three (3) weeks.

Mayor Briare: Is it on order?

Mr. Cathcart: Yes -

Mayor Briare: And also did they include in their bid - I think one of the specifications was that it be guaranteed to operate within the type of construction we have.

Mr. Cathcart: Yes. We sent complete specifications obtained from the Public Works Department. In fact, Mr. Hampton and I looked at the way the system would fit in there. Also we got with the Personnel as to how this would operate. It is guaranteed that it will work.

M o t i o n

Commissioner Lurie: Mayor, I move that this item be held to the meeting of March 17th.

Mayor Briare: Mr. Trelease, the question arises as to the manning of this equipment, so would you please meet with the Municipal Judges and the other departments that are involved and come up with your recommendation as to how it should be best handled?

Mr. Trelease: This has been done before, Your Honor - we did meet with the Judges and Public Works and decided that two (2) persons would be required to operate this system.

Mayor Briare: Did you give us a report on that?

Mr. Trelease: Just a verbal account.

Mayor Briare: Give us a written report on it, please. If there are no objections, this will be the procedure.

Mr. Cathcart: The next item before you is Permission to Receive Bids. I have the one as shown:

One (1) ea. Survey Rod Set (Public Works)
(Estimate: \$1,200.00)

and one walk-on this morning. Would you like to take these separately? The Rod Set is a replacement item.

Commissioner Lurie moved that the recommendation of the City Manager, the Finance Department, the Purchasing & Contracts Division and using department to advertise for bids for one (1) Survey Rod Set, be APPROVED, and the Director of Purchasing & Contracts authorized to proceed.

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

PERMISSION TO
ADVERTISE
FOR BIDS

PERMISSION
TO ADVERTISE
FOR BIDS
(continued)

Mr. Cathcart: The next item is the City Vending Machine Concession. We are asking for permission to receive bids for the City Vending Machine contract and also, if permission is granted, to proceed with the letting of bids. We would recommend that the previous Commission action of July 2, 1973, be rescinded by motion, and I believe you have a copy of those Minutes before you.

Mayor Briare: Mr. Lovell, is this the necessary procedure to follow relative to a resolution that was passed by a previous Board?

Mr. Cathcart: Your Honor, I did invite the Services to the Blind Division this morning since this was coming on the agenda. I believe they might be in the audience if there are any questions of them.

Mayor Briare: Is there anyone in the audience who wishes to be heard on this?

(The Supervisor of Services to the Blind responded from the audience)

Mayor Briare: Would you please come forward because it's a little bit difficult to record from that distance. We would appreciate it very much if you would come forward and the microphone will be made available to you.

Merv Flander, Bureau Chief, Services to the Blind, Carson City, Nevada: Thank you, Mr. Mayor and Members of the Commission. As can be expected, the Bureau of Services to the Blind is opposed to this plan of action. The Bureau's Business Enterprise Program is operated under the provisions of the Randolph-Sheppard Act and under the Nevada Vending Stand Act, and it is designed to provide employment opportunities for blind persons which, in turn, provides them with independent livelihood.

It is under these Statutes that the vending operations in City Hall were installed and much effort, I think, has gone into - on our part - to expand the services and to provide an employment opportunity for blind persons and to be responsive to the needs of City Hall through that vending service.

We are very definitely opposed to the proposed plan.

Mayor Briare: I'd like to make a comment, however - I would not want you to have this Board feel that there is any suggestion that the blind should not be given the opportunity to, under State Law, provide these services - however, there is no suggestion here against blind people operating this type of facility.

Many months ago - in fact, I think it was the first meeting that was held by this Commission last year, or shortly thereafter, problems were brought to the Board's attention that revolved around the vending machines in City Hall. with no suggestion whatsoever that the blind operators should be removed from this service.

There are certain services that have to be given. City employees are the ones who use these services the most. The machines are in a constant state of disrepair. Monies were being gobbled up by these machines and no arrangements made to refund, and members of this Board themselves were first-hand observers of some of these deficiencies in the equipment.

I am told through the City Manager's office and other departments in the City, that pleas were made with the people who were servicing the machines on numerous occasions. Meetings were held to try to improve the mechanical problems, and any number of things were brought up, none of which were in any way to reflect on the blind people themselves. This is not an effort to do away with somebody's livelihood - of course not.

Mr. Flander: Gentlemen, I recall only one invitation to meet with the Building Control Committee, which was an invitation last October, which involved the very kinds of problems that you suggest existed. We met with that Building Control Committee and we formalized our agreement. We did respond entirely to the proposals for the solutions

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(continued)

of the then existing problems. That occurred last November that those proposed plans of action were completed and since then we have heard no formalized, or informal, complaints concerning that.

Since last September arrangements for many refunds of monies that were reported to the operator as having been lost, and in October then a petty cash fund was set up for anyone who lost money, to refund that money. That is an unusual procedure in a vending stand, or vending machine, operation - to have somebody on hand to refund money.

No one has been challenged to my knowledge, who reported that they had lost money through the machines. Machines can be expected to break down. I have here with me a whole handful of slugs that have been run through that machine - those machines. Each one of those slugs is a potential downed machine. We had the manufacturers here and some of the difficulties were break-downs in the control operations of the manufacturers when they manufactured the machine. Those were all corrected in November.

Mayor Briare: Well, if they were, then we're not getting the right information. Mr. Trelease, would you please review some of the matters that we are discussing here. This gentleman indicates that since last year nothing was brought to his attention, and that's not the understanding you gave us.

Mr. Trelease: The building Control Committee has been in contact with these people - my Assistant has - they called these various things you have just described to their attention, and they haven't been corrected satisfactorily. When they put their money in - they can get their money back but they don't get the item they wanted to get.

Mr. Flander: I have staff people here and I have investigated their logs, and they show that they have come down and that they have spent a considerable amount of time trying to be sure that the machines were operating satisfactorily. I have no indication other than the October letter which is in response to a meeting with the Building Control Committee to indicate that those problems were continuing.

Mayor Briare: Would you have the opportunity within the next day or two to sit down with our City Manager and review some of these matters?

Mr. Flander: Yes, I would. I will be here tomorrow morning, yet.

Mayor Briare: Would you make arrangements for that meeting then, Mr. Trelease - and go over these things and get us a report on the outcome of the meeting, because if there are things that he is not aware of, then he certainly should be made aware of so that perhaps you might agree that this proposal at this time certainly is with justification. Would you agree to such a meeting?

Mr. Flander: Yes Sir, I would.

Mayor Briare: Where can you be contacted? At the State Building?

Mr. Flander: Yes, I will be at the Bureau Offices here in Las Vegas.

Commissioner Christensen: Your Honor, I have a couple of comments I'd like to make: I think we're missing some of the points with these problems we've had with the vending machines. I would like to reiterate the Mayor's point - that we have nothing against the blind insofar as denying them a living, etc. A lot of the problems we have with the vending machines can't be solved so much by a refunding system because I, for one, use the vending machines at City Hall and when it takes my quarter and doesn't give me the soda pop, the candy bar, or whatever it was I pushed the button for, I haven't got time to run to somebody for a refund. I don't really care that much about the quarter. The quarter wasn't the point - the point is that I was disappointed and when you have a soda pop machine full of soda pop and it won't take the coins - you have four quarters in your pocket and you try four of them and none of them will go through it and you have to get a quarter from somebody else and run through it, then you've created another problem. I think the problem is not so much

the fact that it gobbles the money up - it's the fact that it just flat doesn't work. And when you have machines that don't work, then you have irate customers and not necessarily because of the two bits - because who cares about the two bits? It's the fact that it didn't put the merchandise out.

Now, I'm curious. I'd like to have a recap and I hope I can get it out of this meeting, as to just exactly how this provides the employment for the blind . . . I have a hard time . . . they don't put the stuff into the machines - they don't take the coins out of the machines - apparently they may own the machines, or lease them, but I'd like to find out just where it does affect the blind and where it doesn't, because I think the fault isn't with the blind people - I think it's the people who service the machines and the people who manufacture the machines.

Mr. Flander: Commissioner Christensen, I would beg to differ with you. I can appreciate your problem. You go to buy a product and you don't get that product. It is not the money so much as the inability to procure the product you're after. It is for that very reason that there is a blind person on duty at that stand, and where I beg to differ with you - the operator is stocking those machines - is removing the coins and making repairs that she is capable of making. Those repairs to the machines that she can't make herself -

Commissioner Christensen: My question was - are they blind people who are doing that?

Mr. Flander: The operator is present in the back of the room and she is blind, and it is only a blind person that can be licensed to operate a vending facility under both Federal and State Law.

Commissioner Christensen: The ones I have seen filling them aren't. That's why I'm curious, because the ones I have observed filling the machines are not. It isn't to argue the point - I'm just curious as to how much affiliation the blind really have with the machines - whether it's merely a matter of ownership or whether they are actually working on the machines, or what - because the machines I've seen being stocked are not being stocked by people who are blind. This is for my own information on that.

Mr. Flander: May I ask the operator in the back of the room to stand up and inquire of you, Commissioner Christensen, if that is the person you have seen stocking the machine?

Commissioner Christensen: Well, of course, I don't recognize the lady. I just know what when I've been over where the bulk of the vending machines are located - over by the Municipal Court - that the people who are in there stocking those machines are obviously not blind by the way they move. I've been around blind people before and I know that it becomes pretty obvious whether people are blind or not. Like I say - I'm not arguing the point - my only question is - I would like to know just where the blind fit in.

Mayor Briare: Perhaps this could be better resolved after tomorrow's meeting - and also it should be clearly noted that a suggestion that proposals be received from people other than those who are presently serving the City, does not preclude the Blind from also submitting a proposal, and with the proposals they submit would be certain guarantees that service and certain standard operable machinery be available, so this does not necessarily - the same as any other bidding procedure - it does not necessarily say that the present vendor would be excluded from submitting a proposal. It could very well be that there are new facilities that might be recommended, both through your department and through any of the machine companies that manufacture the equipment. It might be a good time to upgrade not only the equipment, not only the service, but also the products that are offered by modern vending machines.

In any event, we are very grateful that you did come down to talk to us and I am hopeful that tomorrow's meeting will produce some answers for the Commission that will allow them to proceed, if necessary, on this matter in a little more enlightened way. Thank you very much.

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(continued)

Mr. Flander: Mr. Mayor, I would like it to show on the record that there is often a misunderstanding as to who, and what, a blind person is. I, for example, am often said not to be blind, and if anyone is closer to being totally blind than I am, I'd like to know who it is.

There is a misunderstanding - people appear to see - and blindness does not mean that they can't see anything. A definition of a person with blindness is a person with twenty-two hundredths vision or twenty degree . . . he is legally blind, and it is those people who are employees in the program. That really needs to be understood because the public constantly is saying that operators who do have some useful vision, but who are legally blind, are not, in fact, blind and it is constantly questioning that. But we have certified it through ophthalmological and optometric examinations to insure that the people licensed to operate vending facilities in this State are legally blind.

Commissioner Lurie: I have a question: If you are going to allow the vendors to bid on the contract here at City Hall, I believe that the Division of the Blind - that all the revenue received from the machines goes directly to the Division of the Blind. Now, if an outside bidder comes in to bid on the machines, the profits that individual would be receiving from these machines - would this be in the specifications for this? That a certain percentage of the profits would go towards the City for rent, or would this money be given to the Division of the Blind if another company was allowed to put their machines on the premises of City Hall?

Mr. Cathcart: The specifications haven't even been started yet, Commissioner. The other concessions that we have that we go out to public bidding on - for instance, our Park food concession, at which the blind was given an opportunity, but it was just too big of a project and too much of a capital outlay, so they declined at that time - a percentage is returned to the City. Now, on the concession stands in the various locations in the City buildings, the profits are going to the blind. It is totally their concession. We furnish them the spot to put the machines. If it is opened up to public bidding, it's like any private enterprise - they are having machines on City property and they should return some profit to the City to offset the drain on the City's electrical bill.

Commissioner Lurie: Then are we requesting bids - that the Division of the Blind pay a percentage of the profits to the City?

Mayor Briare: I think the State Law, Commissioner, is pretty specific as to the first right of refusal - that the Services to the Blind are allowed in public buildings. However, there is also the matter of services and products to the people who use the machines that obviously have to be met. Hopefully the meeting tomorrow between our City Manager and the people that are concerned here, might be able to, first of all, spell out in detail some of the complaints that have been received over the past months, that we are aware of, and also it would be a good opportunity to review the service and also the products. As we know, there is a discussion amongst County employees and City employees relative to hours that are involved in their work schedule days - they are not quite the same. There are a number of very important reasons why the products that are vended in City Hall are going to have to be upgraded that have ramifications more than just an occasional bottle of soda pop or an occasional candy bar. It would be a matter of actually furnishing lunch materials, for example.

I am hopeful that the Commission will be able to have a more detailed report as the result of the meeting tomorrow.

Local Representative for the Blind: Mr. Mayor, for the record I would like it to be known that the net profits from the business go directly to the individuals servicing the machines.

Mayor Briare: Right. I hope you folks understand that this is not a matter of argument as to whether the blind are performing - please don't think we are not sympathetic to people who are handicapped, whether it be blindness, or being handicapped in any other way, and whether they are totally blind or not totally blind, we still have

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(continued)

a deep sympathy for anybody who is handicapped. This, ladies and gentlemen, has nothing whatsoever to do with it - it's a matter of products and of service - not who is actually giving it.

Local Representative: The only reason I did bring it up, Mayor, is because there were rumors - some people have indicated that the Bureau was deriving the profits from the business, and not the individuals.

Mayor Briare: Those are rumors, I would suspect, that would originate far removed from City Hall. Thank you very much.

Mr. Cathcart: This matter then is to be held in abeyance?

Mayor Briare: Until we get a report from our City Manager.

Mr. Cathcart: Then that's all I have, Your Honor.

DEPARTMENT OF FINANCE

MARVIN A. LEAVITT, DIRECTOR

SERVICE AND
MATERIAL
WARRANTS

See Page 10 of these Minutes (Annotated Agenda)

PAYROLL
WARRANTS

See Page 10 of these Minutes (Annotated Agenda)

ADDITIONAL
METRO
PERSONNEL

\$60,000.00 ADDITIONAL FUNDING TO ENABLE THE LAS VEGAS METROPOLITAN
POLICE DEPARTMENT TO HIRE ADDITIONAL PERSONNEL TO ASSIST IN RESTRAIN-
ING VICE-RELATED ACTIVITIES IN THE DOWNTOWN AREA

Commissioner Lurie: This is an item we held in abeyance on funds that I requested be placed on the agenda, and approved by the Commission, to hire four (4) additional Police Officers to be assigned to the vice and narcotics division to help in the problem of prostitution in the Downtown area, and adult-orientated businesses such as massage parlors, etc.

In the audience is Assistant Sheriff, Bart Jacka, who can comment on the reason of the need for the additional personnel, and also the City Attorney has some comments he would like to make on the subject.

Mayor Briare: Who would you like to have speak first, Commissioner?

Commissioner Lurie: Bart Jacka.

Assistant Sheriff Jacka: Mr. Mayor and Commissioners, for the record I am Barton Jacka, Assistant Sheriff, Las Vegas Metropolitan Police Department. Prior to the end of 1965 a request, on an informal basis, was given to me to determine what additional costs would be involved to increase the Enforcement capability in the Downtown area, for better control in those areas involving Jam Auctions, Pornographic Movie Houses and the Book Stores as they relate to pornography.

That informal proposal was given to members of the Commission and it indicated that there was a necessity for four (4) additional people to effectively police the activities.

As City Attorney Lovell will tell you, almost on a daily basis there is activity that needs to be conducted and the limited manpower that is available to the Metropolitan Police Department in that particular section, actually taxes our ability to properly meet the requests of the City Attorney and perhaps to satisfy those of you on the Commission who are concerned with more stringent control in the pornography and related areas. And that's the reason for the presentation on an informal basis to a member of your Commission.

Mayor Briare: Thank you - Mr. Lovell, would you have anything to add at this point?

City Attorney, Carl E. Lovell, Jr.: Thank you, Mayor. I think the point was well taken by the Assistant Sheriff. The problem we've got happens to be the number of manpower that the Police Department has, and the utilization of that manpower, directly proportionate to the problems we have in the City of Las Vegas and in Clark County.

The City Commission and the City Attorney's office, since July of 1973, and even before, has earnestly and consistently been adamant about the

ITEM	Commission Action	Department Action
<p><u>II. FINANCE DEPARTMENT</u></p>		
<p><u>MARVIN A. LEAVITT, DIRECTOR OF FINANCE</u></p>		
<p>A. <u>SERVICE AND MATERIAL WARRANTS</u> Nos. B111609 to B111610, B111613 to B111648, B111650, B111653, B111659, B111667 to B111674, B111679 to B111880, inclusive.</p>	<p>Items A and B Approved as submitted Lurie - unanimous</p>	<p>Director of Finance authorized to issue</p>
<p>In the amount of \$ 1,990,199.07</p>		
<p>B. <u>PAYROLL WARRANTS</u> Nos. 50113 to 51253, inclusive For Pay Period Ending February 7, 1976 In the Amount of \$ 346,637.79</p>		
<p>C. <u>\$60,000.00 ADDITIONAL FUNDING TO ENABLE LVMPD TO HIRE ADDITIONAL PERSONNEL TO ASSIST IN RESTRAINING VICE RELATED ACTIVITIES IN THE DOWNTOWN AREA.</u></p>	<p>Approved Leavitt Commissioners Christensen & woofter voted "no"</p>	<p>Director of Finance to proceed</p>
<p>D. <u>REQUEST BY CETA FOR FEDERAL GENERAL REVENUE SHARING FUNDS IN THE AMOUNT OF \$10,000.00 TO PURCHASE COPY EQUIPMENT.</u></p>	<p>Approved revised request in the amount of \$3,000.00 Leavitt - unanimous</p>	<p>Same as above</p>
<p><u>ADDITIONAL ITEM:</u></p>		
<p><u>REQUEST OF SO. NEV. INDEPENDENT YOUTH ATHLETIC ASSN. for City's portion of 4th Progress Payment in the amount of \$65,500.00 (construction of Potocsky Gym Facility)</u></p>	<p>Approved subject to final inspections, etc. as per Agreement</p>	<p>Same as above</p>

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(continued)

regulation and certain prohibitions in adult-oriented businesses and pornography.

It has been painfully evident, I think, to us as it has been to the Metropolitan Police Department, that the demands for Law Enforcement and the various priorities for criminal activities, has left the Police Department, the City Attorney's office and you without sufficient protective in-field Law Enforcement.

When you consider that since July of 1973 when the merger of the Police Departments occurred, there has not been, net-wise, additional Law Enforcement people added to the Police Department according to the statistics of the Crime Commission, but yet the crime in the Las Vegas/Clark County area increased 42% - half that amount again for each Police Officer who was on the Force in July of 1973 - almost three years ago.

Consequently the priorities become very important. We take care of rape cases - murder cases - burglaries and violent crimes and then, when that's over - do you take care of traffic offenses - do you take care of other types of embezzlement, felonies and gross misdemeanors. Then you come down to the misdemeanor levels and then you come into obscenity and adult-oriented business Law Enforcement.

It has come to the point that the Commission, as a Body, is obviously very adamant - as is the City Attorney's office - and the Police Department has been determined to also try to effectively do Law Enforcement work in this area.

Unfortunately, while the City Commission takes the strong position against these types of businesses and for strong regulation, as does our office, that is a position and a position statement we take, and can take, but that cannot be effectuated and not be put into action unless we have uniformed personnel and/or Vice Officers working these adult-oriented businesses.

So your desires cannot be achieved unless we get sufficient utilization of Police manpower to do so. The best way to get that manpower may remain to be seen. It is a question of the utilization of the existing manpower under the strained budgets of the City and the County and what the priorities in view of all that have to be.

I think, however, it should be considered by this Board, by the Police Department and by the Clark County Commissioners who also happen to be the only Police Commission, of the concerns, I think, of the citizenry's concern over adult-oriented businesses in addition to the other aspects of crime.

I think the people in Las Vegas Need to know, and in Clark County, that while strong positions can be taken by the City Commission of Las Vegas, and the Clark County Commissioners, that a sufficient number of Policemen and Officers is now not present to do the effective job in the field to bring the cases to the District Attorney's office and to the City Attorney's office, so that we can better regulate, or prohibit, these businesses.

I have mentioned before that our Ordinances on massage parlors, escorts, etc., have been upheld in the Courts and have been followed by various cities throughout this Nation and, in fact, it is now one of three Massage parlor ordinances that has been upheld - a grandfather, you might say, of the ordinances of other cities who have been attacked recently.

But the problem is, you may have the best Ordinance - the best State Laws in the Nation, but unless you get a Policeman, or a Detective, or an Undercover Agent out there enforcing that Law, it is absolutely useless. A good example: You can drive on the Freeway from Las Vegas to Nellis Air Force Base and you can drive 95 mph and if there is no Highway Patrol Officer out there, nothing happens. You can break the Law daily but if you put a Highway Patrolman out there, or a radar unit, he catches you. Then he is enforcing that speed law and you will have to pay the punishment. You also, if you know there is an Officer out there enforcing that law, you are going to obey the 55 mph speed limit.

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PERSONNEL

The point is this: If you are going to enforce a valid Law then you've got to have the personnel to do it, and while "we make hay" with statements and desires of trying to prohibit or regulate these kinds of businesses, because we think we know what the people want, we can only deliver talk. We need somehow to change priorities, or make some policy decisions, to deliver the action as well.

I think it needs some strong consideration and input to the Police Commission as to finances and priorities for the priority route for the manpower.

I have mentioned to you, and I've put it in writing before, that the Metropolitan Police Department has bent over backward in the Vice and Uniformed details helping us out when we have to do things, but they just can't turn all of their limited manpower over to us for adult-oriented businesses when they have a million other things to do. I can appreciate that - especially when somebody is being raped, or robbed, or something - they're not going to be out buying dirty books.

The problem is that all of these are problems for us and all of them want to be taken care of by us and the County, and the people want them all taken care of. But we've got to figure out what the priorities are and how best to spread it out to effectuate that.

Mayor Briare: Mr. Lovell, as you have indicated, and I think the people are quite aware of the fact that no member of this Board sits on the Police Commission. We have no voice in the decisions that are made by the members of the County Commission, who sit on the Police Commission and not ourselves.

I am just kind of curious, because at one time members of this Board did sit on the Police Commission, but the State Legislature removed them. However, if the City were to have money - which we don't know about - to fund a request of this nature, must then the members of the County Commission, who sit as the Police Commission, earmark that money for the specific purposes that the City would request? Or would it just go into a General Fund the same way as the 52-1/2% of the funding comes now, and be used for whatever purposes the Police Commission would have in mind?

Mr. Lovell: I think as the result of the response, in memo form, to you of the cost necessary to effectively do what you want in the City, that money - if it were to be found - would be given to them or changes in the priorities in the Police budget now would be done - that it could be effectuated not in the overall 52-1/2%, but if you gave specific money for a particular purpose, that could be accepted for that purpose alone, unless you can convince the Police Commission to change the priorities in the budget now to shift more money and manpower into Vice, or whatever they want to do, to take care of this problem without additional funds.

Mayor Briare: I think it is more important, Mr. Lovell, because my next question is going to be dependent upon the answer to this one - may this Commission, if they have the money, and I'm not concluding they do - but may they earmark this money for a specific purpose? Could you give us a "yes" or "no" to that question?

Mr. Lovell: I think we can insist if we are going to give the additional funds that we would want a commitment - or you would want a commitment - that this is exactly what it would be used for and you could take that commitment, if they felt so inclined, from the Police Commission.

Mayor Briare: Is the same logic true for the 52-1/2% contributed by the City now?

Mr. Lovell: It isn't now because it is given pursuant to the Tax Commission. This is what you are required to do - to give that amount of money - and then they can use it as they see fit. There is an issue as to the fact that we give 52-1/2% now - can you give additional funds? I think, indeed, whether a change in the money is possible in the present budget for Metro can be done to effectuate

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this thing, or whether additional money by you can be earmarked and can be given, should be put to the consideration of the Police Commission to make a decision.

Commissioner Leavitt: Mr. Jacka, in the event the City Commission were to appropriate \$60,000.00 to the Metropolitan Police Department, can you assure this Commission that that money would be used to furnish the four (4) Police Officers needed to control vice in the Downtown of the City of Las Vegas?

Assistant Sheriff Jacka: Absolutely.

M o t i o n

Commissioner Leavitt: I move for the approval of the appropriation.

Commissioner Woofter: I would like to ask Mr. Jacka a couple of questions: It seems to me like a couple of years ago that the Sheriff organized a task force to more or less zero-in on this particular problem that we are discussing here this morning, and it has had somewhat of a success in the respect that this task force concentrated on the vice activities, not narcotic activities, related to the problems at hand.

Isn't this Task Force still in effect?

Assistant Sheriff Jacka: Commissioner Woofter, it is still in effect and it still does operate in the vice and narcotics area but, specifically, "vice" has a wide definition. Vice includes the prostitution activities, which they don't generally handle as the sole thing.

They have gone into some more specific areas to try and reduce the robberies, the burglaries and some of the major crimes, but they are used occasionally in the Downtown area as well as they are on the Strip, and they are still effective.

We are talking about a control of the Downtown adult-oriented Book Stores and the Movie Houses that the Task Force has not consistently gotten into, but more of a responsibility of vice.

Commissioner Woofter: I think I may be a little naive, but I'm just wondering what criminal activities that you haven't been able to uncover that is going on in Book Stores and Theatres, as to solicitation of prostitution?

Assistant Sheriff Jacka: It extends into the prostitution activity - it goes into organized crime and goes well beyond just the normal things that everyone thinks is involved in adult-oriented Book Stores and Movie Houses, the Jam Auctions, etc.

I think the biggest thing that we have to be concerned with is the inconvenience that's done to the tourist and the resident of the community, and what those type of activities do for the stigma that's involved.

But the Task Force is still an effective unit and is used in vice-related functions, but not specifically in that area, and never has been.

Commissioner Woofter: My last question is: In relation to what the City Attorney brought up - priorities - wouldn't the same thing hold true as far as the need - wouldn't you also, if we couldn't find the \$60,000.00 more, be able to scrape up enough which would allow maybe two or three patrol cars to be going full time on these 24-hour businesses - covering them? Sort of like a security business - like came up a few years ago where 7-Eleven and some of the others were certainly seeking a need - or the possibility that there would be continuous patrolling going on. And this is my concern - the priority situation - because of the number of robberies that are going on - where we do have to a certain extent, victim vs. victim type crime situation we are discussing here today insofar as priorities are concerned.

Assistant Sheriff Jacka: That's right -

Commissioner Woofter: And I'm just wondering in that regard - there's certainly a need there.

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Assistant Sheriff Jacka: Well, the only problem . . . I agree, Commissioner Woofter, with you and when City Attorney Lovell asked us to reassign six or seven people to accomplish this, it was indicated to him that we felt our priorities were within the Title I crime rating - homicide, burglary and larceny - that was of more concern to the general public and to us as our responsibility as a Law Enforcement Agency.

However, the adult-oriented Book Stores, etc., do relate in a specific way to the other problems. If you use a uniformed Police Officer as a matter of routine, his presence in the adult-oriented field is not as good as an Undercover Officer would be to actually observe on-hand violations and to do the extensive investigations that are necessary.

One of the problems that you have is that I could not, as a representative of the Bureau, guarantee to the Commission that a Uniformed Officer would stay specifically doing that given thing. As an example: Your priorities in the uniformed field adjust from day to day. Today we've had another problem with Valley High School, so naturally that causes us problems and we have to readjust our priorities. I could not guarantee you that the Uniformed Officer would stay Downtown policing Book Stores when we have a problem at a High School where our kids are concerned. So I think that the plain clothes person in the form of the vice activity, I could specifically guarantee you that they would be delegated to the responsibilities we are talking about.

Commissioner Woofter: Thank you, Mr. Jacka. Just one more question - I have the same concern as the Mayor, Mr. Lovell, in other words, if there's any appropriation of money by this Commission, have you researched the Law well enough that we can appropriate more than the 52-1/2%

Mr. Lovell: We have discussed that - have taken a look at it in our office. It is our opinion that the amount, through negotiation or otherwise, that goes into the General Fund to make up the Police Department itself, is something that is subject to ultimate approval by the Tax Commission for the general operation and existence of the Police Department. However, if there is some supplemental for a special particular purpose, we feel that it can be done. But I also stated that if there seemed to be a problem with the Police Commission then they should also take a look at it.

Commissioner Christensen: I've got a couple of questions: Mr. Jacka, how much has the Police budget increased since the Police Departments were consolidated? Approximately -

Assistant Sheriff Jacka: I believe we were talking about Eight Million when they consolidated and we're spending Eleven Million Eight this next year.

Commissioner Christensen: So that is about 40% -

Assistant Sheriff Jacka: We're talking about Three Million - between Three and Four Million - as compared to an Eight Million -

Commissioner Christensen: So it's gone up almost 50%. Crime has increased 42% - our share of the budget has gone up 50% and we still have the same number of Officers. Now, if we put \$60,000.00 more in the pot, can we reasonably expect this cost to increase? Will \$60,000.00 cover it? Or are we looking at \$60,000.00 when it's actually going to be \$90,000.00? Or where do we stand with that?

Marvin Leavitt: I can't possibly see \$60,000.00 being able to last forever. I think next year it will have to be more to accomplish the same situation -

Commissioner Christensen: We're talking about a situation where the City at the present time is funding 52-1/2% of the Police Department, where the Police Department's budget - the City, in our budget is showing that part of the money that's increased to the upper limits of the amount the Legislature let the Police Commission require to kick in to the Police budget - which is, I think, \$1.94 - the equivalent of the ad valorem tax rate - if we go that money out of our

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Revenue Sharing - I believe our Budget shows that money would have to come out of Revenue Sharing because we don't have that much in the General Fund - isn't that correct?

Marvin Leavitt: That's correct -

Commissioner Christensen: Does the County have any of their Revenue Sharing money allocated in their operating budget for the coming year?

Marvin Leavitt: I don't believe they've allocated any of their Revenue Sharing money going to that General Fund -

Commissioner Christensen: Is this somewhat like - since we don't have the Police Department any more - starting our own Police Department again? Are we restarting the Police Department again from scratch while funding another one? You don't want to answer that - that's kind of a leading question.

I'd like to ask another question, though, and maybe you can give us some light on - in the past -and you were here before we consolidated the Police Departments - did the City profit on any of the services they sold to the Police Department; when we had our own Police Department?

Marvin Leavitt: Did we profit on them? I don't quite understand -

Commissioner Christensen: In other words, it has been made aware to me that the County is actually profiting from the sale of gasoline to the Police Department, which the City pays 52-1/2% of. So actually our 52-1/2% share of the Police budget - part of that is going into the County's general fund as profit. Did we do that when we had our own Police Department?

Marvin Leavitt: No -

Commissioner Christensen: We gave them the gasoline at the price we paid for it -

Marvin Leavitt: Yes - at cost..

Commissioner Christensen: Well, it's my opinion that if we need \$60,000.00 for more Policemen, that perhaps we could see a little better utilization of the money by the Police Commission, which happens to be the County Commission, and not have them profit on our share of the Police budget, because I don't think the City's taxpayers can afford to increase the County's budget through our Police Department and settle for less Police protection. So I will have to oppose your motion, Commissioner Leavitt.

Commissioner Lurie: I just want to point out a few of the things that I think we are overlooking. No. 1 is the enforcement and No. 2 is the priorities. We all know of the problems we have in the Downtown area concerning prostitution, Jam Auctions, aduapt-oriented Book Stores, Massage Parlors. You also know the priorities. We have asked the Metropolitan Police Department to move people into these particular areas to help us in the problem, and we have put together cases to prepare ourselves for the Court test that we have - in the District Courts we have come out winning cases because we have been prepared.

I feel the point that the City Attorney mentioned - the fact that there hasn't been one new Police Officer hired since consolidation took place in July of 1973 - just replacements of personnel that have left - but I feel that the City has taken a step in the right direction in allocating the necessary funds to hire additional personnel to help in the problem we have. And this is just one of the first steps I see us taking to curb the problem we have with the Metropolitan Police Department.

The Legislature did raise the amount of the tax that the City puts into the Police budget to \$1.94 of the ad valorem tax, which is the maximum now, and I believe if there is any indication that any members of the Board feels we can't allocate additional funds to the

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Police Department for control, I have checked it out and we can allocate additional monies to the Department above the \$1.94.

I feel that this is something that is a priority and we should support it.

Marvin Leavitt: Could I make one comment? We are at a point now where we can have expenditures from almost everyone's budget as we look down the line of all City functions and departments. At this point we have received requests that on an administrative level, we have not put in the budget, from various organizations.

What I personally think would be a good idea would be for the Commission, some time between now and the March 23rd Tentative Budget Hearing date, to sit down and have a chance to review all of the requests we have received. Review everything at one time where we can see the - so you can look at the whole picture of Budget requests and at that point determine priorities, and set priorities, and then we will prepare the Budget along the lines you determine.

Commissioner Lurie: Do you think - you and your people in your department have put this book together, and we haven't reviewed it? That's why I'm asking for additional money, Marvin, because I reviewed it and I don't agree with all these expenditures - I think the money is in this Budget - you're talking about Thirty-two Million Dollars and you are talking about allocating another \$60,000.00 to put into a Metropolitan Police Department budget or money that is under another request to put into the Fire Department. It must be there - it's just a matter of priority -

Marvin Leavitt: Right -

Commissioner Lurie: And I would request the City Manager - that if he is talking priorities, that he had better go through this budget and go through the departments who were requested to cut their budgets 5% - go back to the ones who didn't cut their budget and find out why, and report to the Commission.

I don't like it when somebody tells me that I'm in the red . . . because I have all your material here - all of your projections. I wouldn't bring this up if I didn't think the money was available.

Marvin Leavitt: I didn't intend to imply that you hadn't examined the Budget. However, we have requests far and above what's in the Budget which perhaps one of the other Commissioners might feel should be in the Budget. I would like the Commission to have a chance to look at the whole thing at one time -

Mayor Briare: And you're going to get a number of them before the morning is over relative to Revenue Sharing . . . and a number of things.

Commissioner Leavitt: First of all, Mr. Mayor, I would like to say this: Assistant Sheriff Jacka has assured me those Officers were going to be used in the Downtown area, and that's good enough for me.

I also understand there may be situations, emergencies, where they will have to be pulled off and used in other capacities. What we're doing here - we're talking about \$60,000.00 to fund four (4) Officers for the fiscal year and it's true that it may cost us more next year. Like everything else, things are going up.

In regard to the charge that Commissioner Christensen mentioned - the charge to the City for gas, we had a meeting with the City Commission with regard to this matter, along with the Metropolitan Police Department, and we have been assured that matter will be adjusted in the budget for this fiscal year.

Now we can sit up here and we can blame the Legislature for taking us off the Police Commission - we can blame each other - you can blame anybody you want to. The fact is, the problem is going to be there. It's not going to go away. If you don't put the Police Officers down there - it's the only way it's going to stop and I

don't think it's going to do us any good to sit up here and blame the Legislature and cry because the residents of the City of Las Vegas have to pay 52-1/2% - that's a fact of life - we can all give 20-20 hindsight - the point is, that's not the way it is now.

We have a problem Downtown, we have to solve it and this is the way we can solve it.

Commissioner Christensen: Your Honor, I kind of object being put in a position where it appears that I'm voting against the Police and I want to make one thing absolutely clear - I think the Police do a good job. I have no problem with the Police Department. My problem is that I just don't think we can afford to continue to fund - can afford to increase funding on something that supposedly we are already paying for.

Now if the budget is increased 50% - the City shares the budget of an increased 50%, and we have not one more Police Officer, then there's something wrong somewhere, and I think it's because the costs have increased in the Police Department, because of several reasons, and I think one of those reasons is because the County isn't operating it efficiently insofar as the costs are concerned. I think they are ripping us off, and I'm tired of having to fund the County's ripping us off.

I agree with Commissioner Leavitt - I would accept Bart Jacka's word on anything. I know the man. I don't have that problem with the Police Department, and I want that understood - I think the Police are doing a good job and I have no problem with them or their honesty. The problem I have is that I just don't think we can afford to continue to give the Police Department a blank check and have the County take it and put it in their pocket.

Mayor Briare: I don't know whether I might have missed one of the items that this motion is intended to cover, but I am very hopeful, Commissioner Leavitt, that since you made the motion and Commissioner Lurie originally proposed it, that both of you also are including Escort Services to be included as one of those items which this special City project would cover.

For the record, Mr. Jacka is shaking his head "yes".

A little later on this morning there may be some discussion on some of the City ordinances that it is very likely that some of the Escort people who are so anxious to go into business are going to perhaps take another look. But that's another item on the agenda and we'll get to that later.

I would also like to ask the assurance of both Commissioners if it is their intention to find these funds from sources other than Revenue Sharing.

Commissioner Lurie: Yes -

Commissioner Leavitt: Well, there aren't any other sources. I think the money ought to be appropriated from other than Revenue Sharing, but if we are unable to find sources other than Revenue Sharing, I think we ought to look at that too.

Mayor Briare: The reason I asked that, Commissioners - obviously it is going to be a difference of opinion here because Commissioner Leavitt says that it is not his intention to look at Revenue Sharing sources, and your suggestion is that perhaps it might have to come from that.

Mr. Marvin Leavitt has a very good point, and even though this is a Tentative Budget and has been handled as such - identified as such and understood as such - there are changes that are going to be made in that prior to the Public Hearing and, very likely, additional changes after the Public Hearing.

One of the biggest things that this Board is going to have to determine - as we discussed at our recessed meeting last month on the philosophy of this Board about spending Revenue Sharing money for things other than capital improvements. We're certainly aware

of that and there is no need in belaboring it. But if it is suggested that this money come from Revenue Sharing, then it certainly should be considered in light of all the other items that we are going to try to squeeze in to that very, very small amount of Revenue Sharing.

The question was asked about the County budget - had they allocated in their Tentative budget any use for their Revenue Sharing - it might be interesting to note that the Four Million Dollars, roughly, that the County indicates as Revenue Sharing, and none of it has been allocated. There is no question about the fact that Four Million Dollars must be allocated in the minds of the County, but it's not allocated in the Tentative Budget; where the City's total Revenue Sharing is less than One Million. So we're going to be trying to squeeze an awful lot out of our revenue sources, which have already been committed in our Tentative Budget, including \$650,000.00 for the Metro Police.

Commissioner Leavitt: Mr. Mayor, I think the money ought to come out of that to be spent on the cultural hall -

Mayor Briare: Are there any other comments?

Don Ashworth, Chairman, Downtown Casino Operators: I've been sitting back there biting my tongue - wanting to talk on this very matter that is before you at this moment. I know the hour is getting late and I just want to tell you that as Chairman of the Downtown Casino Association, we are very concerned about the lack of Police protective measures that we have in the Downtown Casino Area.

These Jam Auctions - I think you gentlemen realize what we're up against there. As the City Attorney pointed out, until you can catch them, you can't prosecute them. We have purse-snatching going on Downtown. We need, as we had prior to the consolidation of the Police Departments - Metro - we need more Police protective activity in the Downtown Area. And wherever this money comes from, which in your good judgment you will finally find, it's very much needed and I would urge you to appropriate this money for this protection, and that it be earmarked for this Downtown protective measure. Thank you.

Mayor Briare: Mr. Ashworth, you have probably made this same comment to the Police Commission? Have you?

Mr. Ashworth: We have had the Sheriff - the Assistant Sheriff - we talked about this measure - we have asked them to provide us with additional protection from time to time. We have listened to their story - that the budget is just not strong enough to get these additional people - if that is true, then we need to earmark these four (4) or maybe six (6) - later on, more people, but we certainly need them.

Gentlemen, we are oriented here to take care of the people that come to town. When you get people parading up and down Fremont Street that have to fear that they're there - the Jam Auctions take them in like nobody's business, and then they come crying and we hear their cries - these are the things that need to be cleaned up.

Mayor Briare: Thank you, Mr. Ashworth. Are there any further comments on the motion to Commissioner Lurie's recommendation?

Commissioner Woofter: I just want to qualify my opposition to the motion by Commissioner Leavitt, along with Commissioner Christensen. I agree that there is a need - that since consolidation of the Police Forces there has been a lack of manpower in the Downtown area. But I have to go along with the Mayor with respect to bringing these problems to the Police Commission - that they should certainly be apprised of this. I don't know what attempts in the past have been going on, but, like Commissioner Christensen has said - we pay 52-1/2% of this budget of this Police Department. Certainly we should be entitled to that much consideration as far as keeping the status at the present time the same as it was before consolidation. I just can see where allotting a mere sum of \$60,000.00 at this time

above and beyond the 52-1/2% is going to resolve the problem. We're going to have this problem if we put \$100,000.00 into the program at this point.

Mayor Briare: One additional redeeming factor, perhaps, since none of us, of course, are knowledgeable about what the future holds, at least the Police Commission, if consolidation goes through, will be made up in a healthy majority of people who live inside the City of Las Vegas and can address themselves better to these budget problems.

Are there any further comments?

Commissioner Lurie: I have just one, Mayor. This money is going to go for individuals and will not go for any studies. I think all the studies show that we need more Law Enforcement in this area.

Mayor Briare: Any other comments?

(No response)

Mayor Briare: Alright - on the motion to adopt, would you cast your votes?

(See Page 13 for Motion)

Motion carried by the following vote: Commissioners Leavitt, Lurie and Mayor Briare voting aye; noes, Commissioners Christensen and Woofter.

Mayor Briare: The majority carries the motion.

C E T A - COPY
EQUIPMENT
Approved

REQUEST BY C E T A FOR FEDERAL GENERAL REVENUE SHARING FUNDS IN THE AMOUNT OF \$10,000.00 TO PURCHASE COPY EQUIPMENT

Commissioner Lurie: I believe there has been some revision to that request.

Director of Manpower, Al Lippit: That is correct. First of all, I'd like to express my gratitude to the Commission for reinstating this on the agenda.

Secondly you have all been in receipt of a Memo - yesterday - from Ken Bouton. The Memo itself was grossly inaccurate. However, later a conversation took place between Mr. Bouton and myself, with the following resolution: That I had assurance from Mr. Bouton that the City Graphic Arts Department could reproduce our long-runs. Therefore, the need for a multigraph, or multilith machine, is no longer an issue; and they could do it at a much cheaper rate than our current service contract. So we have some savings there which we are trying to place, and create, a new position within the County.

We are still in need of a reproduction machine, which was identified at the meeting two meetings ago, which was the Multigraphic 5000. I am therefore amending the original request from \$10,000.00 to \$3,000.00. The savings in using this Multigraphic 5000, as was pointed out in a newspaper article, is the difference between 10¢ a copy - which we are currently paying under service - and 1.8¢. We again want to use this savings, in money, to create a new position in Clark County. We currently have approximately 2,500 people who are either directly employed, or employed through, a Program which is bringing approximately Twelve to Thirteen Million Dollars in revenue to Clark County.

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City Commission
March 3, 1976

Mayor Briare: Excuse me - you're not going to review all of the CETA Program, are you?

Mr. Lippit: No - all I'm saying is that I have reduced the request from \$10,000.00 to \$3,000.00.

Mayor Briare: So that already by just the delaying action that you were very upset about, you have saved \$7,000.00. So the delay has been well worth it to somebody - namely, the taxpayers. Is that correct?

C E T A
(continued)

Mr. Lippit: Not necessarily, because there is still a cost factor in reproducing here, but there is a savings - that is correct.

M o t i o n

Commissioner Leavitt: I move that CETA be given the \$3,000.00.

Mayor Briare: Are there any other comments by the Commission?

(No response)

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

Mayor Briare: This is the time set for a Public Hearing on a request for a Rate Increase by the Mercy Ambulance Company.

MERCY
AMBULANCE -
RATE INCREASE

The Commission has been furnished with a justification and statement by Mr. Cohen on behalf of Mercy Ambulance, Inc. We also have before us the minutes of the meeting held August 6, 1975 wherein a Public Hearing was held and a rate adjustment made. Both of these items will become a part of the record.

Mr. Cohen; are you going to address the Board first?

Mr. Cohen: Yes - I will try to be very brief. We last appeared here, as you have just indicated, seven months ago, which was some four months after Mr. Bell and I acquired Mercy Ambulance Co.

The first few months following our acquisition were largely devoted to efforts to keep the quality of the service where we thought it had to be, and do what was necessary to see that it was improved. We did not concentrate as much effort during those first few months that perhaps we should have in learning a little bit more about our ability to collect for the services we rendered.

At any rate, since we were here last, at which time you kindly granted most of the requests that we had asked for - the most important of which was our first base rate increase in some five (5) years. Mercy had not had a rate increase for five years prior to you approving the increase seven months ago.

At that same time, however, there were two other rate requests which were important to our income productivity, which you did not approve because, philosophically, the majority, I think, of the Commission felt that those rates were not warranted. We understand that feeling - we respect it - therefore the request we are making at this time is not to raise any other rate, other than our base rate, which is the foundation of our ability to produce revenue.

Now you have the right to be thinking - or to ask -why, after only seven months, have you come back? Well, when you lose as much money as we've been losing doing what we think was a commendable job of community service, seven months seems like seven years. When you find that your NIC rate increases 40% because you've got personnel involved in a high-risk business - it might seem like an eternity. When you find that your insurance premium increased almost 40% because the City and the County have adopted more stringent regulations controlling what we do, seven months is a long time.

These are some of the facts that have lead to our coming back at this time, but perhaps most significantly is the fact that in the past few months we have installed a highly sophisticated computer billing system which has the capability, for the first time, of telling us just what we are collecting and what we're not collecting.

Our business is very much like that of Southern Nevada Memorial Hospital, with which you are all very familiar. We do not create our business - we are a service - we respond when we are needed. We respond to each and every call that we receive. When we get to the scene of an accident - or to an injured person - we don't ask for credit cards - we don't ask for credit references - we merely do the job that is entrusted to us and, hopefully, we will get paid.

Unfortunately, approximately 60% of the people that we transport and that we serve, for a variety of reasons, do not pay us. The largest percentage of this, of course, is in the emergency field - where we do most of our work.

For these reasons we have found, as did the Ambulance Company in Reno, that our \$45.00 base rate is just not adequate. Reno recently increased its rate to \$55.00 for the very same reasons we are requesting ours.

Attorney Tom Bell: May I make one brief comment? Mr. Mayor and members of the Commission, you indicated that you did have in the

MERCY
AMBYLANCE -
RATE INCREASE
(continued)

records whatever Mr. Cohen had sent to you and the back-up material from a prior meeting. Just to zero in on this problem, the rates that were submitted to you under Mr. Cohen's letter, are in the Western cities and the rate that we are asking for - \$55.00 - is right in the middle. The average of those rates that were submitted to you, is \$56.00. We are asking for only \$55.00 and we have a more intense problem in Las Vegas and this community, and the responsibility of Mercy Ambulance is awesome. Take Washington's Birthday - the Press reports there were 75,000 tourists in this community. We have to take care of them. If they fall ill of a heart attack, or otherwise, or get involved in an automobile accident, we have to pick them up and take care of them.

Looking at the Western states and the figures we have given you - we're in the middle. We're not on the high side and we're not on the low side, notwithstanding our peculiar problem with the influx of tourism. In order for Mercy to continue to discharge its awesome responsibility in the Emergency Ambulance service business we must remain economically viable.

We think that our request is fair and reasonable. In the year 1975 we were, basically, playing a catch-up game. The \$35.00 rate we had for five years was unrealistically low - absolutely impossible economically. We tried to do this in phases - we feel the \$55.00 rate will sustain us for a substantial period of time, barring any dramatic, unforeseen changes in our economic environment.

Keep in mind that this is just in the middle of the rates charged in the Western states. You go to San Diego, San Jose, any of the California cities, and you are paying \$60.00 or \$65.00 for an ambulance call, and they don't have the problems we have. We are dealing with a lot of people who are here one day and gone the next, and we think that the \$55.00 rate is fair and reasonable - we think our supporting data has indicated that and we urgently request your favorable approval so that we can continue, for this community, to render a high quality of emergency ambulance service in a competent way and keep in mind, also, we are not asking for this rate increase to generate any profit - this rate increase is merely to cut some of our losses. The losses have been substantial in the emergency field - a portion of them are being absorbed by the profit from the private business, but not totally. In fact, we're over \$150,000.00 in losses in 1975 and Mr. Cohen and I, as the stockholders, cannot subsidize that any longer. We think it is reasonable to allow us a rate that will enable us to cut those losses.

Mayor Briare: Thank you very much, Mr. Bell. Is there anyone who is going to be speaking in favor of this application?

(No response)

Mayor Briare: I'm sure the Commission has questions of perhaps both of you gentlemen. Would the Commission like to ask their questions first, or should we hear from the opposition first and then ask questions of both?

Commissioner Leavitt: I have a question I'd like to ask: What is the base rate in the County right now?

Mr. Bell: \$55.00.

Commissioner Leavitt: In other words, the base rate in the County is \$55.00 and in the City \$45.00?

Mr. Bell: That is correct.

Commissioner Leavitt: And what you're requesting at this time is to have the same rate as now exists in the County?

Mr. Bell: That is correct.

Mayor Briare: If there is nothing further by the Commission, we will call upon the opposition and if both parties will stay close to the microphone, we will address questions to either side. Is there anyone

MERCY
AMBULANCE -
RATE INCREASE
(continued)

at this time that wishes to be heard in opposition?

Fred West: I live at 6365 Factor Avenue in Las Vegas. Unless the Commission has some information that I don't have on this request, I find that everything I have here was also used to grant and justify their request of seven months ago. There is no new material added here.

I don't feel that they have actually shown in this information any justification or any real basic facts to justify a rate increase at this time - of any sort.

I feel they are coming up and asking it because the County Commission granted them a \$10.00 rate increase on request and now the City is forced into it. I don't think this is fair. I see nothing in here of any facts as to the costs of their gas and oil, or anything like this. In their request there is nothing to justify what their costs are - there is nothing to show - as he just said - that 60% don't pay. That isn't what they have down on these papers.

There is nothing there that shows Reno as having a \$55.00 rate. This was taken 5/20/75 and used in the last rate increase request. Every item here was used in the last request and in looking over their present rate structure, they get an additional \$2.00 per patient mile. They also charge \$8.00 extra for turning on the sirens and red lights. They charge an extra \$8.00 if they have to respond at night, and I feel they are not entitled to the \$10.00 increase with these extra charges - it is made up in the extra charges realistically.

Therefore I ask this Commission to deny this request on the basis there is not enough justification here to grant a request of this sort.

Mayor Briare: Thank you. Is there anyone else in the audience who wishes to speak in opposition?

(No response)

Commissioner Lurie: The one item that I saw in the newspaper back on 1/7/76 - "Mercy Ambulance received the Commission's OK to hike its rates from \$45.00 to \$55.00, making the fees equal to those charged within the City Limits."

Mr. Cohen: That was a newspaper error, I guess - I don't know anything about it.

Commissioner Lurie: OK - the other item that I would like to discuss with you is the fact that the contract you have with Metro - did you ask for an increase in the subsidy from the Metropolitan Police Commission?

Mr. Cohen: Yes, we did.

Commissioner Lurie: And were you granted that increase?

Mr. Cohen: At the present time this is something that may relate to what the gentleman just said - if I may comment on it for a moment: The Metro Police Commission - our contract with the Metro Police requires an annual, or at least, a periodic audit. The Metropolitan Police Commission has just concluded such an audit. Rather than stand up here and try to tell you that what I have already told you is true, in fact, I suggest that you verify what I've told you by checking - by getting a copy of that audit, which will show you clearly that we've lost a substantial amount of money, performing a community service which, if we did not perform, the City and the County would have to perform at a much, much higher cost.

Commissioner Lurie: Are you saying that the Metropolitan Police Commission, the Finance Department and the County do an auditing of your books?

Mr. Cohen: That is correct.

MERCY
AMBULANCE -
RATE INCREASE
(continued)

Commissioner Lurie: How come we weren't furnished with a copy of it?

Mr. Cohen: They just finished it -

Commissioner Lurie: We should have a copy - I was going to ask that our people be allowed to study your records to see whether or not the increase is justified -

Mr. Cohen: Commissioner Lurie, the County Auditor finished either yesterday afternoon or he is finishing it at this moment. They started the audit about a week ago - ten days ago - the audit was required, as I said, by our contract. We were happy that they were performing the audit at this time because we know what our losses are and we are here seeking an opportunity to raise our rates. We are not happy to be here. This isn't a pleasant thing to do but, at the same time, when your economics are vital - are dependent upon fair and equitable rates for the services that you render to the community - very important services - as important as Police protection in some respects and very much related to it, I suggest to you that we must have such a rate increase.

Anything you would like to look at in connection with our corporate operation, we would be happy to make available to you. I think the County audit report will be available very shortly - I don't think they've written it up yet, but I'm sure they will give it to you if you request it. And, as I say, I think it will substantiate everything that we've been telling you.

Commissioner Lurie: The other question I had - for the record - is a letter I received from a person whose father used your service - and I don't understand your charts on how you base your rates - this person was charged for going 1.8 miles, \$49.00 to go to Sunrise Hospital. A short time later this patient was transferred from Sunrise Hospital three blocks away to a convalescent center, at a \$57.00 rate, and I don't understand how you base your rates to charge \$49.00 for a mile and for three blocks charge \$8.00 more.

Mr. Cohen: I don't have any idea what other services we had to perform when we transported the person the second time - unless we compare the two invoices - but our invoices clearly differentiate what charges are being made and the charges we make as the same charges that any other community makes for this type of service.

I can't answer your question specifically, but that happens frequently. If you need oxygen on one trip and you don't on another trip, there's going to be a difference in the cost of your trip.

Commissioner Lurie: Based on this letter, there was nothing different -

Mr. Cohen: Then it should have cost the same. If we've made an error, we'll make sure it's adjusted. We make errors - I'm not here to say we're infallible.

Commissioner Leavitt: Would you cooperate with our Finance Director and make your books available for him to look at?

Mr. Cohen: Absolutely - we would be happy to.

Commissioner Leavitt: There is nobody in opposition to this, Mr. Mayor, but I would like to make a motion at this time that our Finance Director, Marvin Leavitt, be authorized to examine the books of Mercy Ambulance and to check the comparable rates in other cities with approximately the same amount of population - tourist areas - and to see the audit that is presently being conducted by the Metropolitan Police Department, and after doing these things, to make a report to this Board at our next meeting so that we can act as a result of his investigation.

Mayor Briare: May we hold your motion until we hear from the other Commissioners? Then we will act on that motion.

Commissioner Christensen: The only question I have, Your Honor,

M o t i o n

MERCY
AMBULANCE -
RATE INCREASE
(continued)

I wonder if it - didn't we have a problem once before where some of the complaints were due to the fact that Mercy was actually charging the County rate in the City? Because of the driver not knowing where he was picking the patient up, etc.?

Mr. Cohen: The last time I was here you had the rate differential and I think it was Commissioner Lurie - if I'm wrong, correct me - I think Commissioner Lurie had several letters whereby that did happen. He gave them to me and we made the refunds. It is not something that has been intentional, but our drivers are pre-occupied with the service they are performing - they don't know whether they are in the City or County half the time.

Commissioner Woofter: The only thing I would mention in view of Commissioner Leavitt's motion, if this is the desire of the Commission and also in light of the representation made by Mr. Cohen and Mr. Bell that they are losing money every day - that we definitely be in a position at the next meeting so we can vote on this.

Commissioner Leavitt: Yes - I think I made that a part of the motion - that the Finance Director for the City report back to us by our next meeting on March 17th.

Mr. Cohen: I don't want to intervene in this City/County situation here which I know, at best, gets confusing at times, but I do know this: If it is going to help in terms of time from our point of view, which it will, the County audit which is being completed this morning is a very fair audit. Assuming that you have respect for the credibility of that audit, that could conceivably save some time. Because they've done a very thorough job - I also happen to know the results of the audit.

Commissioner Leavitt: I would like that to be made available to our Finance Director so he can examine it.

Mayor Briare: If it's safe to assume that your audit made by the CPA firm of Eminger Springer & Co. should be substantially the same as the audit being independently done by the County - so if you could make them both available to us, I would seem to me, Mr. Cohen and Mr. Bell, that many of the questions, including mine which I am not going to go into now, are going to be able to be resolved.

Furthermore, since after all you are, in a sense, a public entity with respect to this agreement with the City and also with the County, I hope you would have no objection to Mr. West being allowed to look at it because he indicated when he was protesting your application, that no new material had been submitted since last year and although I have a high regard for Mr. West, I would differ with him because there has been new material submitted in your application - and I think if he were given the opportunity to look at it, it would resolve it . . .

Mr. Cohen: Fine. I would just add one footnote so that when we come back there isn't any misunderstanding. The County audit, as you well know, is primarily concerned with the losses that we're incurring in the emergency business, which is where the great majority of our loss is.

Mr. Bell: Just keep one thing in mind - we consider it our prime responsibility to render the service - we believe we are doing that competently and efficiently with highly qualified people. We must remain economically viable in order to continue to do that. That's why we're here, and our books are open to anyone for inspection.

Commissioner Lurie: I want to point out one additional thing - don't get your hopes built up that we're going to accept the County's audit because we've never agreed with the County audits since we've been able to review their books.

Mr. Cohen: Well, you take very competent people - we have no problem with anybody doing an audit because when you're losing as much money as we're losing, we're happy to let people see it if

MERCY
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RATE INCREASE
(continued)

it is going to help you get what you need. So - come look!

Mayor Briare: There being no one else in the audience wishing to be heard on this matter, this Public Hearing is now concluded and in accordance with Commissioner Leavitt's request, if there are no objections by the Board, this matter will be taken under advisement until our next regular meeting March 17, 1976, on the condition that these Audit Reports which have been discussed, are furnished to us in ample time to hopefully give a decision at our next meeting.

Mr. Trelease, our City Manager, will coordinate the gathering of this material and have the proper copies, etc., made and distributed to each member of the Commission. Providing that these are given to us in a timely manner, Mr. Bell, we will have it again on the agenda March 17th, which is an evening meeting.

Mr. Bell: The Public Hearing is closed?

Mayor Briare: The Public Hearing is closed, Mr. Bell -

Commissioner Leavitt: On March 17th there are several functions that night, Mr. Mayor, and we may want to move our meeting up to an earlier time.

Mayor Briare: Is there any reason we can't start our meeting at 5:00 or 5:30 on the 17th?

Commissioner Leavitt: That's fine -

Mayor Briare: Could we count on the cooperation of the Press to make it very clear that the meeting of March 17th will be convened at 5:00 P.M., and any Public Hearings that are scheduled will be go on as scheduled and then we will adjourn in honor of St. Patrick.

If it is necessary, Mr. Lovell, to have a Public Notice to accomplish this, would you so advise the City Clerk? In the event that nothing further comes from the City Attorney's office, Mr. Bell, this matter will be brought up sometime after five o'clock on March 17th.

R e c e s s

At the hour of 10:35 a.m. Mayor Briare declared a 5-minute recess.

Meeting reconvened at the hour of 10:50 a.m. with the full Board and Staff in attendance.

RECOGNITION -
RANCHO HI
POLITICAL
THOUGHT CLASS

Mayor Briare: Ladies and gentlemen, we are very delighted this morning to have the Political Thought Class from Rancho Hi School and their Instructor, Jim Ashbaugh. It is very nice to have you folks here. We are always delighted to have people who are considering and discussing and studying civic government, with us. We would be hopeful that after spending the morning with us you would find something you would consider worthy.

Lunch
Recess

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Also, ladies and gentlemen, because of the length of other business this morning, and for those things we are going to discuss now under the Department of License & Revenue, we are only going to discuss one Planning matter this morning, and then we're going to recess and then this afternoon at our afternoon session we're going to discuss the other Planning matters. And that Planning matter which we're going to discuss this morning, will be the application of John and Carol Pappas.

There are a number of people in the audience that wish to be heard on this matter so in order that they don't have to stay over through this afternoon, we're going to discuss that. However, we won't be getting to that until after we finish with the License & Revenue portion of the agenda. We will be back to consider other Planning matters, other than the application for John Pappas, at two o'clock. We will reconvene at 2:00 p.m.

DEPARTMENT OF LICENSE & REVENUE

ILA M. BRITT, DIRECTOR

See Pages 28 thru 36 of these Minutes (Annotated Agenda)

CHILD CARE
FACILITY
APPLICATIONS
Approved

Mayor Briare: Is Elizabeth Ann Campbell present?

Ila M. Britt: Your Honor, we have never required this applicants to attend these meetings. They have previously been before the Child Welfare Board. We would be glad to have them here if that would be your pleasure.

Mayor Briare: Of what type are the protests?

Ila M. Britt: The protests are of the routine type - people seem to think it's going to change the zoning of the neighborhood. They object to additional noise and traffic - that type of thing.

Commissioner Lurie: They have been recommended for approval by the Child Welfare Board?

Mrs. Britt: Yes Sir.

M o t i o n

Commissioner Lurie: I move for approval of Items 1, 2 and 3.

Mayor Briare: The motion is to approve. However, I'm . . . I think this has been brought up before - I think those people who are protesting something like this - they are protesting it from a zoning standpoint - our Ordinance does not require that they have special zoning, depending on hor many children they have.

I do think that people have the right to protest and that perhaps our Ordinances are wrong by not requiring them to be heard before the Planning Commission. Has there been discussion in the past on this point?

Mrs. Britt: I don't believe so - it doesn't require a zoning action to approve a Family Care Home. That is just taking care of no more than six children in your own home -

Mayor Briare: Those of them who have six, or more, children, it would kind of make it difficult, wouldn't it?

Mrs. Britt: Well, their own children deduct from the number you can take care of..

Commissioner Lurie: Are the protestors notified when this is going to be heard before this Commission?

Mrs. Britt: Yes Sir.

Commissioner Lurie: Then they have the opportunity to be here -

Mrs. Britt: If they wish, Yes Sir -

Commissioner Lurie: Are there any protestors here?

Mayor Briare: Is there anyone present who wishes to protest the applications of Elizabeth Ann Campbell, Norma Jean Heinzman or Linda DeClaro for Child Care facilities?

(No response)

ITEM

Commission Action

Department Action

IV. DEPARTMENT OF LICENSE & REVENUE

ILA M. BRITT, DIRECTOR

*CONSENT AGENDA

All matters listed under Items A, B, C and D are considered to be routine by the City Commission and may be enacted by one motion. However, any item may be discussed if a Commission member or citizen so requests.

*A. CHARITABLE SOLICITATIONS PERMITS
 (Approved by the Solicitations Review Board)

1. B.P.O. ELKS LODGE #1468 -- sale of buttons for annual Helldorado celebration
2. S.P.E.B.S.Q.S.A., LAS VEGAS GAMBLE-AIRES -- sale of tickets to an annual "Pancake Bash"
3. LAS VEGAS HIGH SCHOOL NEWSPAPER " DESERT BREEZE" -- sale of advertising
4. THE SALVATION ARMY WOMEN'S AUXILIARY -- a bazaar
5. LAS VEGAS SAINTS AND SINNERS - tickets to the annual Saints and Sinners "Fall Guy of the Year" Roast; advertising space in a souvenir booklet
6. ST. JOSEPH SCHOOL -- raffle tickets and annual carnival bazaar
7. SOUTHERN NEVADA MEMORIAL HOSPITAL, WOMEN'S AUXILIARY -- raffle and luncheon tickets for annual "Daffy Dilly Hat" luncheon
8. CHURCH OF GOD IN CHRIST -- sale of advertising in a souvenir booklet for State Convention
9. LEAGUE OF WOMEN VOTERS OF LAS VEGAS VALLEY -- general solicitations by mail and personal contact
10. NEVADA CATHOLIC WELFARE BUREAU, INC. -- sale of "Senior Buttons"
11. KNIGHTS OF COLUMBUS, COUNCIL #5693 -- raffle tickets

Items 1 thru 21
 Approved
 Lurie - unanimous

Director of
 Lic. & Rev.
 authorized
 to proceed

ITEM	Commission Action	Department Action
<p><u>IV. DEPARTMENT OF LICENSE & REVENUE</u> (cont'd)</p>		
<p><u>*A. CHARITABLE SOLICITATIONS PERMITS</u> (cont'd)</p> <p>12. JUNIOR MESQUITE CLUB -- tickets to a dinner-dance; raffle tickets</p> <p>13. SONS OR ERIN -- raffle tickets</p> <p>14. LAS VEGAS EMBLEM CLUB #114 -- tickets to a Paisano dinner; a Pioneer Days box supper; a theatre party</p> <p>15. JUVENILE DIABETES FOUNDATION, LAS VEGAS CHAPTER -- entry fees for the "Sugar Daddy Tennis Classic"; solicitation of special patrons "Sugar Daddies"; sale of souvenir racquet covers and shirts</p> <p>16. COURT REFERRAL SERVICES -- sale of magazine subscriptions for the "Nevada Magazine"</p> <p>17. RAINBOW GIRLS, NELLIS MOTHERS CLUB -- a bake sale</p> <p>18. COMMUNITY RANCH FOR BOYS -- barbeque dinners</p> <p>19. SENIOR CITIZEN CENTER -- sale of advertising in the Senior Citizen newspaper</p> <p>20. MESQUITE CLUB -- sale of antiques and collectibles</p> <p>21. SOROPTIMIST INTERNATIONAL OF LAS VEGAS -- raffle tickets in conjunction with a fashion show luncheon</p>	<p>See Page 4</p>	<p>See Page 4</p>
<p><u>*B. CHILD CARE FACILITY APPLICATIONS</u> (Approved by the Child Welfare Board)</p> <p>Family Child Care Homes - New</p> <p>1. *ELIZABETH ANN CAMPBELL 3409 Navajo Way Six (6) children days</p> <p>*2-protests</p> <p>2. *NORMA JEAN HEINZMAN 3105 Avalon Avenue Four (4) children days Four (4) children nights</p> <p>*1-protest</p>	<p>Items 1 thru 3 Approved as recommended Lurie - unanimous</p> <p>Page 29 Minutes Regular Meeting City Commission March 3, 1976</p>	<p>Director of Lic. & Rev. uthorized to proceed</p>

ITEM	Commission Action	Department Action
<u>IV. DEPARTMENT OF LICENSE & REVENUE</u> (cont'd)		
<u>*B. CHILD CARE FACILITY APPLICATIONS</u> (cont'd)		
3. LINDA DECLARO 2108 Los Altos Three (3) children days	See Page 5	See Page 5
<u>*C. GAMING -- Additional</u>	Items 1 thru 5 Approved L - unanimous Commissioner Leavitt abstained on Item 1	Director of Lic. & Rev. authorized to proceed
1. SAM BOYD et al California Hotel/Casino 12 East Ogden Avenue 9 slots		
2. BALLY DISTRIBUTING CO Jackpot Casino 2410 Las Vegas Blvd South 7 slots		
3. LEO DICANDILO/OPERATOR Smith's Food King 1221 East Sahara Avenue 1 slot		
4. TOM JAGGERS Cornet Store 401 East Fremont Street 1 slot		
5. ROMAN INDUSTRIES, INC. Jackpot Casino 2410 Las Vegas Blvd South 1 slot		
<u>*D. RETAIL TOBACCO -- Additional</u>	Items 1, 2 and 3 Approved Lurie - unanimous	Same as above
1. JANIE'S VENDING, INC. 5th & Utah Gulf 1426 Las Vegas Blvd South State Bradley Building 2501 East Sahara Avenue Fairway Chevrolet 3100 East Sahara Avenue	Page 30 Minutes Regular Meeting City Commission March 3, 1976	

ITEM	Commission Action	Department Action
<p><u>IV. DEPARTMENT OF LICENSE & REVENUE</u> (cont'd)</p>		
<p>*D. <u>RETAIL TOBACCO -- Additional</u> (cont'd)</p> <p>2. SERVICE VENDING</p> <p>Dairy Freeze 735 Las Vegas Blvd South</p> <p>3. W. W. VENDING COMPANY</p> <p>Dacey Land 1409 East Charleston Blvd</p> <p>Food Factory 504 South Decatur Blvd</p>	<p>See Page 6</p>	<p>See Page 6</p>
<p>E. <u>LIQUOR -- Change of Ownership</u></p> <p>1. *BOTTLE COLLECTORS LIQUOR SHOP 1328 Las Vegas Blvd South General Liquor</p> <p>From: John R. Horsely, 100%</p> <p>To: Jerome Cohen, 50% Lynn Cohen, 50%</p> <p>2. *THE ANNEX 121½ South Casino Center Blvd Tavern</p> <p>From: For-U-Too Corp. - Robert W. Underhill, Pres Allen Tooley, VP/Treas Gertrude Underhill, Secy Janet Fay Eichler, stockholder</p> <p>To: Exco, Inc. - Leonard Shapiro, sole ofcr/ stockholder Ann Marie Wright, Manager</p>	<p>Approved Lurie - unanimous</p> <p>Approved subject to conditions Lurie - unanimous</p>	<p>Director of Lic. & Rev. authorized to proceed</p> <p>Same as above</p>
<p>*Subject to the provisions of the Planning, Building and Fire codes and Health Department regulations</p>		
<p>Page 31 Minutes Regular Meeting City Commission March 3, 1976</p>		

ITEM Commission Action Department Action

IV. DEPARTMENT OF LICENSE & REVENUE
 (cont'd)

F. LIQUOR -- Change of Corporate Officers

1. PIZZA HUTS OF LAS VEGAS

Pizza Hut of LV #1
 825 Tonopah Highway
 Restaurant Beverage

Pizza Hut of LV #2
 2536 East Fremont Street
 Restaurant Beverage

Pizza Hut of LV #6
 260 South Decatur Blvd
 Restaurant Beverage

Pizza Huts of Las Vegas, Inc.:

From:
 Robert E. Cressler, Pres/Dir
 Daniel J. Taylor, VP/Treas
 Gerald T. Aaron, Secy
 Albert J. Kirk, Asst Secy
 Martha Pat Budden, Dist Mgr

To:
 Robert E. Cressler, Pres/Dir
 Max Sutton, VP/Treas/Dir
 Gerald T. Aaron, Secy/Dir
 Albert J. Kirk, Asst Secy
 Martha Pat Budden, Dist Mgr

Approved
 Lurie - unanimous

Director of
 Lic. & Rev.
 authorized
 to proceed

G. LIQUOR -- New

1. *PIZZA HUT #12
 3001 West Sahara Avenue
 Restaurant Beverage

Pizza Huts of Las Vegas, Inc.:
 Robert E. Cressler, Pres
 Max Sutton, VP/Treas
 Gerald T. Aaron, Secy
 Albert J. Kirk, Asst Secy

Martha Pat Budden, Dist Mgr

Approved subject
 to conditions
 Lurie - unanimous

Same as above

*Subject to the provisions of the
 Planning, Building and Fire codes
 and Health Department regulations

ITEM Commission Action Department Action

IV. DEPARTMENT OF LICENSE & REVENUE
 (cont'd)

G. LIQUOR -- New (cont'd)
 2. *TAJ MAHAL RESTAURANT
 429 Las Vegas Blvd South
 Restaurant Beverage
 Thomas Scott Scheer, 100%

*Subject to the provisions of the
 Building and Fire codes and
 Health Department regulations

Approved subject to
 conditions
 Lurie - unanimous

Director of
 Lic. & Rev.
 authorized
 to proceed

H. LIQUOR, GAMING & RETAIL TOBACCO --
Change of Partner

1. GOLDEN GATE CASINO
 #1 East Fremont Street
 Golden Gate Partnership -
 Transfer of interest held by
 Louis Navone (deceased) to:
 Juanita Navone - 8.250057%

Approved
 Lurie - unanimous

Same as above

I. LIQUOR, GAMING & RETAIL TOBACCO --
Approval of New Director

1. MINT HOTEL/CASINO
 100 East Fremont Street
 Sahara-Nevada Corp. and
 Consolidated Casinos Corp.
 New Director:
 Owen F. Childress

Approved
 Lurie - unanimous

Same as above

J. LIQUOR & RETAIL TOBACCO -- New
Franchise Manager

1. 7-ELEVEN FOOD STORE #13682
 1602 West Oakey Boulevard
 Beverage Off-Sale
 The Southland Corp.
 Roger S. McIntosh, Franchise
 Manager

Approved
 Leavitt - unanimous

Same as above

K. RETAIL TOBACCO -- New

1. FOXY'S FIREHOUSE GIFT SHOP
 2423 Las Vegas Blvd South
 Connie Wolzinger

Approved
 Lurie - unanimous

Same as above

ITEM Commission Action Department Action

IV. DEPARTMENT OF LICENSE & REVENUE
 (cont'd)

L. LIQUOR -- Requests for Extension of Closure

1. 7-ELEVEN FOOD STORE #18565
 SW Corner Fremont and Bruce
 Beverage Off-Sale

The Southland Corp.
 Rod Brehm, Dist Mgr.

(Approved 1-7-76. Request for extension of inactive status: 3-8-76 thru 5-6-76.)

Approved
 Lurie - unanimous

Director of Lic. & Rev. authorized to proceed

2. THE ZODIAC
 1825 Las Vegas Blvd South
 Tavern

George/Charles Prock

(Closed 7-7-75. Extension for 9-5-75 thru 11-3-75 approved 9-3-75; extension for 11-4-75 thru 1-7-76 approved 10-15-75; extension for 1-8-76 thru 3-7-76 approved 1-7-76. Request for 60-day extension of inactive status for: 3-8-76 thru 5-6-76.)

Approved
 Lurie
 Commissioner Christensen voted "no"

Same as above
 (Final Extension)

M. M-7 BUSINESS LICENSE APPLICATIONS

1. PARAMEDICAL INSURANCE SERVICES OF NEVADA
 813 South 7th Street

Paramedical Services, Ltd.
 George Rogers, Pres
 Connie Rogers, V.P.
 Patti Waters, Secy

Change of location. Physicals for insurance companies -- history, blood pressure, pulse, height, weight, etc.

Approved
 Lurie - unanimous

Same as above

2. MCB SYSTEMS OF SOUTHERN NEVADA
 3700 Las Vegas Blvd South

Change of location.

Future Marketing Inc. of Nevada:
 Sam Melchionne, Pres
 Jean Melchionne, Secy-Treas
 Dick Harrington, V.P.

Membership sales. Accounting and advertising for members.

Approved
 Lurie - unanimous

Same as above

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ITEM Commission Action Department Action

IV. DEPARTMENT OF LICENSE & REVENUE
 (cont'd)

M. M-7 BUSINESS LICENSE APPLICATIONS
 (cont'd)

3. JOHNNY TOCCO' RINGSIDE GYM
 11 West Charleston Blvd

John B. Tocco

Training quarters for prize
 fighters.

Approved
 Lurie - unanimous

Director of
 Lic. & Rev.
 authorized
 to proceed

4. LAS VEGAS ENTERTAINMENT CORP.
 1829 East Charleston Blvd

Charles Morse, Pres
 Edna T. Chambliss, Secy-Treas
 Nancy Maley, Director
 Robert Morse, Director

Sale of a "package deal" for
 room reservations at a
 discount.

Abeyance

3/17/76 Agenda

N. ESCORT LICENSE -- New

1. CONNIE L. YURESKO

For: Ladies In Waiting
 210 East Charleston

Items N, O and P
 Abeyance to RECESSED REGULAR MEETING
 2:30 P.M. - CONSOLIDATION CONFERENCE
 ROOM, 10TH FLOOR, CITY HALL
 FRIDAY, MARCH 5, 1976

ABEYANCE ITEMS -- *Tabled 2-4-76 and
 **Tabled 2-18-76

O. *ESCORT BUREAU LICENSE -- New

1. *REFINED ESCORT SERVICE
 2401 Industrial Road #3

C.A.S. Enterprises, Inc. -
 Donna Faye Simmons, Pres 90%
 Carl Alden Simmons, VP/Secy/
 Treas 10%

*subject to the provisions of the
 Planning, Building and Fire codes

P. *ESCORT LICENSES -- New

1. CHERIE GORDON

For: Ladies In Waiting
 210 East Charleston

2. ANN C. HOMAN

For: Ladies In Waiting
 210 East Charleston

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IV. DEPARTMENT OF LICENSE & REVENUE
(cont'd)

ABEYANCE ITEMS (cont'd)

P. *ESCORT LICENSES -- New (cont'd)

3. PAMELA JOHNSON

For: Ladies In Waiting
210 East Charleston

4. MARGARET ANN ORLOSKY

For: Ladies In Waiting
210 East Charleston

Q. **M-7 BUSINESS LICENSE APPLICATION

1. NEVADA INTERNATIONAL INVEST-
MENT CORPORATION
2021 Paradise Road

T. Sergio Dante, Pres
Vito Capaccio, V.P.
Ray Blaine, VP/Broker
Julia F. Dante, Secy-Treas
Joseph S. Hutchings, Director
Wayne T. Kruger, Director
James See, Director

Administrative office for
the sale of real estate
owned by the corporation.

See Page 11

See Page 11

Application
withdrawn

LIQUOR & RETAIL
TOBACCO - NEW
FRANCHISE
MANAGER

7-ELEVEN FOOD STORE No. 13682
1602 W. Oakey Blvd.
BEVERAGE OFF-SALE

The Southland Corp.
Roger S. McIntosh,
Franchise Manager

Mayor Briare: Is Mr. McIntosh present?

Mr. Reid, are you representing Southland Corp. or Mr. McIntosh?

Attorney Harry M. Reid: Mr. McIntosh -

Commissioner Leavitt: Mr. Reid, you are familiar with the fact that Mr. McIntosh has an unfavorable Police Report? Have you received copies of it?

Mr. Reid: No -

Commissioner Leavitt: Would you like to see a copy of it?

Mr. Reid: I was told I couldn't get a copy of it.

Commissioner Leavitt: Well, I'd have to check with the City Attorney, but I certainly think you should see a copy of the Police Report before we ask him to proceed.

City Attorney, Carl E. Lovell, Jr.: He certainly is entitled to a copy of that Police Report. I think that that stage the Metro Police denied it to you, but that is their policy -

Mr. Reid: I contacted the Department of Licensing and asked for a copy of it, but wasn't given one . . . the problem is, we'd certainly like to be heard on this today because he's about to lose everything. I'd like to look at it and maybe you could put us over to the end of these items.

Mayor Briare: Can we give this Report to Mr. Reid right now and allow him to review the matter -

(Copy of Report handed to Attorney Reid)

Mayor Briare: Why don't you just go over and sit down and review it because you're going to be asked questions concerning the information contained in that Report -

Mr. Lovell: I might make one point here - it has been the position of the Metropolitan Police Department that this is confidential information in their office. They hand it over to the License Department and the License Department, rightfully so, will not convey that information. It is only upon this Board's policy decision that that information is made public to the applicant.

Mayor Briare: We will hold this item in abeyance until Mr. Reid has had an opportunity to review that Report on Mr. McIntosh.

See Page 16 of these Minutes

LIQUOR

REQUEST FOR EXTENSION OF CLOSURE

THE ZODIAC
1825 Las Vegas Blvd, South
TAVERN

George/Charles Prock

Page 37
Minutes
Regular Meeting
City Commission
March 3, 1976

Closed 7/7/75
Extension for 9/5/75 thru 11/3/75 approved 9/3/75
Extension for 11/4/75 thru 1/7/76 approved 10/15/75
Extension for 1/8/76 thru 3/7/76 approved 1/7/76

Request for 60-day extension of inactive status, 3/8/76 thru 5/6/76.

Mayor Briare: Is Mr. Prock present? I think you indicated in your letter, Mr. Prock - this is the person you want to open up -
Mr. Ponders -

Mr. Prock: Mr. Ponders is employed as my Manager there. We intended to open on March 1st -

Mayor Briare: What activities have you been involved in insofar as getting ready to open? Have you been doing some construction, etc.?

Mr. Prock: Yes -

Mayor Briare: Do you have a Permit?

Mr. Prock: Yes, there's a Building Permit issued for it.

Mayor Briare: Issued when?

Mr. Prock: Three or four months ago - we never did get the thing finished, but it is about concluded now. Our recent delay has been caused by the recent storms we've had here. We sprung a leak in the roof by the sign blowing off and knocked a hole in it, or we would have opened on March 1st. Now we are requesting another thirty (30) days and will open on April 1st when we get our roof fixed.

Commissioner Lurie: When are you going to be opening?

Mr. Prock: On April 1st -

Commissioner Lurie: What are you going to be opening?

Mr. Prock: Just the Bar part, and the liquor, and we intend to open the Cafe the following month.

Mayor Briare: The reason we are asking, Mr. Prock, is because the last time you were here we indicated that was going to be the last extension you would receive and it would appear that, factually, you are no further along now than you were then.

Mr. Prock: Mr. Mayor, I've never appeared here before - I own the property there, but Mr. Ponders has been appearing -

Mrs. Britt: Mr. Ponders, who is his Manager, was here before -

Mr. Prock: We would probably have had the roof repaired, Your Honor, but Mr. Ponders has been in bed sick with the flu, and still is today - or we would have been open on March 1st.

Mayor Briare: What is the pleasure of the Board? The request is for a 60-day extension of the inactive status from March 8th thru May 6th?

M o t i o n

Commissioner Lurie: I move for approval.

Commissioner Leavitt: You say you don't see any problem in being open by April 1st?

Mr. Prock: I don't think so - I don't anticipate any. Even with the 60-day extension we would still try to open on April 1st, or before.

Commissioner Leavitt: All you really need is thirty (30) days?

Mr. Prock: Yes - that's all I'm asking for - I'll take sixty (60) if you want to make it that.

Mrs. Britt: Commissioner Leavitt, I believe their letter asked for 30 days, but the Ordinance allows for extensions of 60 days each, so that is the reason it is before you at 60 days.

Commissioner Leavitt: Well, I am very reluctant to vote for the extension. I can appreciate your hardship, but this has been closed since July of 1975. I made a statement at the time of the last extension that it was going to be the last extension. I am going to repeat it again because I can understand how you may have had some hardships. I don't want to impose any hardship on you but is definitely going to be the last time I am going to vote

THE ZODIAC
(continued)

for an extension.

Mr. Prock: I can appreciate that, Sir, and I assure you we shall not ask again.

A m e n d e d
M o t i o n

Commissioner Leavitt: I would like to amend the motion to include that this be the last extension given this License.

Commissioner Lurie: I'd like to ask the City Attorney - under the Ordinance, can we put a condition like that on the motion. Under the Ordinance people are allowed an extension of time for no longer than one (1) year - maybe the City Attorney can give us an opinion on that.

AMENDMENT
WITHDRAWN

Commissioner Leavitt: I will withdraw the amendment. I just want to make it clear this is going to be my last vote for an extension.

Mrs. Britt: The Ordinance allows for 60-day extensions up to a maximum of one (1) year. However, it allows the Board the discretion of granting them or not, depending on how valid you feel their reasons for being inactive are.

Mayor Briare: The motion is to grant an extension for sixty (60) days, however, it has been made a matter of record that on the part of at least one member of the Commission, it would be the last time he would favor such a request and the applicant, Mr. Prock, has also indicated this is the last time he will ask for one. Is that correct, Mr. Prock?

Mr. Prock: Yes Sir.

Mayor Briare: Are you Charles Prock or George Prock?

Answer: George -

Mayor Briare: Does Charles feel the same way?

Mr. Prock: Charles has gone back to Texas to practice Law. He is no longer a partner in this. I have a Power-of-Attorney from him. I'm the only one involved now.

Mayor Briare: Is Charles your brother?

Mr. Prock: No - my son. He decided he could be a better Lawyer than running a Bar, so he went back to Texas.

Motion carried by the following vote: Commissioners Leavitt, Woofter, Lurie and Mayor Briare voting aye; noes, Commissioner Christensen.

M-7 BUSINESS
LICENSE
APPLICATION

MCB SYSTEMS OF SOUTHERN NEVADA
3700 Las Vegas Blvd., South

Future Marketing, Inc. of Nevada:
Sam Melchionne, Pres.
Jean Melchionne, Secy/Treas
Dick Harrington, V.P.

CHANGE OF LOCATION

Mayor Briare: Mr. Melchionne is present. Are there any comments or questions by the Commission.

M o t i o n

Commissioner Lurie: I move for approval.

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

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Mr. Melchionne: I have a request, if I may. I have been in this business since January 7th and each step of sales I have personally enrolled members into this organization. I am growing now and I need salesmen to go out for me and in my travels I have found like businesses making gross misrepresentations fraudulent misrepresentations and I urge and request than an Ordinance be framed to govern this type of business.

I don't mind being an M-7 Classification if the ordinances are

MCB SYSTEMS OF
SOUTHERN NEV.
(continued)

unfair, but I do believe that a \$10,000 Bond doesn't prove so much and I think that, as patterned after the land sales disclosure statement, that a business like mine should have a disclosure statement required by Ordinance. And I, for one - my salesmen will not come back to me - and I will not accept a member - unless I speak to that member over the phone and make sure that he has fully represented every aspect of it, and the charges, etc.

I make myself available to the City as having learned the inside of this type of business, if you know what I'm talking about. My experiences would suggest how to frame an ordinance that would take some of the culprits out of it. There is one such business in this town that will not even print its membership list.

Mayor Briare: Mr. Melchionne, would you perhaps address a letter to the City Attorney outlining some of the problems you foresee in this business. We would be very appreciative of your outlining some of the dangers that can occur in this type of business.

Mr. Melchionne: Yes Sir.

Mr. Lovell: Mr. Mayor, ironically, we have two ordinances dealing with that on the agenda today. Mr. Melchionne, I will give you copies of those today and after you've had a chance to review them, I would appreciate your constructive criticism.

See Page 37 of these Minutes (McIntosh)

7-ELEVEN FOOR
STORE No. 13682
(continued)

Attorney Reid: Mr. Mayor and member of the Commission, we have read the Report and are ready to proceed -

Mayor Briare: When we finish this portion of the agenda we will get with you.

Attorney Reid: I'm in no hurry - I just wanted to let you know we are ready.

M-7 BUSINESS
LICENSE
APPLICATION

JOHNNY TOCCO RINGSIDE GYM John B. Tocco
11 W. Charleston Blvd.

Training Quarters for Prize Fighters

Mayor Briare: Is the applicant present?

(Mr. Tocco present)

Mayor Briare: This is an M-7 type License?

Mrs. Britt: Yes Sir, we don't have a particular category for this -

Commissioner Lurie: What happened to that other fellow who had that training facility?

Mr. Tocco: He went out of town. I've had the business there for thirteen years - I've had the gym there - it was a non-profit organization at the time - I used to train amateur fighters and things like that. He wanted to lease the place out for six months - I gave it to him but after five months he disappeared.

M o t i o n

Commissioner Lurie: I move for approval.

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

M-7 BUSINESS
LICENSE

LAS VEGAS ENTERTAINMENT CORP.
1829 E. Charleston Blvd.

Charles, Morse, Pres.
Edna T. Chambliss, Secy/Treas.
Nancy Maley, Director
Robert Morse, Director

Sale of "Package Deal" for
Room Reservations at a discount

Mayor Briare: Is Mr. Morse present?

(Mr. Morse responded)

Mayor Briare: Is that the description of the business - as indicated on the application?

Mr. Morse: Yes Sir -

Mayor Briare: Could you explain to us what type of business you're involved in?

Mr. Morse: We put out a package . . . we put together what the Hotels will offer - such as the IT Packages that everyone is familiar with in the travel industry. Is everyone familiar with the IT Package?

Mayor Briare: Would you describe it?

Mr. Morse: The IT Package is what the Hotels offer where they are given rooms and show - perhaps breakfast and then they include their little Casino goodies, such as a free Keno play. This is a Package that is put out throughout the travel agencies and stuff like that.

Now, what I have done is to put similar packages together that are either IT or not IT. The description between an IT package and just a regular hotel package is that an IT package is approved by the CAV so that the travel agencies make more commission insofar as the airline ticket is concerned, and the hotel packages are sold by tour operators and by other people.

I use these packages themselves and sell them to tour operators or wholesale outlets in order to bring people in.

We have just recently made a contract with the Paradise Travel Agency who is going to be handling all our ground and air transportation, etc. Basically, that's what I'm doing, basically as an agent.

Commissioner Lurie: Mayor, I have some questions so I'd like to move that this application be held to our next meeting. I have requested some further investigation on the applicants.

Mayor Briare: Do any of the Commissioners have any objection to holding this to our next meeting at the request of Commissioner Lurie?

(No response)

Mayor Briare: Hearing no objections, this application will be held until our next meeting as Commissioner Lurie has requested.

ESCORT LICENSE -
NEW

CONNIE L. YURESKO

For:
Ladies in Waiting
210 E. Charleston Blvd.

Mayor Briare: Is Connie Yuresko in the audience?

Attorney Jeffrey I. Shaner: Connie Yuresko is apparently unable to be here. I would ask that this be held to the 17th.

ESCORT BUREAU
LICENSE - NEW

*REFINED ESCORT SERVICE
2401 Industrial Road, No. 3

C.A.S. Enterprises, Inc.
Donna Faye Simmons, Pres. 90%
Carl Alden Simmons, V.P./
Secty/Treas 10%

*Subject to the provisions of the Planning, Building
and Fire Codes

Mayor Briare: Are Donna Faye Simmons and Carl Alden Simmons
present?

(Applicants responded)

Mr. Shaner: I am not representing these applicants, Your Honor.

Mayor Briare: I realize that, but we have some opinions we are
going to ask for which might affect your clients.

ESCORT LICENSES -
NEW

- | | | |
|----|----------------------|--|
| 1. | CHERIE GORDON | For:
Ladies in Waiting
210 E. Charleston |
| 2. | ANN C. HOMAN | Same as above |
| 3. | PAMELA JOHNSON | Same as above |
| 4. | MARGARET ANN ORLOSKY | Same as above |

Mayor Briare: Is Cherie Gordon present?

(Applicant responded)

Mayor Briare: Is Ann Homan present?

Mr. Shaner: She is ill -

Mayor Briare: Are you representing Ann Homan?

Mr. Shaner: Yes, I am.

Mayor Briare: And you are saying she is ill?

Mr. Shaner: From a communication I just received, she is ill
with the flu.

Mayor Briare: Is Pamela Johnson present?

(No response)

Mr. Shaner: Apparently she is not. I have no reason to represent
where she is -

Mayor Briare: Do you represent her?

Mr. Shaner: I do represent her - I also know she works at night.

Mayor Briare: Well, she was notified to be present here - and you
as her counsel do not know why she is not here. You did not instruct
her not to be here?

Mr. Shaner: No.

Mayor Briare: Is Margaret Orlosky here?

(Applicant responded)

Mayor Briare: Mr. Shaner, are you also representing Margaret
Ann Orlosky?

Mr. Shaner: Yes.

Mayor Briare: So the only applicants who are not present right

ESCORT LICENSES
(continued)

now are Pamela Johnson and Ann Homan, but you have indicated she is ill today.

Mayor Briare: Mr. Shaner, were you present and all of you were present while we were discussing this matter and it was brought up that there is going to be some comment about Escort ordinances - during the time we were discussing the hiring of additional Vice Squad members for the purpose of policing these types, and other, businesses?

Mr. Shaner: I was not present.

Mayor Briare: Well, there was a comment made at that time relating to Escort-type Licenses - were you present?

Mr. Shaner: Yes -

Mayor Briare: And were the rest of you present when that comment was made? Nonetheless, the City, as you know has been reviewing ordinances and have had ordinances that have been enacted and amendments thereto which have been enacted, which I'm sure that - at least in the instance of Mr. Shaner and some of the other attorneys are aware of.

There are ordinances that are passed recently that pertain to the types of businesses which we are talking about, and the provisions of these ordinances could severely affect - could possibly affect - the businesses that you want to go into.

I have asked the City Attorney to elaborate on this a little bit because of this particular area we are in, and also to make you aware of what is being discussed and what types of ordinances we are dealing with here. Because it certainly behooves the City and it behooves you to know word-for-word what's in those because you are going to be asked, as a matter of record, as to whether you intend to comply with those provisions without having to run to Court as soon as this Board should take action one way or another. Mr. Lovell, would you comment on that?

Mr. Lovell: Mr. and Mrs. Simmons do you - or have you looked at a copy of the latest Ordinance that was passed since the last meeting of this Board of City Commissioners?

Answer: Yes -

Mr. Lovell: Do you know what that entails?

Mr. Simmons: Basically, yes -

Mr. Lovell: What I'm speaking of is not the Ordinance under which you originally applied, but one in the last two weeks that was passed.

Mr. Simmons: Yes, I was at that meeting.

Mr. Lovell: Do you have a copy of that Ordinance?

Mr. Simmons: Not with me, but I do have a copy and I have read it.

Mr. Lovell: Do you know that requires certain information to be put into the contracts, etc.? As to the escorts and their alleged clients?

Mr. Simmons: Yes, I do.

Mr. Lovell: Mr. Shaner, do you have a copy of that latest Ordinance?

Mr. Shaner: Yes.

Mr. Lovell: Cherie Gordon and Margaret Orlosky, may I ask them to come forward to the microphone?

(Applicants complied)

ESCORT LICENSES
(continued)

Mr. Lovell: Have each of you read the latest Ordinance - not the one under which you applied?

Mr. Shaner: I don't know if they have read them verbatim - I have gone over it with them -

Mr. Lovell: The reason for my inquiry is the concern over the recent changes and the inquiry as to whether the applicants had become familiar with those new requirements. The Board may want to make inquiries with regard to those particular provisions and the concern is, in fact, whether they are familiar with the particular provisions -

Mr. Shaner: What particular provisions are you talking about?

Mr. Lovell: All of them in the latest Ordinance regarding certain requirements that are spelled out - also concerning contracts, etc. - the type of responsibility they will have regarding their actions as well as those of the owner of the Escort Business.

Mr. Shaner: I have reviewed the Ordinance and have talked with my clients and they are aware in general terms of the provisions of this particular Ordinance. They have been advised they will have to comply with the terms of the Ordinance and they have agreed to do so. I am not making any evaluation as to the validity or non-validity of the ordinance - as long as that is your new Ordinance until some Court is asked - if it is asked - to sustain the validity of it then, of course, they will comply with it.

Mr. Lovell: The Board, as they have done in the past, will undoubtedly wish to question those applicants who are present. My concern was the fact that since the last time there was a City Commission meeting, there was a new Ordinance, which was passed, and came into effect after that meeting.

It was our hope that the applicants themselves were familiar with the conditions and provisions of this Ordinance so they could respond to any questions regarding the changes.

Mr. Shaner: I think they could respond. What I'm suggesting is that your Ordinance is rather lengthy and I doubt very much if either of these young women have committed such an Ordinance to memory. Even as often as I work with them, I haven't committed them to memory.

Mayor Briare: Mr. Shaner, that is one of the points the City Attorney is trying to bring out - that's one of the things we want to make sure of - that you know . . . we're pretty confident that you're going to know. If you don't know, we're surely going to find out, but we're more interested - as you well know after having been to many of these meetings - we're more interested in hearing from your clients than we are from you, Mr. Shaner. You're not the one who is going to be out performing the services that we expect are going to be performed. Consequently, we want to ask them the questions.

Mr. Shaner: That's fine, Mayor. I ask that you be specific with respect to the Ordinance. It is a lengthy ordinance and I doubt if anybody on this Commission, including the City Attorney, could give me a verbatim recollection of every provision of that Ordinance.

Mayor Briare: Do you have copies of that Ordinance?

Mr. Shaner: Yes . . .

Mayor Briare: Would you make them available to your clients so they can read them and be prepared to answer questions?

Mr. Shaner: Absolutely - what I'm concerned about at this time, Mayor, if there are any questions which the City Commission or the City Attorney have that are appropriate with respect to their application, we would be more than happy to go forward and attempt to answer them. With respect to the particular Ordinance in question,

ESCORT LICENSES
(continued)

they've been advised as to many of the provisions of that Ordinance. There are provisions of that Ordinance that have absolutely nothing to do with them, with respect to the - for instance - the requirements of the ownership of the particular business. They are not applying as owners of a business but rather as individual escorts who will be working for a given licensed enterprise.

I think as a practical matter, if we're going to have a question and answer period with respect to the provisions of that Ordinance, all I would ask is that somebody say specifically what it is you want to know. To get into what amounts to a questionnaire with respect to the meaning . . .

Mayor Briare: No one is conducting tests -

Mr. Shaner: That's what I'm concerned about, Mayor - that we don't get into a testing procedure here. I presume there are specific questions you are concerned about, that these young women understand.

Mayor Briare: Mr. Lovell, is the form of an application in Mrs. Britt's office - is that outlined and specifically designed by Ordinance, or is that something that is on an administrative basis in order to accomplish the purpose of the Ordinance?

Mr. Lovell: I think it's on an administrative basis, pursuant to the requirements of an Ordinance. Mrs. Britt, since these applicants made the application and the Ordinance has been changed, has the form been changed to comply with all the requirements spelled out in detail under the new Escort Ordinance? What information would you need on those applications if the Board wanted to inquire on them?

Mrs. Britt: I had a meeting with your Deputies last week and we went over the new Ordinance in regard to what you're asking. We will be amending the application somewhat to conform with the Ordinance.

Mr. Lovell: Could that be done by the end of this week?

Mrs. Britt: Possibly -

Mr. Shaner: I still haven't found out what it is that someone wants to know. I know the provisions of the ordinance - for instance - you cannot have committed a crime - I think these young women are aware of that. I think if someone where to ask them they could answer - yes, I know I cannot commit a crime . . .

Mayor Briare: What we're trying to do to make it a little shorter on both our parts - we're trying to make sure the applications are something upon which we can rely as it relates to our Ordinance and if the applications that have been made are not in complete accord with the Ordinance, then we know we're heading for some legal trouble down the road and we've had enough of that - we don't want any more of it -

Mr. Shaner: That I think would be an issue that your City Attorney could resolve -

Mayor Briare: That's what we are discussing - are you suggesting Mr. Lovell, that perhaps the City Licensing Department would be able to come up with an application that would be in compliance with our own Ordinance?

Mr. Shaner: I think it already is, Mayor -

Mayor Briare: I rely on Mr. Lovell for our legal opinions, Mr. Shaner, not yourself.

Mr. Lovell: I think it is proper that the applications themselves - in writing - being sworn to - these various forms on the appli-

ESCORT LICENSES
(continued)

cations - to comply with all the Ordinances.

And since this is the whole reason I am asking this - and I think the same reason Mr. Shaner is asking what type of questions do you want. If, in fact, the form can be made they can comply with all the requirements under the new Ordinance, that can be given to the Licensing Department, and to this Board, which gives them first of all a written reply - information on the application for further inquiry by the Board itself, and I think it is proper for that to be on the application

It is similar to any other business, privileged or otherwise, wherein the law at the time of the written application until the final decision, because of investigations and other things - change - there are changes and there might be additional supplemental information, whether it would be advantageous or disadvantageous to the applicant . . .

Mr. Shaner: May I make an inquiry of the City Attorney, if I may? My understanding of the Ordinance is that the substantive provisions of the Ordinance is a pre-requisite to the licensing - that has not changed one iota. The basic standards by which the City must evaluate whether such a License would be issued to either one of these applicants, have not changed. Their age - residency - lack of conviction, etc., is still the same and that was embodied in the applications for which we are here today to decide.

There may be provisions in that Ordinance of a penalty-type of nature, which have absolutely nothing whatsoever to do with the suitability of the applicant for such a License - if you require her to be of a certain age and of a certain residence, or residence requirement, that hasn't varied any and the application, of course, hasn't either.

If that seems to be the only problem - as far as I can see - if the Commission is concerned whether the applicants are knowledgeable on the content of the Ordinance, if they will ask specific questions maybe we can find out, although I think that has little, or nothing, to do with their pre-licensing ability.

Any penalty provisions of that Ordinance would only become effective as to these applicants in the event they violated the Ordinance and since we all presume to know the law, that would be applicable. But with respect to the individual applications presently pending before this Commission, I find - unless someone corrects me - my understanding is that there is no difference between the standards contained in that particular Ordinance - the latest Ordinance - or the Ordinance as amended, which the application was made under. You have an age requirement - a lack of conviction requirement and, I believe, a residency requirement and those, I understand, have all been met and there is no variance between that previous Ordinance and the present Ordinance which now seems to trouble the Board.

Mayor Briare: There is a difference. There is a procedural matter that is going to have to be complied with by people who are putting themselves out to be escorts.

Mr. Shaner: And what is that, Mayor?

Mayor Briare: Well, if you are not familiar with it -

Mr. Shaner: You are talking in terms of a very large Ordinance - you are talking of things of "procedural matters" - there are a number of procedural matters contained in that Ordinance. I'd like to know which one we're talking about.

Mayor Briare: This is not the time, or place -

Mr. Shaner: I think it is -

Mayor Briare: to discuss an Ordinance that is already been adopted -

Mr. Shaner: You're asking these young women to answer questions

about an Ordinance - and I'm asking you what the "procedural matters" are that you are talking about. You haven't answered my question.

Mayor Briare: Is there anything else, Mr. Lovell?

Mr. Lovell: No, I think that's it, other than the fact that since we have changed the Ordinance and these people came in in the interim of the change, that the people in the License Department should conform this application as soon as possible - that application should be changed - given to these people and brought back as early as possible.

Mayor Briare: What would be the earliest possible date, Mrs. Britt, that this could be brought back? It would be a matter of going over point-by-point with the application as it pertains to the Ordinance -

Mr. Lovell: Mrs. Britt, do you think we could have these ready to distribute by Monday?

Mrs. Britt: Are you speaking about a new application?

Mr. Lovell: A new application form - yes.

Mrs. Britt: We can have - yes.

Mayor Briare: How about Friday?

Mrs. Britt: No Sir, I don't believe that would be possible.

Mr. Shaner: For my edification - am I to understand - I need to know so we can comply if such compliance is required - that you are going to ask these applicants to make new applications?

Mr. Lovell: To at least submit supplemental information -

Mr. Shaner: And what would that be . . .

Mayor Briare: We are going to ask questions, Mr. Shaner - I'm not going to specifically give them to you now -

Mr. Shaner: May I ask for some example, at least?

Mayor Briare: Based on what the Ordinance says, we're going to ask questions of your applicants and we're going to ask them to answer, the same way as these applicants here . . . we're going to be asking questions and we don't want to get into an argument as to whether that was included in the application or not -

Mr. Shaner: Give me - just by way of an example - so we can guide ourselves accordingly. Apparently - correct me if I'm wrong - the Commission seems to favor the idea of having supplemental, or new applications, submitted and apparently in a fairly prompt manner - at least that seems to be the indication. But what I'm concerned about is having just a simple example, if I may - since they will have a pretty good idea of what they're talking about, except it hasn't been made clear - at least, from my standpoint - as to what you're talking about. Just give me one example - what additional or supplemental information would be required over and above that which was previously submitted.

Since the License Department has been directed to make such a supplemental application form, someone must have some idea as to what is going to be contained in it. I assume since the City Attorney's office would be coordinating that effort, that they at least could give me one example of some supplemental data that would be required by this Commission before moving on that application. It will just help me and assist my clients in submitting such data.

Mr. Lovell: Actually, Mr. Shaner, I think it wouldn't necessarily help you at all - we will have two different departments who will be coordinating on this effort - once it is completed -

ESCORT LICENSES
(continued)

Mr. Shaner: Just give me one example, so I know

Mr. Lovell: Each and every one of the new provisions will have an inquiry on the application and, Mr. Shaner, and to the Board - I would like to say this . . .

Mr. Shaner: Just one factual . . .

Mayor Briare: Just one second - I want to ask the members of the Board if they have any objection to bringing up this matter we are very vague about, in a more positive manner at the hour of 2:30 p.m. on Friday. Are there any objections by the Commissioners because we can discuss this the rest of the morning -

Mr. Shaner: Is there a regular meeting on Friday?

Mayor Briare: No, there is not - it would be specifically for this purpose because there seems to be some disadvantage on both sides . . .

Mr. Shaner: I agree, Mayor -

Mayor Briare: These folks here, the day following our last meeting couldn't wait to hire an attorney to go down and sue us. They lost their case yesterday. They wasted their money and wasted our money - we are trying to avoid this sort of waste -

Mr. Shaner: I think that's an excellent idea, Mayor.

Attorney Charles M. Damus: What is the effective date of the new Ordinance?

Mayor Briare: That's one of the things you should know without having to inquire here and you, obviously, are not aware of the new Ordinance. Consequently, unless the Commission has any objections . . .

Mr. Shaner: Is that Ordinance, in fact, effective?

Mayor Briare: Yes - then at 2:30 Friday afternoon -

Mr. Shaner: Just to make it clear for myself, is the Commission going to meet to make a determination of the issuance, or non-issuance, of the Licenses on Friday?

Mayor Briare: We're going to recess this afternoon . . .

Commissioner Leavitt: It is my understanding that the County has a meeting with the Judges here - is that right? at 2 o'clock here.

Mayor Briare: In that event, we will recess this afternoon to the Consolidation Conference Room on the 10th floor of City Hall at 2:30 in the afternoon. The first order in whatever we have to continue on to from today, will be this matter. Please make sure, counselors, that you furnish your clients with copies of this Ordinance - that they be willing to answer for themselves any of the questions brought up by this Board.

Mr. Shaner: Mr. Mayor, may I make an additional request - since it is going to be recessed until Friday, I would ask that the other three be set over to the 17th. Presumably, Miss Homan will be over the flu. If she is I would, of course, have her there, and anyone else who did not appear . . .

Mayor Briare: Pamela Johnson was not present. Does the Board wish to take action on that, or just include them all? All those not present will be on the 17th. Those that are present will be discussed at our meeting on Friday.

ESCORT LICENSES
(continued)

Attorney Chas. Damus (representing C.A.S. Enterprises):
As we stand here today, have not we met all the requirements - all of the application requirements?

Mayor Briare: This matter is concluded, counselor. Mr. Reid, would you come forward with your client?

(See Pages 37 and 40 of these Minutes)

Attorney Harry M. Reid: Mr. Mayor and Commissioners, I have had an opportunity to review the Report dated February 20, 1976. The conclusion reached by the investigators is that Mr. McIntosh should not be licensed because he failed to list an arrest for violation of the Georgia Drug Act and the Military Discharge as described in the Report doesn't meet their standards.

Taking these one at a time: Mr. McIntosh was arrested for having a very small amount of marijuana in his possession. Georgia has a statute that says on a first offense this will not be listed as a crime under the Youth Offenders Act. When Mr. McIntosh filled out the report for this body, his attorney indicated in a letter that you have, stated that it wasn't necessary.

He also received a letter, which you have in your possession, from the District Attorney who prosecuted that matter, and he agreed that it wasn't necessary to list it because the meaning of the statute was that if you are charged under that Section, you haven't committed a crime when you have completed the satisfactory period of probation.

We know that in many jurisdictions they issue citations for people that are caught with less than a half ounce of marijuana, or whatever the quantity is. We have done everything in our power to alleviate the fears in the mind of Special Investigations relative to this.

I respectfully submit to this Commission that this is no reason for denying a License to run a 7-Eleven Store, because he in good conscience, backed up by a letter from the District Attorney, and also they agreed to supply a letter from the Judge if Special Investigations wanted it. They said they didn't want it.

I would also submit, somehow there has been a lot of confusion over his being in the Military for a period of eight (8) weeks. He was a student at Auburn University - had a very bad shoulder - went into the Army - he couldn't do some of the things he was supposed to do in basic training. He received, not a medical discharge, but an Honorable Discharge from the United States Military.

This statement here that he had a drug-orientated background on the inductee entering the Army. Mr. McIntosh knows nothing about that. The only arrests that are considered, you have. One for driving under the influence and this thing for having the small amount of marijuana.

He wants to run a 7-Eleven Store. He's willing to invest \$19,000.00 in this 7-Eleven Store. He is a college graduate - he comes from a family who have invested large amounts of money throughout the whole State of Nevada - his father was one of the major investors in a Hotel in Northern Nevada - on the Las Vegas Strip.

I would also respectfully submit to this Body that I know Special Investigations does the very best job they can, but it makes an almost impossible job to try to do a good job in representing Mr. McIntosh and informing you what is important when we don't know what the complaints are. I would suggest that in these matters if there's a problem with Military background, or something of this nature, that the applicant be told.

He can supply to this Body his Honorable Discharge. He can supply - I have here, just coincidentally, because it is something that Special Investigations talked to somebody at the Bank that didn't

like him - I have here a management performance appraisal that shows - and I am happy to submit it to this Body - it shows that he has the highest recommendations from the Bank - the Bank of Nevada - Dean L _____ was his immediate supervisor. Dean, if we had known there had been a problem with the Bank, would have come down here and told you what a great guy Mr. McIntosh is.

Mr. McIntosh will be happy to answer any questions based upon this Report. Our body GMCC stated that the application was terminated because of inefficiency. This was a Company who loaned money - this was at the time of all the inflation problems - nobody could loan any money - they had certain things required that he wouldn't do and he should be commended rather than criticized for this - like Land Promotion Companies.

I repeat, for the sake of brevity, that Mr. McIntosh will answer any question about his background, his personal life, anything anyone wants to know, so he can run a 7-Eleven Store.

Commissioner Woofter: Your Honor, I have one question: Mr. Reid has represented that the only thing in Mr. McIntosh's background, insofar as a drug background is concerned, is this one arrest on marijuana.

Stu Brown, SID, Metropolitan Police Department: Our sources from the Military indicate that the numbers on the Discharge indicate that the reason for the Honorable Discharge, under medical reasons, was due to drugs. With this in mind, being in 1969 up through the conviction in 1972, it is not a 1-time situation. It is a continuing situation.

Attorney Reid: But Mr. McIntosh has never had any problems with drugs . . .

. he has an Honorable Discharge - the other cases that I've known - if you have a drug problem they dump you out either for medical reasons or give you an Honorable Discharge under dishonorable conditions, or a Dishonorable Discharge.

Mr. McIntosh: When I was discharged it was for a chronic dislocation of my shoulder. I hurt it going through the low crawl - it had been a chronic problem since I wrestled. I left there with my arm taped up and they suggested that I should have surgery on it as soon as it was convenient. There was never anything mentioned about drugs. I came straight from Las Vegas to go into the Military and they ran a Police check on me here at that time for a Service Card. Had I known that this was in here, we could have rechecked.

On my Military Record it also said that I had the National Service Medal of some sort - some type of honor. I never received it - it was some misprint - it could have been checked out and could have been supplied, but it's here because no one told me.

Attorney Reid: Mr. Mayor and Commissioners, because of something that has been no doing of Mr. McIntosh, Sgt. Ashenfelter, I believe, who was handling the investigation, got the flu and missed almost two weeks of work - held it up. We would be happy to see letters come back on the 17th and supply you with all this data, but right now he is to lose whatever he had. The man wants to move to a store in San Diego - the escrow was supposed to have closed three weeks ago . . . I don't appear before this Body that often, but I really see nothing to deny him a License to run a 7-Eleven Store.

Stu Brown: On the application is the question - have you ever been arrested? He did not list the drug arrest, even though it was under a first offender statute. He did list, however, a minor offense for a peace warrant, which was also dismissed. He did list it and it was at this peace warrant that the marijuana was found. The application doesn't ask - do you stand convicted - it says - have you been arrested? It is our contention that he intentionally left it off due to the drug background.

Mr. Reid: Sgt. Martin, Mayor and Commissioners - I said you had it - you might not - I sent it over to Mrs. Britt - we have a letter from Mr. Barksdale who is the attorney who represented him on that. You have a letter from Randall Peak, who is the District Attorney in Georgia. He said the intent of the statute - I agree with Mr. Barksdale and if you want the Judge to write a letter, he will do it. I think that his listing the Peace Bond indicates his honesty. We have nothing to hide.

Mayor Briare: What does the Peace Bond say?

Mr. Reid: Lt. Martin said that he listed the Peace Bond - he was having a problem with his girl friend . . . they had said he didn't have to list anything about the marijuana, and he didn't -

Commissioner Christensen: Your Honor, I'd like to correct one statement that keeps coming up here that bothers me a little - it almost sounds like a sales pitch. This isn't a License to run a 7-Eleven Store that we're questioning. You don't require a special License to run a 7-Eleven Store. This is a License for Off-sale - Liquor and Retail Tobacco -

Mr. Reid: I understand that, Commissioner -

Commissioner Christensen: Which means that he would be in the Liquor Business, which is a sensitive business and which is a controlled operation and a controlled License and one in this particular State where Gaming and Liquor are considered to be privileged Licenses, we have to maintain a great deal of control over them. And the 7-Eleven Stores have not been the greatest places in the world to have a Liquor License issued to people who don't have spotlessly clean backgrounds. That's the whole purpose of the Liquor License in the Ordinance.

Mr. Reid: I understand, Commissioner -

Commissioner Christensen: I just want that made clear - that we're not talking about a License to run a 7-Eleven Store. We're talking about a Liquor License, which is an entirely different matter.

Mr. Reid: I understand that, Commissioner Christensen.

Commissioner Woofter: We have a quandry here - the only thing I can say - I am very familiar with the McIntosh family. Mr. McIntosh's father is a very good friend of mind - I have known the family for some time - there is just nothing in his background other than above reproach. It comes as quite a surprise to me, to tell you the truth, right here at this meeting that there is some allegation of a drug background. I just can't believe it.

I know there are certainly questions that Lt. Martin has posed and the time element that is involved here. I, for one, would ask - is there any possibility - maybe the City Attorney can answer this - if a motion would be in order, subject and conditioned on the fact that the only thing in his background was this one situation in Georgia. If it does turn out that the Military did have records and investigation to show that there was more than just this one marijuana situation, we could revoke such an approval -

Mr. Reid: Mr. McIntosh would agree to that - to supply this Body with all of his Military records.

Mayor Briare: Mr. Lovell, would you like to give your comment on Commissioner Woofter's question.

Mr. Lovell: Generally you either issue a License, or you don't. You can, as you did last Commission meeting, approve a License subject to a condition being cleared up. In other words, you're going to approve it and if and when this thing is cleared up, automatically it has to come in before you again so when that thing happens - I think it was the Fokie's Restaurant area Casino - when that thing is cleared up, then they have a Liquor License then. It's sort of a condition before the issuance of the License.

That is probably the best way to do it if you are inclined to to that, other than just flat giving him a License. The only other thing you can do is - I think under the Ordinance provisions - give him a License and if you find this out have a revocation hearing but, of course, you know about that now - at least to a degree and you might be hard pressed later on to say that you were surprised if anything substantial came up.

Mr. Reid: Mr. Lovell, if I could interrupt - I'm sure there is no misconception on the record. We would be willing to stipulate at this time that if there is anything further dealing with the drug background in the Military, that we would give up the License.

Mayor Briare: Mr. Reid, would you be willing to place your client under Oath for a minute?

Mr. Reid: Yes.

(Oath administered by the City Clerk)

Commissioner Leavitt: I'd like to ask the applicant some questions. I would like the record to show that he has been placed under Oath.

Mr. McIntosh, understanding that you are now under Oath and subject to the penalty of perjury, do you make a statement to this Board at this time that you have no drug-orientated background? While you were in the Military?

Mr. McIntosh: Emphatically, I have never had any. If I had any record - nothing ever came up on it -

Commissioner Leavitt: Did you ever get involved in drugs while you were in the Military?

Mr. McIntosh: Never - I was in Boot Camp - there is no access to anything, and part of the time I was taped up in the infirmary.

Commissioner Leavitt: You did not use drugs while you were in the Military?

Mr. McIntosh: I was given - I think he might have given me something for pain -

Commissioner Leavitt: Other than that?

Mr. McIntosh: No - there was absolutely no use of anything - I never saw anything in the Military.

Commissioner Leavitt: And you are relating to this Board that the only reason you were discharged from the Military had to do with an injury that occurred while you were at Boot Camp?

Mr. McIntosh: Right - my shoulder separated and that was the only reason. It also said on my Military Record that I won a - some type of National Medal for something, and that was incorrect. I just figured somebody put down the wrong thing.

Commissioner Leavitt: And you and your attorney have stipulated that in the event this Board, or the Metropolitan Police Department, should uncover any drug use in your background while in the Military, you would be willing to surrender your License - is that correct?

Mr. McIntosh: Absolutely.

Commissioner Leavitt: I have no further questions.

Commissioner Lurie: I believe the applicant here has more to lose - he has his investment to lose also in the Southland Corporation if there was to be any type of unusual purchases made in your store. That's going to be your livelihood - you're going to work in the store yourself -

Mr. McIntosh: I would have to leave the business if the Beer & Wine went - if I got caught for any infraction of anything, then it could be revoked, and I couldn't risk that . . .

Commissioner Lurie: Did the Southland Corporation approve your purchase of this 7-Eleven Store?

Mr. McIntosh: They have the money and I've signed the contract -

Mr. Goodheart: Mayor and Commissioness, my name is Garry Goodheart. I'm an attorney representing the Southland Corporation. I believe there is a letter on file indicating our position on it which, briefly, is that we have always abided by the recommendations of the investigations.

At the time we made the Lease we had no knowledge of any of this information we've been talking about today, and a Lease was made and we negotiated a Franchise with Mr. McIntosh. After that, the information came to light that there may have been some problems in his background. We really are relatively disinterested in those problems. We felt, based upon our investigation, that he was a suitable Franchisee. However, we're placed in the position of having to deal with the City and Special Investigations rather frequently, and it has always been our procedure to heed their advice, and that's what we're doing in this case, and that is what the letter on file indicates.

Mr. Reid: Mr. Mayor, we don't disagree with their position and we don't disagree with Special Investigations. The problem was that Sgt. Ashenfelter got sick and really messed this up, quite frankly, because it should have been on the agenda some time ago. He got sick and there was just a lot of lost communication. We're not here to run anybody down, or to say that Special Investigations did a poor job -

Mayor Briare: Mr. Reid, any discussions or arguments between the Southland Corporation and your client are not really before us . . .

Commissioner Christensen: I don't seem to have a copy of that letter - could I see one?

Mr. Goodheart: I'll give you mine -

M o t i o n

Commissioner Leavitt: I move for approval of the application.

Ma yor Briare: Are there any questions on the motion?

Commissioner Lurie: I have just one comment that I'd like to make before the vote - that if Mr. McIntosh is approved he is going to have a lot to live up to - not only to Special Investigations but also the Southland Corporation will be viewing his operations very closely and I don't think he would want to do anything to jeopardize his Franchise or his position with the Metropolitan Police Department's Investigation Division.

Mr. McIntosh: Well, one thing - I've made one mistake and I'm seeing a lot of consequences of that one-time it happened and I'm certainly aware of the responsibility, and the fact that it is a privileged License and can be withdrawn at any time.

Commissioner Lurie: I was trying to make my point that I don't believe that one mistake should cost a person the opportunity to go into business for himself.

Mayor Briare: Before we call for the vote, Mr. Goodheart, I'd like - since this letter was brought up - and we've already indicated that any discussion between the Southland Corporation and Mr. McIntosh is a matter between the two of you - however, in your letter you indicate . . .

Mr. Goodheart: That's not my letter - I should point that out -

Mayor Briare: Well, it's your client's letter -

Mr. Goodheart: That's right -

7-ELEVEN STORE
MANAGER
(continued)

Mayor Briare: OK - this Mr. Rod B _____, the District Manager -

Mr. Goodheart: And who is here -

Mayor Briare: You are Mr. B _____?

Answer: Yes Sir.

Mayor Briare: Well then, I think it should be indicative here to this Board that the Southland Corporation agrees fully with the recommendation of the Special Investigations, and as the holder of the Master License - it is respectfully requested that you withdraw this application for further consideration, which, obviously, would be a civil . . .

Mr. B _____: That was our understanding, Sir, at the time -

Mayor Briare: Are you aware of the content of the investigation or are you just guessing . . .

Mr. B _____: I am now aware of it -

Mayor Briare: Before all you knew was that it was a derogatory report -

Mr. B _____: That he was being recommended for denial and we were asked for our opinion - how we were going to go - if we were going to fight it, or whatever, and our concern was that we always followed the recommendation of Special Investigations -

Mayor Briare: That's what I'm trying to point out here, for our record - that the counsel for the applicant here disclosed, and they rather frankly discussed the problem - now are you saying now that you know about this, that you are not asking that this recommendation for denial be followed?

Mr. B _____: I'm saying that we signed an Agreement with Mr. McIntosh in good faith, and it stipulated in that Agreement that he would be able to obtain Beer and Wine Licenses, and if he is able to do so through your vote, then that Agreement is in effect.

Mayor Briare: Knowing what you know now -

Mr. B _____: Again, as Commissioner Lurie mentioned, we are very concerned from a corporate standpoint on the control of these Licenses and I'm sure we will endeavor, with Mr. McIntosh, as with all our licensees, to help control this sort of thing. I feel Mr. McIntosh is well aware of the concern and the stipulation is here - so that's pretty much our feeling -

Commissioner Christensen: If I understand what you're saying - what you're saying is that basically you don't want to get into any fight with the City Commission or the Police Department over Liquor Licenses, is what you're saying . . . we'll go along with their recommendations - however, if we see fit to grant a License to this gentleman to operate this Store there will be no prejudice on your part against him because the recommendation is that you strictly stay out of trouble with the Police Department and the City Commission.

Mr. B _____: Well, our concern is with Mr. McIntosh too. If you see fit to issue him a License based on knowing his background, as you do at this point, then obviously based on the past history and Special Investigations method of operation . . .

Commissioner Christensen: You have no fight with him if we have no fight with him - is what you're saying -

Mr. B _____: No more if he continues to operate the Store as he properly should.

Mayor Briare: Any further comments or questions?

(No response)

7-ELEVEN STORE
MANAGER
(continued)

Mayor Briare: Commissioner Leavitt's motion is to approve the application of Roger S. McIntosh as Franchise Manager for the 7-Eleven Food Store No. 13682 and issuance of Liquor and Retail Tobacco Licenses.

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

DEPARTMENT OF COMMUNITY DEVELOPMENT

DONALD J. SAYLOR, DIRECTOR

Z-4-76
Denied

ZONE CHANGE Z-4-76 - JOHN AND CAROL PAPPAS

Mr. Saylor: This property is generally located at the SE corner of Washington and Rancho Road. The immediate corner was occupied with a service station but is now vacant and this is the property immediately abutting that.

The area all around it is zoned Commercial. The pink (wall map) is C-1. There is some C-2, which is the Twin Lakes Shopping Center and which is completely developed and has been for quite some time. Immediately to the east of the proposed zoning is the Harry Levy Gardens, the Senior Citizens complex, and I think you probably are all acquainted with the other Commercial operations in the area, which are C-1, primarily retail outlets.

This same request was before the Commission a few years ago, at which time the Planning Commission recommended denial and the Board of City Commissioners denied it. At that point in time it met with a substantial protest factor from the occupants of the Senior Citizens complex, plus single family home owners in the area.

The request for a change in zoning is for C-2 to allow a Used Car Sales operation. The Planning Commission has recommended denial of the application on the basis that a Used Car Lot is out of character with the area, and would also lead to requests of a like nature, which would result in its being further out of consonance.

The applicant indicated that because of the amount of C-1 development around it, there is no further demand for any more C-1 uses. I am not prepared to answer that particular question.

It is indicated on the agenda there are approximately 110 protests. Almost all of the occupants of the Senior Citizens complex did protest, as did the Board of the Housing Authority on their behalf and several of the single family home owners in the Twin Lakes area are here in protest.

Commissioner Leavitt: Mr. Saylor, didn't we just recently approve the development across the street?

Mr. Saylor: Right - which is a C-1 retail and office development.

Mayor Briare: We are first going to hear from the people in favor of the application.

Mr. Saylor: I believe Mrs. Pappas is here - she is the applicant.

Mrs. Pappas:

NOTE: Mrs. Pappas made her presentation to the Board in very broken English, substantially as follows):

I want to know - this has happened before - they say there will be big traffic over there - that's why they don't want the car lot but I don't think it would be much different because it's the K-Mart which brings all the traffic over there - especially on the weekends when they have a Sale. So I don't see why we can't put a car lot over there - they have all these businesses around and I don't see what harm to the Senior Citizens there - they don't know what's happening next door. So I think there is discrimination not to allow us to put some business there - I don't see -

Z-4-76
(continued)

Mr. Elliott: If the application would be approved, I would be running the lot. I spoke to some of these people at the Citizens home and they have the idea that it is a traffic condition. They have an idea that a Used Car Lot draws a lot of traffic, and a lot of lighting. If you approve a Used Car Lot there we would even go on a restriction to open at nine o'clock in the morning and close about seven in the afternoon. Across the street is already C-2 and we would be coming into the same area as C-2. We need it.

Irv Bromberg -

Mayor Briare: And are you one of those who would manage the Used Car operation? The two of you?

Mr. Bromberg: Yes, that's right. I would like to state this - the Used Car operation would be less - would bear less traffic and less pollution than that service station would do. That's all I can say.

Mayor Briare: Thank you. We have some people in the audience that wish to speak in opposition to this application. I neglected to mention before the applicants themselves spoke, part of the papers furnished to us with our agenda include the comments and positions that were taken at the Planning Commission meeting, so we are aware of the discussions that were held at the Planning Commission meeting. However, it might be that you would like to add something more to what was said at the Planning Commission meeting and at this time we would be very happy to hear from you.

Ethel Woodbury: I live at 911 Oasis Circle. I do object to this changing of this zoning for many reasons. One, the houses in the Oasis, Artesia, Sierra area, they are all selling from \$45,000/\$49,000. We all keep our places up - most of us have gardeners and are very particular about them. All of our people couldn't be here today.

Another reason I object to this is the noise that a Used Car Lot causes. You can't get away from that. Another thing, with a Used Car Lot you're going to have washers there because they are going to be washing cars and I've already talked with one of the Engineers from the City of Las Vegas because we have a water problem on Washington anyway. Commissioner Lurie, you know. They can't do anything about it. I know our City doesn't have the money to put in another storm sewer because it would cost \$50,000 and we just don't have it.

But one of the reasons - I go back to many, many years ago - I was one of the first people to go to Washington to help with our Housing for the City of Las Vegas. We looked over plans and decided it was necessary to have housing for these people - it would be handy to Shopping Centers - which we have. Now, these are retail outlets and I think Used Car Lots belong on the Boulder Highway with the rest of the Used Cars and the regular Dealers too. Also with a Used Car Lot there, you are going to have a lot of lights - a lot of flags flying - a lot of ballyhoo. Not only that, they're going to be riving up these cars and testing them out - so where is your carbon monoxide going? Right into the windows of our Housing where our elderly people live.

I would ask that you deny this application.

Marie Walker: I am a resident of the Harry C. Levy Gardens and have been for eight years. I put out the first Petition . . . a second one was issued for which I went through the buildings. Two-thirds of the people have signed it. The rest I didn't contact because I know they are ill and cannot be bothered. There are two residents who live on the left side of the building where this will affect them very much. They are standing behind me and also the Manager, Mrs. Rosevere is here and Mr. Bud Weeks, the Assistant Director to Mr. Sartini. I have nothing more to add to what I said at the Planning Commission meeting.

Z-4-76
(continued)

Mildred Taylor: I live at the Harry Levy Gardens and as Mrs. Walker has said, the traffic would be terrific. We have a hard time now trying to get across Rancho and different places - many of our people have been held up and beaten and this would only add that much more. I have emphysema - many of us have emphysema, and it's not going to help us.

Unidentified Speaker (female): Most of the others have covered this, but the thought that comes to my mind - we have had many of our Senior Citizens injured from people snatching purses, knocking them down and one thing and another, and I think this should be taken into consideration as well, because it really would be a detriment to our housing to let this type of thing operate next door.

Mayor Briare: In any type of an application such as this - for the benefit of those of you who have not previously attended our Commission meetings, very obviously the applicants feel strongly about their side and they present certain arguments that may be in their favor of approving the application.

Of course, the people who are opposed to a particular application are going to present arguments that they don't want it and we get into a position where one side says this and the other side says something different.

The way we conduct these matters on our agenda is to look at both sides and then this Board up here has to make a judgment based on the statement that have been made which, obviously, are going to be contradictory. One says there is going to be pollution from this - the other side says there won't be any pollution; one side says there will be noise - the other side says there will be no noise. So I throw this out for the interest of those people who are here in this matter - that we who sit up here, knowing the neighborhood - have to decide the best way to develop to benefit the majority of the people in the community. Having heard both sides now, are there any questions or comments by the Commission.

(No response)

M o t i o n

Commissioner Lurie: Mayor, I move we follow the recommendation of the Planning Commission.

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

Mayor Briare: The application is denied.

At the hour of 12:25 P.M. Mayor Briare declared a recess to the hour of 2:00 P.M.

Meeting reconvened at the hour of 2:00 P.M. with the full Board and Staff in attendance.

Z-2-76
Approved

ZONE CHANGE Z-2-76 - BANK OF NEVADA (TRUSTEE) AND RAE ANN TRITLE (CO-TRUSTEE)

Mr. Saylor: I am sure you are all pretty much acquainted with the property in question which is generally located between Vegas Drive on the north and Washington on the south - the Golf Course immediately to the west (screen). As you can see, it is completely surrounded by single family R-1 development - the Twin Lakes area, primarily.

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The reason for the request from R-E to R-1 is to allow the subdivision of the property for the construction of single family homes. The single family home area immediately to the west, Golf Course Estates, is built upon larger lots than the normal R-1 development and the houses are substantially larger also, and they have indicated a substantial interest in this property - not

necessarily objecting - and they have arrived at an agreement with the developer that seems to satisfy all of their demands - or requests, et's say, instead of demands.

There were 7 protests. 3 of them were from the area to the east which is the standard R-1 development and 1 along Vegas Drive further west. The others were from the estate area I have mentioned.

This is the subdivision (wall map) of the proposed development although it is not before you at this time as a subdivision - showing Washington - Vegas Drive. The street pattern is laid out so there will not be any straight through traffic north and south. Also designed to avoid as much as possible introducing any additional traffic to the east or west into the single family area.

The Planning Commission has recommended approval, subject to the following conditions:

1. This land to be subdivided in accordance with the stipulations set forth in a letter dated February 10, 1976, to Charles W. Johnson from the developer, Harold Shydler..

Mayor Briare: Is there anyone present who wishes to speak in opposition to this application?

(No response)

Commissioner Lurie: You speak here of a letter of stipulation - I haven't seen the letter -

Mr. Saylor: No, the letter is on file in the Department of Community Development. The subdivision design reflects, however, the contents of the letter with one exception, I think - an agreement on single story homes along the area bordering the Golf Course Estates.

Commissioner Christensen: Mr. Saylor, what was the nature of the protests?

Mr. Saylor: The people to the west were objecting to the possibility of 2-story houses and they wanted the traffic pattern so it wouldn't create additional traffic in there. They also wanted a little larger lot abutting them, which is provided by this 90 x 105 (wall map). This agreement was reached between the developer and the home owners, so the developer is not objecting

Commissioner Christensen: In other words, the protests have been pretty well satisfied.

Mr. Saylor: I believe so - yes.

Commissioner Lurie: This is merely the application for the zone change - not that plot plan -

Mr. Saylor: Right - they will come in with a subdivision.

Mayor Briare: What is the pleasure of the Board?

Commissioner Wofter: I move to approve as recommended by the Planning Commission.

Motion carried by the following vote: Commissioners Christensen, Leavitt, Wofter, Lurie and Mayor Briare voting aye;

M o t i o n

ZONE CHANGE Z-3-76 - LOUIS MACK AND HARRY MACK

Mr. Saylor: This is property located on the east side of McLeod a short distance north of Sahara. As you can see (screen) the area immediately to the east is all zoned Commercial. The property to the north is single family development backing up to the Commercial.

The piece in question is a little strip along Eastern and, of course, to the west is the Armory and then the State property which is being developed.

The proposed use of the property is for the servicing of Federal Motor Pool Facilities. The Plot Plan (wall map) indicates the property - this is Sahara - this is McLeod - the building here - landscaping in front and parking in the rear. The Planning Commission has recommended approval subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. Relocate the north driveway to McLeod, approximately 40 ft. to the south.
3. A 6 ft. masonry wall shall be constructed along the north property line, except where provided.
4. All repair work to be conducted in an enclosed building and no major repair work shall be allowed.
5. All vehicles using or being parked at this facility shall not exceed a maximum of one (1) ton in size.
6. The lighting from this development shall be directed away from the residential area to the north.
7. Conformance to the Plot Plan, as amended, to reflect the above conditions.
8. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler system shall be cause for revocation of a Business License.
9. Submittal of a Landscaping Plan prior to or at the same time application is made for a Building Permit.
10. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
11. Installation of sidewalks and street lights along McLeod Street, as required by the Department of Public Works.
12. Conformance to Code requirements and Design Standards of City departments.

Mr. Saylor: I would like to correct one condition, however. No. 5 says "All vehicles using or being parked at this facility shall not exceed a maximum of one (1) ton in size." That is to indicate, not weight, but in terms of trucks - the size as indicated in tonnage.

There was one interested party - a single family home owner who lives right about at this corner (wall map) but I believe all of the conditions set forth on the agenda satisfied his position.

Mr. Mack: If I might speak to Condition No. 5. The man that objected to that really said he was more concerned that the facility might be used to maintain the Military vehicles of the Armory across the street. He was assured by the developers that it would not be. I guess Mr. Saylor came up with the one (1) ton, but one ton might be a little bit unrealistic because during Christmas time the Post Office does have some vehicles that are in use to deliver mail that time of year that do exceed that. Some of their vehicles might

Z-3-76
(continued)

be flatbed 2-ton trucks. It's hard to say what size, but they're not Military - they are just normal vehicles that the State might use in their normal course of business. We're really not trying to use it as a Military facility at all. In fact, there is no relation between the Government Service Administration and the Army. I'd like, if we could, to change that to maybe two (2) tons, or something that would give us a little bit more than one ton. One ton is really more of a pickup truck and they do have a larger size truck than that.

Mayor Briare: Mr. Saylor, could you redesign that wording at some later date but prior to Permits, or whatever has to be given out on this?

Mr. Saylor: Certainly.

Mayor Briare: Are there any comments?

Commissioner Christensen: I have one question: Maybe it should be directed to Mr. Hampton. Hasn't McLeod Street been just recently improved?

Mr. Hampton: Yes, we did improve McLeod Street, from Sahara to St. Louis - just south of St. Louis.

Commissioner Christensen: OK - the question I have - at the time we were trying to improve there we had a lot of trouble because the Federal Government refused to go along with the Assessment District next to the Armory - isn't that correct?

Mr. Hampton: That's correct -

Commissioner Christensen: And how were we finally able to get that resolved?

Mr. Hampton: We just had to put them in at City expense - there are no sidewalks.

Commissioner Christensen: What about the other side of the street where this property is - is that completely improved and was this property a part of that Assessment District?

Mr. Hampton: Yes, but we left the sidewalks off of that as well.

Mr. Saylor: May I answer Commissioner Christensen: One of the conditions of this approval, for this property, is the installation of sidewalks and street lights along McLeod.

Commissioner Christensen: I wasn't picking on this - I was just trying to figure out what occurred there, because I know we did have a problem. It would seem a little ridiculous to me when the Federal Government was one of the prime movers in improving things and yet the Federal Government is the one we couldn't get to go along with us to improve a very, very bad situation of road there. I just wondered where we stood on that - whether the City got hung out to dry for the total amount, or how much. Apparently we did on their side of the street.

M o t i o n

Commissioner Woofter: I make the motion to approve Z-3-76 as recommended by the Planning Commission, BUT SUBJECT TO Condition No. 5 being worked out through Mr. Saylor's office.

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

TENTATIVE MAP - CHARLESTON HEIGHTS No. 53

Mr. Saylor: This is an area that was just annexed to the City, just south of Cheyenne, between Jones and Michael. It is an R-E type of development.

This is the overall development plan (wall map) of the entire piece and it shows a pattern of streets, plus a pattern of bridle paths, which are shown in brown, and then a common arena area and recreation area. It is designed specifically for people with horses.

There is one thing I would like to point out - this is one of the things I think we are going to have to give more concern to - that when people do develop R-E designed specifically for horses, that we make provisions for continued access for a place to ride them, as is being done in this Subdivision. In other words, if you buy a lot here and you've got horses, you don't have to worry about the vacant desert around you being developed for some other use - you are guaranteed that you will always have this type of access.

The Planning Commission has recommended approval, subject to the following conditions:

1. The approval of the Tentative Map be limited to the area shown on the Final Map of this subdivision (Charleston Heights Tract No. 53-A) and the remainder of the Tentative Map be approved in concept.
2. The zoning on this property be designed R-PD 2.
3. All lots shall be a minimum of one-quarter (1/4) acre (10,890 sq. ft.).
4. A maximum of two (2) horses be allowed per lot.
5. Brooks Avenue shall not be required along the north property line.
6. A 6 ft. masonry wall shall be constructed along the south property line unless the abutting property owners to the south indicate, in writing, they do not wish to have the wall or would like some other type of fence between their properties and this development.
7. Conformance to the development plans on the building locations. All proposed corrals and tack rooms shall be allowed to be constructed to the side and rear property lines in the rear yard area, except on corner lots abutting Michael Way there shall be a ten foot (10 ft.) setback.
8. Fences and all other accessory buildings shall conform to the General Provisions of the Zoning Ordinance.
9. Model homes and Sales Office shall be allowed on Lots 6-11, Block 6 and shall be limited to a two (2) year time limit, or completion of the Tract, whichever is sooner. The Sales Office shall be limited to sales within this development.
10. The street improvements on the interior streets shall be waived from the standard designs to a revised design providing for the installation of street lights and a twenty-eight foot (28 ft.) wide paved street section, as required by the Department of Public Works. Full half street improvements shall be constructed along Michael Way.
11. Approval of the Tentative Map shall be for no more than twelve (12) months. If a Final Map is not recorded on all or a portion of the area embraced by the tentative map within 12 months of approval of the tentative map, a new tentative map must be filed. If a final map is recorded within 12 months of approval of the tentative map for only a portion of the area embraced by the tentative map, the Planning Commission

may require that a new tentative map be filed and approved prior to any further final maps being approved.

12. Street names to be provided in accord with the Street Name Policy.

Mayor Briare: Are there any questions or comments?

Commissioner Christensen: How close is this to the Zoo?

Mr. Saylor: Substantially removed - by several miles, Commissioner.

M o t i o n

Commissioner Lurie: I move for approval as recommended by the Planning Commission.

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

CHARLESTON
RAINBOW No. 14
Tentative Map
Approved

TENTATIVE MAP - CHARLESTON RAINBOW No. 14

Mr. Saylor: Next before you is the Tentative Map of Charleston Rainbow No. 14, which is a continuation of the Charleston Rainbow development out on West Charleston. We show you the location on the screen. Westcliff Drive is the major street along the north - Buffalo Street along the west.

The design is pretty well acceptable, except for one point: The agenda does not reflect at the Planning Commission meeting one of the conditions was to the effect they should have another access to Buffalo, which is on the west. This is the position of both the Public Works Department and of Community Development. We feel that the only access to the west is Westcliff on the north and Alta on the south, which is a half a mile apart. We feel there should be some intermediary access.

So we would recommend that that be provided in this Tract without specifically stating where so that it can be arranged so it deletes only one lot of the subdivision.

With that and the following conditions, the Planning Commission recommends approval:

1. Half street improvements be constructed on Westcliff Drive on the portion immediately north of the proposed subdivision if a street design has been approved by the Department of Public Works.
2. Approval of the Tentative Map shall be for no more than twelve (12) months. If a Final Map is not recorded on all or a portion of the area embraced by the tentative map within 12 months of approval of the tentative map, a new tentative map must be filed. If a final map is recorded within 12 months of the approval of the tentative map for only a portion of the area embraced by the tentative map, the Planning Commission may require that a new tentative map be filed and approved prior to any further final maps being approved.
3. Street names be provided in accord with the Street Name Policy.

Commissioner Christensen: Is that actually going to be the names of those streets?

Mr. Saylor: I'm afraid so.

M o t i o n

Commissioner Lurie: I move for approval as recommended by the Planning Commission.

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Charlie Johnson: I represent Sproul Homes and we would like to have an objection to that outlet street on Buffalo. We have here an overall master plan of the area. This is Buffalo Drive up here and this is Westcliff (on there). With the extension of Fremont, Buffalo is going to be - it is planned now to be the inceptor ditch for the flood control from the west. It is designed to be a divided highway

with a flood control channel down the center and it is also a deal that should be Master-planned because of the critical amount of fall between here (wall map) and Craig Road, which is approximately where we turn and go east into the Vegas Wash.

At this time there is a little bit of it in front of Water District property, but this has been dedicated in here (wall map) and Sproul has given a fee for future construction, and they haven't had any construction in here at all. This street - we don't know when it's going to be constructed in the future - this street in here is just going to a dead-end, whereas Westcliff, which is going to go down here to Rainbow - Rainbow is proposed to be built by the State as the main east/west artery into the Fremont Expressway, which goes north to Tonopah. There will be an off-ramp here at Westcliff and the traffic can then go east down into Westcliff to the Freeway..

At one time they didn't know exactly what they wanted for the right-of-way for Westcliff. At present Sproul has dedicated 60 ft. up here (wall map) - at one time they were going to build a 120 ft. roadway all the way up to Buffalo, which was going to be the major roadway before Rainbow was selected. This is built up to here with access through here (wall map) which will be closed off when this is ever extended up to here. This street has been approved and this row of lots is just sitting there waiting to be developed.

Therefore we would ask, rather than put the access here (wall map) on Buffalo, that we provide for it here on to Westcliff, which is what we provided for here but we can move it anywhere here to cooperate with the Department of Public Works and the Planning Department. This would then give the people access out onto Westcliff, which is going to be the major artery - then we wouldn't have to have any structures here over the channel (wall map) for cross-over streets on to Buffalo - which the design hasn't been built yet and the road just sits there and goes no place right now.

We would like to have you take that into consideration. We have talked with the Deputy Director of Public Works, Bill Purvis, and he said that Public Works would be satisfied with the one on either roadway as long as there was one provided for. I think Mr. Hampton can make further comments on that.

Mr. Hampton: I concur.

Mr. Saylor: This presents a problem. We received written comments from Public Works to one effect - now verbal comments to another effect, and it makes it a little bit confusing. However, let me say this, we feel it is necessary there be access on both Westcliff and Buffalo, keeping in mind there is a half a mile stretch here (wall map) between this access to Buffalo and Alta Drive to the south.

Commissioner Woofter: Mr. Saylor, would you be satisfied with the access that the developer is suggesting?

Mr. Saylor: We don't feel it would provide for adequate circulation with access through this street (wall map) - we feel there should also be access to Buffalo - as did Public Works when they gave us their written comments..

Mr. Hampton: That's right, in our original comments we did exactly as Mr. Saylor has said. We re-evaluated it - particularly looking at the construction schedule for Buffalo, and that is quite far away . . . it would be desirable if Buffalo was there -

M O T I O N
W I T H D R A W N

Commissioner Lurie: I'm going to withdraw my motion and recommend that this be held over to our next meeting - in the meantime, Planning and Public Works get together on their recommendation.

Mayor Briare: Are there any comments on that?

(No response)

Mayor Briare: There being no objections to this being held over to our next meeting, it is so ordered.

LEWIS HOMES
SAHARA No. 1
Tentative
Map
Approved

TENTATIVE MAP - LEWIS HOMES SAHARA No. 1

Mr. Saylor: This involves the area on the south side of Oakey west of Jones, which was before you a few months ago in terms of a proposed Zone Change. It is under a Resolution of Intent to an RPD-5. Part of that has been developed as shown on the screen.

More recently you did approve a Plot Plan for the change in design to this type of development (wall map), which will allow single family homes on individual lots as opposed to the condominium concept, but still have a lesser density than what is permitted under this present Resolution.

When we discussed the Plot Plan with you, we explained that we thought it was very logical to finish out this one phase, which is now incomplete, in that the street pattern in here provides only a half street along here and no streets out either way, or to the north, whereas if this proposed design on the Subdivision is constructed, it will finish out this pattern and provide the necessary drainage and traffic circulation.

The Planning Commission has recommended approval subject to the following conditions:

1. A property line radius be provided on the southwest corner of Verde Circado and Vista Verde North, as required by the Department of Public Works.
2. A 30 ft. half street dedication shall be provided on Verde Jardin Way to the south side of Vista Verde North, as required by the Department of Public Works.
3. Conformance to the conditions of approval under Z-67-72.
4. Approval of the Tentative Map shall be for no more than twelve months. If a Final Map is not recorded on all or a portion of the area embraced by the tentative map within twelve months of approval of the tentative map, a new tentative map must be filed. If a final map is recorded within twelve months of approval of the tentative map for only a portion of the area embraced by the tentative map, the Planning Commission may require that a new tentative map be filed and approved prior to any further final maps being approved.
5. Street names to be provided in accord with the Street Name Policy.

Commissioner Lurie: I have a question because I've received calls from residents that live in that area who protested the application to rezone this piece of property. They feel that with the RPD-5 and then coming in and getting a Plot Plan Change to build R-1 is just a tactic being used by the developers to come in at a later date and get the other property rezoned R-1. I don't see particularly how you can take RPD-5 and built R-1 on it and not get a zone change.

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Mr. Saylor: Simply because single family homes are allowed in a Planned Unit Development - the only difference being whether they have a common wall, or don't have a common wall. That's the only difference between them. I don't know in terms of tactics - I have no idea what the owners of the rest of the property have in mind for the future, but to me this is a very logical move - instead of letting this hang here with an incomplete street pattern - all they are saying is - instead of having units built on this (wall map) with a common wall, we want to put them on there as individual units. That's the only difference.

LEWIS HOMES
SAHARA No. 1
(continued)

Commissioner Lurie: Why didn't they just come in and ask for R-1? Instead of using the RPD-5?

Mr. Saylor: They are coming under that existing Resolution of Intent - yes - which is permitted, and which you have approved - you did not - but a prior Commission. This was approved as a Plan Change - we're now following that with a Subdivision.

Mayor Briare: Are there any other comments?

(No response)

Mayor Briare: What is the pleasure of the Board?

M o t i o n

Commissioner Christensen: I move for approval as recommended by the Planning Commission.

Motion carried by the following vote: Commissioners Christensen, Leavitt, Woofter and Mayor Briare voting aye; noes, Commissioner Lurie.

OLD MORMON FORT -
MARKER
Approved

REQUEST TO ALLOW INSTALLATION OF HISTORICAL MARKER EAST OF MORMON FORT, SOUTH OF WASHINGTON AVENUE

Mr. Saylor: I show you a picture of the Marker, which has been in the State Highway Department garage, I believe, for several months now. It's a Marker in connection with the Mormon Fort - this being Washington (wall map) - Las Vegas Blvd. - this being the Fort - they propose to place the Marker on Cashman Field property, slightly east of The Fort and near Washington Avenue. The State will install it and be responsible for the maintenance of it.

Commissioner Christensen: Did they ever get straightened around on the other Marker?

Mr. Saylor: I believe so - I wouldn't swear to it -

Commissioner Christensen: The one that ended up on the public right-of-way - they finally moved that?

Mr. Saylor: Yes - it's right in here somewhere (wall map).

M o t i o n

Commissioner Christensen: I move for approval.

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

BIKE PATH
FACILITY
Report
Only

REPORT ON ADDITIONAL FUNDING FOR BIKE PATH FACILITY AND APPROVAL BY STATE OF B.O.R. FUNDS FOR FREEDOM PARK, PHASE III

Mr. Saylor: This item is simply for your information. We have had approval for the additional funding for the Bike Path facility and also approval of B.O.R. Funds for Freedom Park, Phase III. We had requested \$100,000.00. They approved \$99,000.00. The money has been budgeted for that Project. It was budgeted by the time we made the application. Phase III is to light the existing Ball Diamond and provide a lighted access into a lighted parking area.

OFFER TO CITY
TO PURCHASE LAND
Report
Only

COMMUNICATION FROM DON HUFFMAN REALTY

Mr. Saylor: We sent you a copy of a communication from Don Huffman Realty offering the property located on the south side of Bonanza, just east of Las Vegas Blvd., North. It is on the agenda merely should you wish to instruct us to proceed further, or to indicate no interest and just drop it.

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Mayor Briare: As there been any discussion as to the desirability of acquiring this particular piece of property?

Mr. Saylor: This specific piece - no. There has been some discussion on the general area, but not relating specifically to this and as I pointed out in my memo, without having the actual

LAND ACQUISITION
(continued)

construction designs of the Freeway, I am in no position to tell you whether we'll have good access after the East Leg is built, or not. It could be that we would not have.

Mayor Briare: If there are no wishes to be expressed by the Commission, then we will just note the letter and make it matter of record.

Z-66-75
Denied

ZONE CHANGE Z-66-75 - BANK OF NEVADA, EXECUTOR OF THE ESTATE OF ARCHIE C. GRANT, DECEASED, AND TRUSTEE U/W OF ZORA FAYE GRANT

Mr. Saylor: This Zone Change was before you at the last meeting at which time there was some confusion as to the actual action of the Planning Commission. This is property generally located at the northeast corner of 6th Street and Gass - or rather, the northwest corner of 7th Street and Gass. It involves two lots which were the garden area of Archie's property. The original request was for R-4 - it was sent back to the Planning Commission to consider it as R-3. They proposed to put two (2) 4-plexes - one on each lot - single story 4-plexes. However, as the result of that hearing the Planning Commission has recommended denial of the R-3 proposal as well. There were six protests to that application.

Bob O'Brian: Mayor and Commissioners, I am Construction Supervisor of Ron Rudin Realty, 5112 West Charleston. We are the developers of the property. We are acquiring it from the Bank of Nevada, the Executors of the Estate.

This discussion has been going on for quite some time - it's been back and forth. Our original request was for two (2) 8-plexes. We are now requesting two (2) 4-plexes. Throughout this discussion, with the opposition of the neighborhood, we have discussed the feasibility of P-R on the corner. It is our feeling that we could not do a P-R concept and still maintain the residential character of the neighborhood, which the neighbors are looking for. We feel that the asphalt paving would detract from that.

At the last Planning Commission meeting the neighbors brought up the suggestion of building two units per lot, or a total of four. The Planning Commission suggested that that we sit down and discuss it, and meet with the people who were opposing our plans and very frankly, we felt there was no need for it. We're not trying to hide anything, but they are rather adamant on four units.

I realize that you are not interested in our economics, but it is our contention that economically we could do no less than eight units. I think everyone has agreed that the property is not going to return to R-1. Sooner or later a decision must be made. Our request is for two (2) 4-plexes, single story, that we could do with adequate landscaping and maintain the pure residential character of the neighborhood.

The opposition is here - they are friends of ours - there is no animosity - they have different ideas - we have to rely upon your wisdom. If you have any questions I'd be pleased to answer them. Thank you, gentlemen.

Martha Hunsaker: I live at 725 South 6th Street. Our home is right across the alley from the property that is being considered at this time. If I may, Mayor, I would like to read you the letter that my husband wrote to you - is that permissible at this time?

Mayor Briare: Yes - of course -

Mrs. Hunsaker: He is confined with a heart condition at home and can not make the meetings, and it is upsetting him quite a bit.

The proposal to rezone the northwest corner of 7th and Gass Streets for apartments, has twice been considered by the Planning Commission, and denied. The second proposal is referred to you for consideration today, was denied by the Planning Commission on February 24th.

It calls for the construction of eight apartments in a

building 74 x 36 ft. This would indicate an area of 666 sq. ft. for each unit.

It has been mentioned that a new owner could not afford to leave this vacant and that an R-1 development would be improbable. However, it should not be forgotten that existing homes represent long-time investments that also deserve consideration.

This is a block of good homes. We submit that those wishing to invest in this area should plan a development consistent with the existing improvements and should compliment the area rather than detract from it.

Consequently 666 sq. ft. apartments would not fall in this category, and they would tend to transient occupancy.

We respectfully request that the action of the Planning Commission be confirmed. Sincerely, Walter S. Hunsaker and Martha M. Hunsaker.

Mayor Briare: Thank you, Mrs. Hunsaker. Is there anyone else to be heard in opposition?

A. H. Stevens: I live at 714 South 7th Street, right next door to Archie Grant's home. I've known Archie for the 26 years I've lived there. I invested my money in that home next door to him and I just want to say that in the years I have known Archie, that he has always kept that lot vacant for one reason - to keep people from encroaching on his property. He's paid taxes on that property for the last 22 years - has lost interest on his money - he's paid a caretaker to take care of that property all these years, and that's the way it's been.

I'm not objecting to any particular thing except that I do think that whatever is built on that property should conform with the building in that area. And I know that if I tried to get the money I've got in my home out of it at the present time I'd have to take a 50% loss . . .

Mayor Briare: Are there any comments or questions of the Commission?

(No response)

Mayor Briare: What is the pleasure of the Board?

M o t i o n

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

Motion carried by the following vote: Commissioners Christensen, Leavitt, Lurie and Mayor Briare voting aye; noes, Commissioner Woofter.

Mayor Briare: The motion is approved and the application is denied.

PLOT PLAN REVIEW - Z-66-73 - ROYAL CREST, INC.

Mr. Saylor: This is a Plot Plan Review in connection with the Spanish Oaks Development. Some of you will remember at the time that zoning was granted, some apartment zoning was approved along Valley View - that's the piece (wall map) and there was a protest factor from the property across the street. In order to mitigate that protest, one of the conditions was that there be a berm on the east side of Valley View as shown here - this being the height of the grade of Valley View - this to be a 6 ft. high berm with a 6 ft. high wall on top of that and then the apartments at the street grade level to somewhat muffle that.

They are asking now that they be allowed to have this berm only

Z-66-73
(continued)

4 ft. high above the street grade, with an 8 ft. wall. They have lowered the elevation of the apartments lower than the Valley View grade so the end result is that you would not be able to see any more of the apartments from the west side of Valley View under this new arrangement. If you go 6 ft. high on the berm you get to a grade where it makes it difficult to maintain the landscaping.

The Planning Commission has recommended approval.

Commissioner Lurie: This was quite controversial at the time we had that application before us, Mr. Saylor. This was a situation we had before us and that was a condition - the people who were here in protest met with the developer - maybe they didn't all agree with him, but they agreed on the particular size of that berm, and now he's coming back and changing it without notifying the people who were here in protest. This happens all the time . . . all of a sudden you bring it back to us . . .

Mr. Saylor: Commissioner, if you wish to have this out for a Public Hearing on it, that's your prerogative -

Commissioner Lurie: I just think you ought to notify the people and give them an opportunity to protest this one particular item - notify them there is a change in the size of that berm from 6 ft. to 4 ft. They might not object to it - but as I recall this room was full on the night we heard that matter and I think they should have the opportunity to protest -

Commissioner Christensen: The net result is the same?

Mr. Saylor: The end result is actually more in terms of . . . the total end result on the berm and the wall is still 12 ft. but, in addition, they have dropped this grade so there is actually more protection in terms of a view factor -

Commissioner Christensen: As I recall what they wanted to see was less of the apartments and they would see less of the apartments now than they would under the other plan - is that what you're saying?

Mr. Saylor: Right -

M o t i o n

Commissioner Lurie: I see - because it's lower. I would move that it be approved but I would also move that those people who protested be notified of the change to the lower elevation of the apartments.

Mayor Briare: Are there any further comments?

(No response)

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

APPEALS -
DATES SET
FOR PUBLIC
HEARING

Mr. Saylor: We had a Board of Zoning Adjust meeting after the agenda came out, and there are some Appeal Actions on which we would like to set the date for the Public Hearings:

APPEAL FILED BY CITY BUILDERS, INC. - V-2-76 - APPLICATION OF PAUL W. AND IMOJEAN MILLER

to action of the Board of Zoning Adjustment in DENYING their application for a VARIANCE to allow an addition to the existing residence, 17 ft. from the rear property line where 26 ft. is required, on property located at 2805 Kings Way, on the south side of Kings Way between Richfield Blvd. and Wyandotte Street, in Zoning District R-1.

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PUBLIC HEARING
DATES
(continued)

APPEAL FILED BY KENNETH F. JOHANN - V-4-76

to action of the Board of Zoning Adjustment in DENYING his application for a VARIANCE to allow a Caretaker's Residence in a Professional Office Zone where no residential use is permitted, on property located at 1604 S. Maryland Parkway, on the west side of Maryland Parkway between E. Oakey Blvd. and Franklin Ave., in Zoning District P-R.

APPEAL FILED BY RICHARD SEYMOUR ON BEHALF OF PATRICK J. O'KELLY - V-7-76

to action of the Board of Zoning Adjustment in DENYING his application for a VARIANCE to allow a residential unit in a commercial storage unit complex, on property generally located on the east side of North "A" Street, between Owens Ave. and Washington Ave., 316 ft. south of Owens Avenue, extending east 450 ft., in Zoning District M.

APPEAL FILED BY WILLIAM E. HART - V-8-76

to action of the Board of Zoning Adjustment in DENYING his application for a VARIANCE to allow residential quarters for a Security Guard/Office Manager in conjunction with a commercial storage unit (mini-warehouse) operation on property generally located on the west side of North Nellis Blvd. between Stewart Ave. and E. Bonanza Road, 1,300 ft. south of Bonanza Road and extending west from Nellis Blvd. approximately 900 ft., in zoning district C-2.

APPEAL FILED BY ROBERT K. WHITNEY - V-10-76 - APPLICATION OF ROBERT C. AND MURIEL M. KOENIG

to action of the Board of Zoning Adjustment in denying their application for a VARIANCE to allow building setback deviations on four (4) separate parcels of land, as follows:

- (1) Lot 11 and the west 20 ft. of Lot 12. To allow the construction of a residence to the rear property line where a 30 ft. rear yard setback is required; and to allow a 7 ft. side yard setback where 9 ft. is required;
- (2) Lot 13 and the east 40 ft. of Lot 12. To allow the construction of a residence to the rear property line where a 30 ft. rear yard setback is required;
- (3) Lots 14 and 15. To allow the construction of a residence to the rear property line where a 30 ft. rear yard setback is required; and
- (4) Lots 16, 17 and 18. To allow the construction of a residence to the side property line where a 5 ft. side yard setback is required, on a lot containing 5,861 sq. ft. in area where 6,000 sq. ft. in area is required.

APPEAL FILED BY KAX CORPORATION - V-11-76

to action of the Board of Zoning Adjustment in DENYING their application for a VARIANCE to allow 2 11-unit apartment buildings where duplex units only are allowed; and to allow tandem parking where tandem parking is not allowed; and to allow a 5 ft. side yard setback where 7 ft. is required; and to allow a 12 ft. high tennis court fence on the north central portion of the property where a maximum fence height of 6 ft. is permitted, on property located on the north side of E. St. Louis Ave., between South Maryland Parkway and South 15th Street, beginning 250 ft. east of Maryland Parkway and extending east 770 ft. in Zoning District R-2.

Mr. Saylor: Did you wish to have me review with you at this time the Plaza/Courtyard Landscaping Plans?

Mayor Briare: The Commission is going to be discussing some monies that were spent this morning on a Special Police Detail, and a number of other items, probably on Friday of this week. Perhaps you can bring it up on Friday of this week.

Mayor Briare: There is one additional item that comes under the Department of Community Development that I wish to bring up. The Commission has had before them the document that starts out "FUNDAMENTALS OF RESIDENTIAL REHABILITATION". Unfortunately it is rather lengthy but the whole substance of it is that I would like to request authority to spend perhaps as much as \$2,500.00 of Community Development Funds in keeping with the City's efforts to improve living conditions in neighborhoods - not only on the West Side but in other areas of the City - by means of a program that would be best described as Self-Help Program whereby assistance is given in guidance on how to borrow money at low interest rates from local banking institutions - how to improve property - how to up-grade the community.

As the result of efforts by the City, the West Side Improvement Commission was formed - the Rev. Marion Bennett, Chairman. City Commissioner Roy Woofter, and myself, belong to that Commission and the assistance to be given is to offer a scholarship to four or five people, including representatives from the Department of Community Development itself, to go to San Francisco to attend an extensive seminar in a program designed for persons interested in the housing, relocation and conservation programs.

Funds are made available at various levels from the Federal Housing & Community Development Act and statements are made - contained in your papers here - that "Few planners or other public officials possess the needed skills - credit evaluation, tenant counseling, property appraisal, mortgage financing, contract writing and contract compliance" and it would be necessary to start a program of this nature.

I would emphasize that it is a Self-Help Program. In order to get something on the road to self-help, there has to be some guidance given and we would like to encourage the Commission's approval that the guidance and assist people to help themselves as opposed to being dependent upon a give-away type program, which we all know is in existence all over the Country - if they come in and would like to take this approach to solving problems, on a self-help basis, then this Seminar would seem to be a very appropriate place to expend Community Development funds to teach people to teach these other people to help themselves.

Commissioner Leavitt: Who are you going to send?

Mayor Briare: From the Department of Community Development would be Mr. Jim Turner, who is on Mr. Saylor's staff; hopefully, Rev. Marion Bennett; Capt. Joseph, who is the head of the Community Development Subcommittee and perhaps one other who is not named at this time, and myself.

Commissioner Leavitt: With Federal money?

Mayor Briare: Well, Community Development money -

Commissioner Christensen: You stated, Mayor, this was for up-grading the housing in all areas of the community - not just the West Side, and yet all of those people are either public officials or West Side people -

Mayor Briare: That's correct -

Commissioner Christensen: Well, how do you expect them to get that information over into the other side of the community?

Mayor Briare: That's why the guidance would come from the City staff, Commissioner, because we recognize that the preponderance of need is on the West Side, but it is not to the exclusion of

other areas that would be, perhaps, recipients of assistance by the City.

Commissioner Lurie: Mr. Saylor, this money is available under the Block Grant Program to send these people to the Seminar to get this information - is that correct?

Mr. Saylor: Yes Sir -

Commissioner Christensen: You've got the money?

Mr. Saylor: Yes Sir.

Commissioner Christensen: Is there a limit on the money?

Mayor Briare: It will amount to about \$650.00 per person.

Commissioner Christensen: Do you have a hard figure?

Mayor Briare: Not to exceed \$2,500.00.

M o t i o n

Commissioner Lurie: I move for approval.

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

Mayor Briare: My next item doesn't require any money but, Mr. Saylor, I think this might also come under Community Development I noticed in the news a meeting that was held yesterday by the Las Vegas Valley Water District whereby, by a 6-1 vote, the Water District agreed to sell a parcel of land to a private developer.

Somewhere along the line I was lead to believe that the Water District - this was before the County Commissioners became ex-officio Water District Directors - that their bonding covenants, and for many other reasons. that that Water District land could not be used for anything except vacant land for reservoirs and Water District equipment.

There have been suggestions made for many, many years, that I can recall, where a beautiful location for a potential Park-type existed on Water District property. I would like to ask you, Mr. Saylor, to do a little research and come back before this Board with the possibility of a Resolution that could be discussed, requesting that Water District property not be sold to private developers, but rather held for some future use as a possible regional Park-site.

Commissioner Lurie: I would like to speak to that: It's a very good point and I didn't read it, but the Water District - in all the new reservoirs they are building, are building them in such a way that the area can be used for Parks - the top of the reservoir can be used for tennis courts - basketball courts. In my discussion when I went out to the unveiling on West Charleston, the Manager of the Water District was there explaining all the possibilities that the District was going to present to the Board that this land could be used for.

You have made an excellent suggestion - I was not aware that they were selling off their land. In another instance I requested from the Water District property that they have available that some day might be turned over to the Metropolitan Police Department as a possible site for a Substation.

Mayor Briare: The whole point is that it would be very nice if it could be preserved for Municipal purposes rather than to build shopping centers and condominiums. I know we don't have any legal authority, Mr. Lovell, unless we can enjoin them from an environmental standpoint. I guess it is best to find out first of all where we stand politically and legally.

Mr. Saylor, I'm sure this has occurred before - I can recall when I served as a member of the Board of County Commissioners

WATER DISTRICT
PROPERTY
(continued)

having aerial maps designed, etc. and we were told by staff and by the bonding company that you couldn't do it, and they had the reasons why we could not do it, and now I find out that apparently it is OK to sell that for shopping centers, but it is no good to use as community Park facilities or things of that nature.

There's no hurry on this as long as resolve it on Friday some time - but no later than our next meeting.

Mr. Saylor: Yes Sir -

DEPARTMENT OF PUBLIC WORKS

LAURENCE HAMPTON, DIRECTOR

See page 75 of these Minutes

SUBDIVISION
PLATS
Approved

Mr. Hampton: Your Honor, even though Section A is indicated as being Consent Items, I would request that these matters be taken separately, if that would meet with your approval:

1. CHARLESTON HEIGHTS UNIT No. 51-A-1
(Becker & Sons, a partnership E. A. Becker, Jr., Agent)

Mr. Hampton: This is an area south of Smoke Ranch Road and to the west of Maverick (wall map) - one cul-de-sac - bounded by Santa Maria to the south and Maverick to the east.

The Planning Commission has recommended approval based upon the fact there are no standards improvements - sidewalk - it would have street lights on one side and would have the rolled curb and gutter in lieu of the L-type curb.

I have sent to the Commission, as well as to Mr. Saylor, a memorandum regarding our comments relative to the City Commission's action. Mr. Becker is here to discuss this proposal and if you have any questions, I will be happy to amplify what I stated in the memo.

Commissioner Lurie: Maybe this is a good time to bring up - talking about sidewalks - the problem we're having with the Postal Service concerning now, rural boxes put next to the street so that you can get your mail delivered. What effect are we going to have - you can answer this at the end of the agenda - as far as Postal Service is concerned?

Mr. Hampton: I would be happy to discuss this regulation either now, or at the end of the agenda, Commissioner -

Commissioner Lurie: My understanding is that this is something they would like to try - the money would be posted and if the residents, after a year felt they wanted it, they could be put in -

Mr. Hampton: That's right. That one of the conditions of the Planning Commission - that the money - and this has been done - the money for the full improvements has been posted by means of a Third Party Agreement with the Bank and after a year's time, the Developer would be required to go back and put these improvements in if the residents, I assume by a majority, felt they were needed.

M o t i o n

Commissioner Lurie: I move for approval.

Mr. Ernest Becker, Sr.: We were to go back with members of the Planning Department to review the Tract, but I will be talking to the people too - and we'd be happy to have the Department of Public Works go along too.

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

Commissioner Christensen temporarily absent.

ITEM

Commission Action

Department Action

VII. DEPARTMENT OF PUBLIC WORKS

LAURENCE HAMPTON, P.E., DIRECTOR

*CONSENT AGENDA

All matters listed under Items A, B, C, and D are considered to be routine by the City Commission and may be enacted by one motion. However, any item may be discussed if a Commission member or citizen so requests.

*A. APPROVAL OF SUBDIVISION PLATS

It is recommended that the following final plats be approved. All engineering designs have been checked and accepted. Fees have been paid, bonds have been posted, and agreements signed for these subdivisions.

1. Charleston Heights Unit No. 51-A1. (Becker & Sons, a partnership, E.A. Becker, Jr., Agent)
2. Charleston Heights Unit No. 51-B. (Becker & Sons, a partnership, E.A. Becker, Jr., Agent)
3. Charleston Heights No. 53A. (Becker & Sons, a partnership, E.A. Becker, Jr., Agent)
4. Lewis Homes-Sahara Unit No. 1. (Lewis Homes of Nevada, a partnership, Earl Monson, Agent)
5. Charleston-Rainbow No. 12D. (Sproul Homes of Nevada, R. B. Cline, Pres.)

Approved
 Lurie - unanimous*

P/W to proceed

Approved
 Lurie - unanimous

P/W to proceed

Approved, subject to**
 Christensen - unanimous

P/W to proceed

Approved
 C
 Commissioner Lurie voted "no"

P/W to proceed

Approved
 C - unanimous

P/W to proceed

*B. RELEASE OF SUBDIVISION BONDS

All offsite improvements on the following subdivision have been completed in accordance with agreements and city standards. All work has been inspected by the Public Works, Fire, Electrical, and Sanitation Departments. It is recommended that the improvements be accepted for this subdivision.

1. Lewis Homes-Charleston Unit No. 9. (Lewis Homes of Nevada, a partnership, Earl Monson, Agent)

Approved
 Lurie - unanimous

Clerk to proceed

*C. RELEASE OF CONSTRUCTION CONTRACTS

The following contractors are requesting release of retention and bond following the expiration of the 35-day lien period. All work has been completed in accordance with contract plans and specifications. Subject to no liens filed in the 35-day period it is recommended that the contract bond and retention be released.

Items 1, 2 and 3
 Approved
 Lurie - unanimous

Clerk and
 P & C to proceed

1. Bid No.: 75.16
 Contractor: Bongberg & Whitney, Inc.
 For: Traffic Signal Installation, Charleston Blvd. and Shadow Lane

*Commissioner Christensen did not vote - temporarily absent
 **approval of property owners backing up to wall on the south

Notice of
 Completion: January 30, 1976
 Release Date: March 5, 1976

Page 75
 Minutes
 Regular Meeting
 City Commission
 March 3, 1976

SUBDIVISION
PLATS
(continued)

2. CHARLESTON HEIGHTS UNIT No. 51-B
(Becker & Sons, a partnership E. A. Becker, Jr., Agent)

Mr. Hampton: This is completely in order. It is at a separate location and all the improvements will be installed.

M o t i o n

Commissioner Lurie: I move for approval.

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

3. CHARLESTON HEIGHTS No. 53-A
(Becker & Sons, a partnership E. A. Becker, Jr., Agent)

Mr. Becker, Sr.: Tract No, 53-A is the one that has that wall in it that we had a problem with and I missed it. The Planning Department was trying to out-guess you, I guess, because during the energy crisis I try to make one trip into town and I made that and you deferred it until the afternoon and I had to come down a second time on my bicycle.

I'm not sure how it reads with the wall - that wall is going to be by the bridle path - we just feel that it can't be there next to the horses. We have a survey going on out there that would take into consideration that wall, and what they felt about it. Mr. Saylor felt that because it was a requirement that was made by the County, because the subdivision was first approved in the County - when we annexed to the City it came in and we talked to the people out there - we ran across the person who represented the people at the County and he claimed that the Developer that presented it wanted the wall there to completely make his area private.

We don't want to have it that way because over half the people that back up to it have horses in the Hillcrest Tract, even though it's in the County, and we feel that eventually they're going to have to join with us in the bridle path because it is fairly close to the City and in the years to come, with the new Dayton-Hudson Shopping Center, we're going to be virtually down town. Years ago we felt that West Charleston would always be out in the country and we're right in the middle of an urban development there. The main thing in that area if you have horses you're not going to be able to ride out on the streets - they will have to come in and join us in these bridle paths.

We just feel like with a solid wall like that . . .

Commissioner Christensen: It would not be in keeping with the Western theme -

Mr. Becker: That, and also the fact that somebody could stick his head up over that fence and "spook" a horse - that could become a problem. We found out it was not a matter of Mr. Saylor's concern, but a requirement that was put on by the people - I have a letter here from that gentleman -

Mr. Hampton: This came up on Mr. Saylor's part of the agenda - Condition No. 6 on Page 16 -

Mayor Briare: On 53-A let us now address ourselves that a block wall is not feasible - a rail type is.

Mr. Saylor: May I offer this - when I explained this development to you - the brown (wall map) is the pattern of a bridle path. Backing up to this subdivision is Hillcrest Manor which is essentially developed - these lots back up here (wall map). This is recently annexed to the City. The approval for this type of development - the 1/4 acre lot size, etc., was given in the County. One of their conditions required a wall all around it.

I don't believe the wall is desirable with this R-E type of

SUBDIVISION
PLATS
(continued)

development, especially bordering a bridle path. A wall is just not suitable, nor do I necessarily agree that - you have R-E here and R-E here (wall map) that you should have a wall separating them, but to keep faith with the fact that the zoning action took place in the County and the condition of the wall was put on because of that, I indicated to Mr. Becker that we would not require the wall around the rest of the development, which is vacant, but would require it here (wall map) unless he could get release from these people due to the fact they didn't want the wall.

I don't believe in the wall - I don't think it's a good idea, but the fact it was put on as a condition as the result of a public hearing, I felt, in good faith, that we had to follow through -

Commissioner Christensen: Who requested that condition be put on?

Mr. Saylor: I can't tell you that with any clarity -

Mr. Becker: We found out from the fellow who represented the owners at the County hearing, it was the developer's request so that he would have a privately contained unit - not the people that lived on Sheilah. He wrote a letter - Mr. Saylor hasn't seen it as I just received it -

Commissioner Christensen: Would it be a problem to get a release from those people?

Mr. Becker: We're contacting them -

Commissioner Christensen: How about if it was approved without the wall and you could take one letter and have all the people sign it?

Mr. Becker: We would do that and we could then bring it in when we ask for the Subdivision Bond to be released - present it and you could waive that condition at that time. I think that would solve it. I think we have it solved - it's just a matter of the time involved in getting it done. We might not have 100% sign, but we will have most of those people out there.

M o t i o n

Commissioner Christensen: I move for approval of the Subdivision Plat of Charleston Heights No. 53-A, subject to the applicant receiving approval from the majority of the property owners backing up to the wall on the south for the waiver of Condition No. 6 as imposed by the County.

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

4. LEWIS HOMES-SAHARA UNIT No. 1
(Lewis Homes of Nevada, a partnership Earl Monson, Agent)

Mr. Hampton: Items Nos. 4 and 5 are in order and we would recommend approval.

M o t i o n

Commissioner Christensen: I move for approval.

Motion carried by the following vote: Commissioners Christensen, Leavitt, Woofter and Mayor Briare voting aye; noes, Commissioner Lurie.

5. CHARLESTON-RAINBOW No. 12-D
(Sproul Homes of Nevada R. B. Cline, Pres.)

M o t i o n

Commissioner Christensen: I move for approval.

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

RELEASE OF
SUBDIVISION
BONDS

See Page 75 of these Minutes

RELEASE OF CONSTRUCTION
CONTRACTS

See Pages 75 and 79 of these Minutes

RIGHT-OF-WAY
ITEMS

See Page 79 of these Minutes

Mr. Hampton: Items 1 and 2 are all in order and I would like to explain Item 3. This is excess property, declared excess by the Government in the Nellis Air Force Base area. It is adjacent to property that is owned by the City. They have offered us 1.56 acres at a price of \$150.00 and we feel it is of advantage to the City to have it and would recommend that we purchase it at that price. It was an easement.

Commissioner Christensen: What is it next to?

Mr. Hampton: The area we have out there near Nellis - the Curley Price Race Track area - it adds a little piece on one end of it.

M o t i o n

Commissioner Lurie: I move for approval as recommended.

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

PAINTING OF MPD
VEHICLES
Approved

Mr. Hampton: The first discussion item is an abeyance item held at the last meeting regarding Mr. Bunker's request to utilize - for the County to utilize the City's painting facilities.

At the last meeting you requested that I contact Mr. Bunker and ask him to be here at this meeting.

MOTO-CROSS

Mayor Briare: While Mr. Bunker is coming forward, Mr. Hampton, don't forget about that Moto-cross property out there. Are you working on that?

Mr. Hampton: We sure are . . .

Mayor Briare: It would appear from the Department of Well Permits, etc., that property might be getting more attractive every day for the use of the only Moto-cross in town.

Mr. Hampton: We've studied the brochures that were supplied to us and we're taking aerial photos - we are getting copies of the aerials that were already taken some years ago.

Mayor Briare: Who has the question of Mr. Bunker? Commissioner Christensen?

Mr. Richard Bunker: I think I've answered all of Commissioner Christensen's questions -

At the hour of 3:10 P.M., Mayor Briare announced a 5-minute recess.

Meeting reconvened at the hour of 3:15 P.M. with the full Board and Staff in attendance.

Mayor Briare: Now, Mr. Bunker, may we have your answers to the questions Commissioner Christensen had on the painting of Police vehicles?

Mr. Bunker: I think I've answered most of them for him. All we're doing is taking a facility that really is not used 100% of the time, that the City has, and are trying to give it some

ITEM

Commission Action

Department Action

VII. DEPARTMENT OF PUBLIC WORKS (Continued)

*C. RELEASE OF CONSTRUCTION CONTRACTS (Continued)

2. Bid No.: 75.74
 Contractor: Longley Construction Co. Inc.
 For: Sewer Diversions, Las Vegas Expressway and Jones Blvd.
 Notice of Completion: February 2, 1976
 Release Date: March 8, 1976

See Page 20

See Page 20

3. Bid No.: 75.87
 Contractor: Womack Construction Co., Inc.
 For: Drainage Improvement at Southern Nevada Memorial Hospital
 Notice of Completion: January 30, 1976
 Release Date: March 5, 1976

*D. RIGHT OF WAY ITEMS

1. Grant Deed
 From: Walter V. Mongen and Elna D. Mongeon, joint tenants with right of survivorship
 To: City of Las Vegas
 For: Portion of SW-1/4, Sec. 3, T21S, R61 E
 Main St. Dedication Building Permit

Items 1, 2 and 3
 Approved
 Lurie

P/W to proceed

2. Grant, Bargain, Sale Deed
 From: Central Telephone Company a Delaware Corporation
 To: City of Las Vegas
 For: Portion of NE-1/4, Sec. 29 T20S, R62E
 Nellis Blvd. Dedication

3. Request permission to purchase easement from the Department of Army vicinity of Nellis Air Force Base at a cost of \$150.00

E. DISCUSSION

1. Utilization of city vehicle painting facility by Clark County (M.P.D.). (Abeyance)

Approved as recommended
 C - unanimous

C/A to prepare Agmt

2. Request of Western High School Booster Club to obtain 4 surplus wooden poles from Ed Fountain Park.

Approved transfer of 4 Poles to School Dist.
 Lurie - unanimous

P/W to proceed

F. REPORTS

1. Proposed Special Improvement District Cashman Drive, Charleston to Oakey.

Approved
 Lurie - unanimous

City Eng. to proceed with Plans & Specs.

2. Lewis Homes-Charleston No. 8, sewer line extension. Total cost - ~~\$4,769.75~~
 \$3,769.75

Approved
 W - unanimous

Staff to proceed

ADDITIONAL ITEM:

REPORT re U. S. Postal Regulations

PAINTING OF MPD
VEHICLES
(continued)

more use and in doing that we'll be paying for the time that we use it - your people will be performing the work -

Commissioner Christensen: Will we be furnishing the paint, or will the County furnish the paint?

Mr. Bunker: No - you guys furnish everything.

Commissioner Christensen: Will we be able to furnish the paint on a cost-plus basis?

Mr. Bunker: I don't know - I'm not - I haven't gone into it that far, Commissioner, really -

Commissioner Christensen: I have no further questions of Mr. Bunker - I have discussed the matter with him since the last meeting and the only reason he has stayed around here today is to answer any questions of some of the others.

I was under the impression that if they got any minor damage to a Police car, they were going to repaint the whole Police car, and that I objected to because, if you will recall, I I objected to them going to a brown & white Police car originally. That was three years ago -

Mr. Bunker: That is not the case -

Commissioner Christensen: At any rate, I have no fight with what they're planning to do here. It has been explained to me that what they're talking about is when they have major damage that would require painting the whole car, they will go ahead and repaint it.

We do have a paint booth set up at our facility to paint Police cars - we don't have a Police car to paint any more so there's no question but what that booth is not being utilized full time and anything that we can do to utilize the City's equipment that we have to maintain, that isn't being used full time, and would benefit the taxpayers and save them a little money - I'm all for.

Mayor Briare: Any other questions?

Commissioner Christensen: I don't think that requires a motion - if the City's Public Works Department wants to rent that facility to the County, or paint the County's Police cars under an Agreement, I'm sure that the Department of Public Works and the City Attorney can work that Agreement out.

M o t i o n

If it requires a motion, I'll make it.

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

WESTERN HI
SCHOOL
BOOSTER CLUB

Mr. Hampton: Your Honor, there has been a memo sent you regarding this item. These are surplus poles that were taken down at the Ed Fountain Park when we were rebuilding and we would recommend approval of this request.

M o t i o n

Commissioner Lurie: I would move for approval.

Commissioner Leavitt: I have a question here: It's about the legality of it. I'd like to have the City Attorney tell us if it is legal. What do they want to do with those poles?

Mr. Hampton: Right now there are poles in front of the bleachers, Commissioner, and they want to use these taller poles to put in back of the bleachers so they don't obstruct the view -

Commissioner Leavitt: I'm just worried about the legality of it - possibly if the poles were given to the School District, there would be no problem and let the Western Hi Booster Club put them up. I don't see anything wrong with that, but I don't know if we can start giving away City property to private groups. We're liable to get

LIGHT POLES
(continued)

ourselves into a little bit of a legal jackpot. It would appear that the way around it would be to give the poles to the School District and let the School District then let the Booster Club put them up. The same end result would happen, except that I don't want us to set a precedent of giving City property to private organizations.

Mayor Briare: I would suggest that Commissioner Lurie include in his motion that this be approved subject to whatever legal procedures need to be followed to accomplish this.

Commissioner Leavitt: Is that correct, Mr. Lovell, that we could have a legal problem if we gave the poles to the Booster Club as opposed to the School District?

Mr. Lovell: Yes, that's right - you can't. You have to be dealing with the School District . . .

Commissioner Leavitt: If we were going to give them to the Booster Club, we would have to go out to bid, wouldn't we?

Mr. Lovell: Yes - if you're going to dispose of public property to private institutions . . .

Commissioner Leavitt: You wouldn't have to go to bid to give them to the School District though - right?

Mr. Lovell: No - it would be a Public Service type of Agreement.

Commissioner Leavitt: Would Commissioner Lurie agree then that the motion be amended to approving these poles being given to the School District to be used in putting in new lights at the Field - which accomplishes the same thing - only in a legal way.

A m e n d e d
M o t i o n

Commissioner Lurie: I would have no objection to that and would so amend my motion.

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

CASHMAN DRIVE

PROPOSED SPECIAL IMPROVEMENT DISTRICT - CASHMAN DRIVE, CHARLESTON TO OAKEY

Mr. Hampton: Your Honor, the next item has to do with the poll we've taken on Cashman Drive, from Charleston to Oakey. I will refer to this map (wall map): The area that you see in blue is the part of Cashman that is presently improved. The area shown in yellow does not have improvements and the green area indicates the people who have indicated they are in favor of a District.

There are two (2) properties that are opposed to the District. There are 51% of the people who did not answer. In the letter that was sent to the property owners it was stated, however, that if we received no answer, we would assume they are in favor.

Also, the two objectors apparently said they would not strongly object as long as the improvements did not include sidewalks, and since the two existing properties here (wall map) have improvements, minus the sidewalks - they have the curb & gutter and full paving - we would like to recommend that the Project go ahead.

Put the improvements in from Ashby to Oakey, and full improvements, minus the sidewalks, from Ashby to Charleston, since these two people said they would not oppose the District but if they could have a choice, they would prefer not to have sidewalks. Those people are Mr. Tom Turner and Mr. Vandenberg. There are sidewalks on the west side of the street.

With that slight change, we would have practically the unanimous approval for the Special Improvement District.

CASHMAN DRIVE
(continued)

Commissioner Lurie: Do you need a motion for approval?

Mr. Hampton: Yes - a motion for approval and permission to proceed with the design.

M o t i o n

Commissioner Lurie: I move to approve the Special Improvement District with the changes as recommended.

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

LEWIS HOMES -
CHARLESTON No. 8

LEWIS HOMES-CHARLESTON No. 8 - SEWER LINE EXTENSION

Mr. Hampton: The last item, Your Honor, has to do with - first of all, let me say that there is a typographical error. The total cost should read \$3,769.75.

This has to do with Lewis Homes Charleston No. 8 sewer line extension. Originally this was a mix-up inasmuch as the Developer's engineer came in and talked with our Staff regarding a possible sewer extension to the north. It involves a 200 ft. extension.

We told the engineer that it would be highly desirable to put this extension in. This was put on the Plan and was subsequently installed, without getting prior approval. We had talked with the engineer and told him to come back and get formal approval for the extension, but work proceeded and the improvements were put in without approval for City participation.

We have received the invoices from the Contractor and we feel the price is very reasonable. We would have recommended approval of this extension before the fact if we had had an opportunity to do so.

We have a letter from the Engineer stating the facts in this matter. If there are any questions, I would be happy to answer them, but we would recommend that the Developer be paid the amount shown on the agenda (\$3,769.75) to compensate for this sewer line extension which, in actuality, is taking this area that is being developed and divert it from the Alta sewer, which is beyond capacity at this time, and divert it out into the Vegas Drive sewer system.

Mayor Briare: Are there any comments or questions?

(No response)

M o t i o n

Commissioner Woofter: I move for approval as recommended.

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

Mayor Briare: Do you have anything else, Mr. Hampton?

Mr. Hampton: Commissioner Lurie asked me to comment on Mail Box situation and I would like to point out that I am at a little bit of a loss as to what to recommend to oppose this type of regulation. I might say that the staffs of the various local entities got together and drafted a Resolution and this Resolution was turned over to the attorney in North Las Vegas and he was supposed to put the finishing touches on it. We anticipated that this Resolution would be before the various Commissions at their next meetings.

This is a Resolution opposing this Federal Regulation - to the Postal Service Regulation. Previously Mr. Monohan of the County had written a letter to Senator Laxalt and I received today a copy of a letter from Senator Laxalt to the Postmaster General in which the Senator asked that the Postmaster look at the specific case here in the Las Vegas Valley. Unfortunately, I do not feel this is going to be too effective because this is a Nation-wide Regulation.

What it does - it requires that in all new Subdivisions that Mail

POSTAL SERVICE
REGULATIONS
(continued)

Boxes shall be 18 inches in back of the curb. This, I feel, creates a hazard because it's an obstacle in the public way - it detracts from the full use of the sidewalk - it's unsightly and most important, I think it's the first step toward requiring everyone, even in existing residences to get their mail box out at the curb.

Commissioner Lurie: This regulation is just a requirement for new Subdivisions?

Mr. Hampton: That's right -

Commissioner Lurie: They were told that otherwise, people would not receive their mail if they don't put their mail boxes in the right location.

Mr. Hampton: Fortunately, it hasn't happened in the City as of yet but there have been several cases where they have refused to deliver in the County.

Commissioner Christensen: This has been present in the City for some years, has it not?

Mr. Hampton: No - the requirement has been back of the sidewalk up until the last few months.

When I built my home in an R-A area, there are no sidewalks and my Mail Box is on City right-of-way in our front yard, which I maintain in grass, and if I don't have it there, I get no mail, and it's been that way for thirteen years that I know of.

Mr. Hampton: It has been that way previously for rural areas and you are in what is considered a rural area. This new Regulation - actually, it has been in effect since July of 1975 - they have not started to enforce it yet in Las Vegas until about a couple of months ago - and this is one of my objections to it - they are not enforcing it uniformly throughout the Nation. People in Los Angeles are up in arms about this. I think the Postal Service should either set a specific date and say - this is going to be the date, and let everyone suffer, and not try to just pick out those areas they think are not going to object too strongly.

Commissioner Christensen: Is there a chance, if we wait on this a little while, that the Postal Service will deteriorate to the point where we will all have to go to the Post Office to get our mail?

Commissioner Lurie: That's what it is leading up to -

Commissioner Christensen: They are talking about a 3-day week delivery - then that will degenerate to two - then once and then - you come and get it yourself.

Mr. Hampton: Several proposals have been thrown out - one that the Mail Boxes be clustered, as they used to be in rural areas - maybe at one end of each block. Another possibility is that the Postal Service should look at it from a different angle and for those people who want door service would pay a nominal fee for that - or have a Mail Box out at the curb.

Commissioner Lurie: One other important item here that you should address is that if a person wants to put up one of these Mail Boxes on the sidewalk, that they have to have a permit in order to put the Mail Box up because it would be on City-owned property.

Mr. Hampton: That's right. What they're trying to do to avoid that as much as possible, is work with the developers in the new subdivisions and have the developer install a sleeve in the sidewalk when it's constructed so that all the property owner has to do is go out and stick it in the ground. We feel there is a liability in that, because if anyone walks along the sidewalk and falls into that recessed area, a suit could result -

Commissioner Lurie: Just keep us informed of any new developments.

Mr. Hampton: I certainly will -

Commissioner Woofter: I have before me a copy of a letter furnished to me by the Mayor from the Southern Nevada Youth Athletic Assn.

See Page 85 of these Minutes (Letter)

This letter is addressed to the Board of City Commissioners and to the Board of County Commissioners as well - attention, Mr. Tom Wiesner, Chairman. The letter was dated March 1st and was received by the Mayor's secretary on March 3, 1976.

There is, therefore, before you at this time for expediting payment and if this is appropriate at this time, Mr. Hampton, I would move that you release this Fourth Payment.

Commissioner Christensen: The Building Department would have to go out and inspect it . . .

Mayor Briare: It would have to go through all of the normal procedures - yes.

M o t i o n

Commissioner Lurie: We have an Agreement that covers all of this. I would move for approval on the basis of the provisions contained in the Agreement.

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

PERSONNEL

AUTHORIZATION FOR TEMPORARY POSITIONS AND/OR REPLACEMENTS

See Page 87 of these Minutes (Annotated Agenda)

Mayor Briare: What is the pleasure of the Board on the Personnel items?.

M o t i o n

Commissioner Lurie: I move for approval.

Motion carried by the following vote: Commissioners Christensen, Woofter, Lurie and Mayor Briare voting aye; noes, Commissioner Leavitt.

Mayor Briare: Is there anything on Item "B"?

J. Robt. McPherson, Personnel Director: Item "B", Your Honor is:

COOPERATIVE AGREEMENT - CLARK COUNTY DISTRICT HEALTH DEPARTMENT/
CITY OF LAS VEGAS PERSONNEL DEPARTMENT

Commissioner Christensen: Are they going to come in and ask for an increased fee for the services they perform? That's the normal pattern -

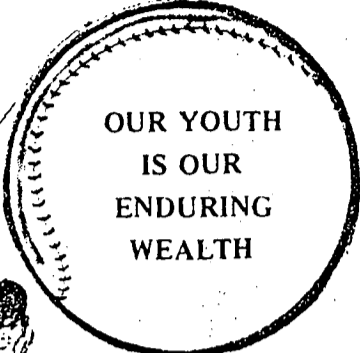
M o t i o n

Commissioner Leavitt: I move the Agreement be approved and the Mayor authorized to sign.

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

Mayor Briare: Is there anything else, Mr. McPherson?

Mr. McPherson: We would just like to report to you that on the 10 you authorized - they will start next week at Dula.



**SOUTHERN NEVADA INDEPENDENT
YOUTH ATHLETIC ASSN.**
4012 SAN BERNARDINO * LAS VEGAS, NEVADA 89102
(702) 876-1479



March 1, 1976

Board of County Commissioners
Clark County
c/o Tom Wiesner, Chairman
200 East Carson Avenue
Las Vegas, NV 89101

Board of City Commissioners
City of Las Vegas
c/o Mayor William H. Briare
400 East Stewart Avenue
Las Vegas, NV 89101

Gentlemen:

Pursuant to our agreements of August 11, 1975, and August 6, 1975 respectively, we have now completed the fourth and last phase of construction (roof) and request the fourth incremental payment of \$131,000 (County share, \$65,500; City share, \$65,500).

We would greatly appreciate your expediting payment to us as soon as possible.

Thank you very much for your help and cooperation.

Very truly yours,

W. G. Flangas

W. G. Flangas, Commissioner
4209 El Cedral
Las Vegas, NV 89102

JOHN POTOCKSKY
Director

Bill Flangas
Herbert Jones
Commissioners

Jerry McGhee
Secretary

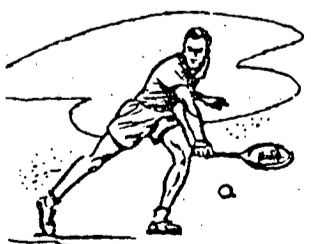
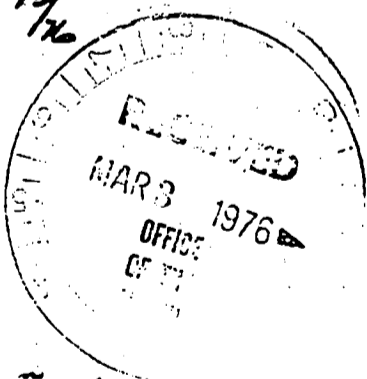
George Randall
Treasurer

- Jim Burns
- Willie Fuller
- Oran Gragson
- Kenny Guinn
- Ed Hutchins
- Marvin Jackson
- Jim Kennedy
- Larry Krenzien
- Ed Mahn
- Arden Montecino
- Jerry Robb
- Jim Ryan
- Wally Roper
- Terry Shonkwiler

ACTION TAKEN

Approved by City Commission

Date 3/2/76



ITEM

Commission Action

Department Action

VIII. DEPARTMENT OF PERSONNEL

BOB McPHERSON, DIRECTOR

A. AUTHORIZATION FOR TEMPORARY POSITIONS AND/OR REPLACEMENTS

1. Federally funded (No City Cost)

Dept/Class	Monthly Cost	Justification
(1) PW/Streets Utility Worker - 3 Title VI (replacement hire) Until 6/30/76	520	Assigned to clean-up crew in West Las Vegas.
(2) PW/St Lighting Utility Worker Title VI (replacement hire) Until 6/30/76	520	Crew member on Ed Fountain ball park project.

2. Federally funded (With Some City Cost)

(1) PW/St Lighting Elec Trades Hlpr Title I (replacement hire) Until 6/30/76	Fed -783 City -121 Total-904	Crew member on Ed Fountain ball park project.
(2) Recreation Jr Rec Leader Title I (replacement hire) Until 6/30/76	Fed -783 City - 45 Total-828	Assigned to Teen Center. Assists in teaching arts and crafts, gymnastics and other organized sports activities.

3. City funded (Replacement Hires)

(1) Fire Fire Alarm Supervisor	1404	Responsible for the planning, constructing, installing, maintaining and operating of the Fire Alarm Division.
(2) Municipal Court Stenographer	759	This is the only Stenographer position in the department.

* Additional

B. COOPERATIVE AGREEMENT - CLARK COUNTY DISTRICT HEALTH DEPARTMENT/CITY OF LAS VEGAS PERSONNEL DEPARTMENT

ADDITIONAL ITEM

*Fire

Fire Alarm Operator 946

Page 86

Minutes - Regular Meeting

City Commission

March 3, 1976

Items 1, 2 and 3
 Approved
 as submitted
 Lurie
 Commissioner Leavitt
 voted "no"

Personnel Staff
 to proceed

Mayor & Clerk
 authorized to sign

See Page 88 of these Minutes (Annotated Agenda)

O F F I C E O F T H E C I T Y A T T O R N E Y

CARL E. LOVELL, JR., CITY ATTORNEY

SPECIAL
IMPROVEMENT
DISTRICT
No. 415
Resolution
Adopted

STEWART AVENUE FROM 28TH STREET TO NELLIS BLVD.

Mr. Lovell: The following Resolutions are in order and are before you for your consideration:

RESOLUTION DETERMINING THE COSTS TO BE ASSESSED IN LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT No. 415, AND ORDERING THE CITY ENGINEER TO PREPARE THE ASSESSMENT ROLL

a n d

RESOLUTION TENTATIVELY APPROVING THE ASSESSMENT ROLL FOR LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT No. 415; ORDERING SUCH ROLL TO BE FILED IN THE OFFICE OF THE CITY CLERK AND FIXING THE TIME WHEN OBJECTIONS TO SUCH ROLL WILL BE HEARD.

See Pages 89 thru 96 of these Minutes (Resolutions)

M o t i o n

Commissioner Lurie: I move that these Resolutions be approved and Staff authorized to proceed.

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

ITEM	Commission Action	Department Action
<p>X. <u>VACANCIES ON BOARDS & COMMISSIONS</u></p>		
<p>A. <u>SOLICITATIONS REVIEW BOARD</u> (2-Year Term)</p> <p>One (1) member to be appointed to replace Virgil F. Gilmore (who resigned 12/4/75) for a term expiring <u>12/20/76</u>.</p>	<p>Appointed Joy Hamann 810 E. Sahara Ave.</p>	<p>Clerk to notify</p>
<p>B. <u>LAS VEGAS METROPOLITAN BEAUTIFICATION COMMITTEE</u> (3-Year Term)</p> <p>Jack L. Cobb -- Term expired <u>2/4/76</u>.</p>	<p>Abeyance</p>	<p>3/17/76 Agenda</p>
<p>C. <u>BOARD OF ZONING ADJUSTMENT</u> (5-Year Term)</p> <p>Philip Reinhardt -- Term expired <u>2/7/76</u>.</p>	<p>Appointed Frank Canul</p>	<p>Clerk to notify</p>
<p>D. <u>ELECTRICAL EXAMINING BOARD</u> (2-Year Term)</p> <p>Terms of the following members expired <u>2/2/76</u>:</p> <p>Rex A. Tynes Doyen C. Smith John Benton Melvin C. Sutton Aubrey Goldberg</p>	<p>Five (5) incumbent Members Reappointed</p>	<p>Clerk to notify</p>
<p>----- <u>ADDITIONAL</u></p>		
<p><u>SENIOR CITIZENS ADVISORY BOARD</u></p> <p>Three (3) Year Terms: Dr. Herbert Derfelt Harry Levy Mrs. Fay Colen Lawrence Keilman</p> <p>Two (2) Year Terms: Al Triner Gus Harrison Catherine Perrotti Keith McNeil</p> <p>One (1) Year Terms: Ron Lurie Walt Martini Jacqueline McKinney Joe Cordova</p>	<p>Appointed as indicated</p>	<p>Clerk to notify</p>

RESOLUTION DETERMINING THE COSTS TO BE ASSESSED
IN LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT
NO. 415, AND ORDERING THE CITY ENGINEER TO PREPARE
THE ASSESSMENT ROLL.

WHEREAS, the City of Las Vegas, in the County of Clark and State of Nevada, has taken requisite legal action preliminary to and in the creation of Special Improvement District No. 415 consisting of:

The improvements shall include the installation of street lighting, consisting of sodium vapor luminaires and steel lighting standards with concrete bases and underground wiring; the installation of concrete curbs and gutters, with commercial driveway openings as required, and an eight foot (8') parking lane on each side of Stewart Avenue from 28th Street to Nellis Boulevard, except where adequate improvements have previously been installed, to include the necessary installation, removal and relocation of any and all utilities and appurtenances that are deemed necessary to complete same, as more particularly shown on the plats, diagrams and plans of the work and the locality to be improved, now on file in the Office of the City Clerk,

and to defray the entire costs and expense thereof by special improvements, according to benefits, against the taxable lots and premises in said District; and

WHEREAS, pursuant to law, the said City has entered into the following contracts, to-wit:

Nevada Rock & Sand and Acme Electric for the improvements to be installed in Assessment Unit No. I.

WHEREAS, the costs, including administrative costs, for installing the improvements in said District are as follows:

Assessment Unit No. I	\$297,692.24
-----------------------	--------------

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Las Vegas, Nevada, at a regular meeting thereof held on the 3rd day of March, 1976, that the following amount shall be assessed against and paid by the assessable property in said District, to-wit:

\$297,692.24

all as designated in Ordinance No. 1746, passed, adopted and approved on the 15th day of December, 1974.

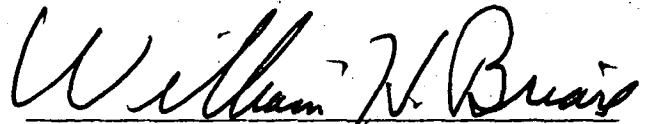
CITY CLERK
FEB 25 11 53 AM '76
RECEIVED

BE IT FURTHER RESOLVED that the City Engineer is hereby ordered to make an assessment roll containing, among other things:

1. The name of each last known owner of each lot or parcel of property to be assessed; and
2. A description of each lot or parcel of property to be assessed and the amount of the proposed assessment thereon, apportioned upon an area basis, all as more particularly set out in Section 4 of Ordinance No. 1746.

BE IT FURTHER RESOLVED that the City Clerk shall furnish a copy of this Resolution to the City Engineer.

PASSED, ADOPTED AND APPROVED this 3rd day of March, 1976.


WILLIAM H. BRIARE, Mayor

ATTEST:

Edwina M. Cole, City Clerk

A RESOLUTION TENTATIVELY APPROVING THE ASSESSMENT ROLL FOR LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 415; ORDERING SUCH ROLL TO BE FILED IN THE OFFICE OF THE CITY CLERK; AND FIXING THE TIME WHEN OBJECTIONS TO SUCH ROLL WILL BE HEARD.

WHEREAS, the City of Las Vegas, in the County of Clark, and State of Nevada, has taken requisite legal action preliminary to and in the creation of Special Improvement District No. 415 consisting of:

The improvements shall include the installation of street lighting, consisting of sodium vapor luminaires and steel lighting standards with concrete bases and underground wiring; the installation of concrete curbs and gutters, with commercial driveway openings as required, and an eight foot (8') parking lane on each side of Stewart Avenue from 28th Street to Nellis Boulevard, except where adequate improvements have previously been installed, to include the necessary installation, removal and relocation of any and all utilities and appurtenances that are deemed necessary to complete same, as more particularly shown on the plats, diagrams and plans of the work and the locality to be improved, now on file in the Office of the City Clerk,

and to defray the entire cost and expense thereof by special improvements, according to benefits, against the taxable lots and premises in said District; and

WHEREAS, by Ordinance No. 1746 duly passed, adopted and approved on the 18th day of December, 1974 said Board of Commissioners finally passed on all protests and objections, determined to proceed with said improvements as described in said preliminary proceedings, except as modified and provided in said Ordinance, and created said District; and

WHEREAS, pursuant to notice duly given on the 18th day of December, 1974, the City of Las Vegas entered into contracts in cooperation with Regional Streets & Highways Commission and received bids for the doing of the work therefor, and formally entered into the following contracts, to-wit:

Nevada Rock & Sand and Acme Electric for the improvements to be installed in said Assessment Unit.

WHEREAS, after making of such contracts, said Board of Commissioners determined what portion of the costs of such work, including advertising, appraising, engineering, legal, printing and other proper incidental costs should be assessed against and paid by the property specially benefitted in said Improvement

District, to-wit: Page 91
Minutes
Regular Meeting - City Commission - March 3, 1976

and

WHEREAS, the City Engineer, pursuant to directions contained in the resolution of said Board of Commissioners, duly passed, adopted and approved on the 3rd day of March, 1976, has prepared an assessment roll which contains, among other things, the name of each last known owner of each lot or parcel of property to be assessed, a description of each lot or parcel to be assessed, and the amount of the proposed assessment thereon, apportioned on an area basis as more particularly set forth in Section 4 of Ordinance No. 1746; and

WHEREAS, said Board of Commissioners has determined, and does hereby determine, that the lots or parcels of property in said City which are specially benefitted by the improvements installed in said District, and only those lots or parcels of property which are so specially benefitted, are included on said assessment roll.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the City of Las Vegas, Nevada, at a regular meeting thereof held on the 3rd day of March, 1976, as follows:

SECTION 1. That the assessment roll on Las Vegas, Nevada, Special Improvement District No. 415 has been examined, is tentatively approved, and is hereby ordered to be filed in the Office of the City Clerk and numbered Roll No. FINAL 2-1976.

SECTION 2. That Wednesday, the 7th day of April, 1976, at 9:30 A.M., in the Commission Chambers at City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, be, and the same hereby is, fixed as the time and place when said City Commission will hear and consider objections to said assessment roll by the owners of property specially benefitted by the improvements in "Las Vegas, Nevada, Special Improvement District No. 415," and proposed to be assessed, by any party interested in the regularity of the proceedings in making such assessments, and by all parties aggrieved by such assessment.

SECTION 3. That the City Clerk shall give notice of such hearing by mailing a copy thereof, postage prepaid, registered or certified mail, at least 20 days prior to such hearing, to the last known address of each last known owner of property within said District whose property will be assessed; and by publishing a copy thereof in the Las Vegas Review Journal, a newspaper published in the City of Las Vegas, Nevada, and of general circulation in said City of Las Vegas, at least once each week for three

consecutive weeks, by three weekly insertions, the first publication to be at least 15 days prior to the date of said hearing and not less than 14 days to intervene between the first publication and the last publication; and said notice shall state that such assessment roll is on file in the Office of the City Clerk, the date of filing same, the time and place at which said Board of Commissioners will hear and consider objections to said assessment roll by the owners of property specially benefitted by the improvements in "Las Vegas, Nevada, Special Improvement District No. 415," and proposed to be assessed, by any party interested in the regularity of the proceedings in making such assessments, and all parties aggrieved by such assessments. Such notice shall be in substantially the following form, to-wit:

NOTICE OF FILING OF ASSESSMENT ROLL FOR LAS VEGAS
NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 415 OF THE
OPPORTUNITY TO FILE WRITTEN OBJECTIONS TO THE ASSES-
MENTS CONTAINED THEREIN, AND OF THE PROTEST HEARING
THEREON.

NOTICE IS HEREBY GIVEN, that the assessment roll for Las Vegas, Nevada
Special Improvement District No. 415 in and of the City of Las Vegas, Nevada, has
been prepared by the City Engineer of said City, that same was filed in the Office
of the City Clerk on March 3, 1976, and that since said time said assessment
roll has been and now is on file therein and is available for examination during
regular office hours by any interested person. Said Improvement District consists of:

Those portions of Section 36, Township 20 South, Range 61 East, M.D.M, and
Section 31 and 32, Township 20 South, Range 62 East, M.D.M., in the City of
Las Vegas, County of Clark, State of Nevada, adjoining East Stewart Avenue on
the South from a point approximately 703 feet east of the centerline of 28th Street
to Pecos Drive; from a point approximately 402 feet east of the centerline of Pecos
Drive to a point approximately 662 feet East of the centerline of Honolulu Street;
from Sandhill Road to a point approximately 645 feet East of the centerline of
Sandhill Road; from a point approximately 1290 feet west of the centerline of Lamb
Boulevard to Lamb Boulevard; from Page Street to Nellis Boulevard; on the North
side of Stewart Avenue from 30th Street to a point approximately 540 feet East of
the centerline of Pecos Drive; from a point approximately 1032 feet West of the cen-
terline of Lamb Boulevard to Nellis Boulevard.

Such areas include all property abutting said improvements in said
assessment unit and situate within those boundaries designated in Section 3 of
Ordinance No. 1746 for the assessment unit.

The Board of Commissioners of said City will meet to hear and consider
objections to said assessment roll by the owners of said property specially benefitted
by the improvements in said District, and proposed to be assessed, by any party
interested in the regularity of the proceedings in making such assessments, and
by all parties aggrieved by such assessments, on Wednesday, April 7, 1976, at
9:30 o'clock A.M., at the City Hall in said City. The owner or owners of any property
which is assessed in such assessment roll, whether named or not in such roll,
may, not less than three (3) days prior to said hearing, file with the City Clerk his
or her objections in writing.

Said assessments shall be due and payable at the office of the City Treasurer within thirty (30) days after the ordinance levying the assessments becomes effective without interest and without demand; or all or any part of such assessments may, at the election of the owner, be paid thereafter in ten substantially equal annual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the date of publication of said ordinance at a rate or rates which shall not exceed seven per centum (7%) per annum. Penalties shall be due for delinquencies, and installments may be prepaid.

Any objection to the regularity, validity or correctness of the proceedings, of said assessment roll, of the estimated maximum benefits, of each assessment contained therein, and of the amount thereof levied on each tract and parcel of land, shall be deemed waived unless presented at the time and in the manner herein specified.

At the time and place so designated for hearing such objections, said Board of Commissioners shall hear and determine all objections which have been so filed by any party interested in the regularity of the proceedings in making such assessment, and the correctness of such assessment, or of the amount levied on any particular tract or parcel of land to be assessed, and said Board of Commissioners shall have the power, in its discretion, to revise, correct, confirm or set aside any assessment and to order that such assessment may be made de novo.

DATED this 3rd day of March, 1976.

Edwina M. Cole, City Clerk

SECTION 4. That the owner or owners of any property which is assessed in such assessment roll, whether named or not in such roll, may, within three days prior to the date of the hearing, file with the City Clerk his or her objections in writing to said assessment.

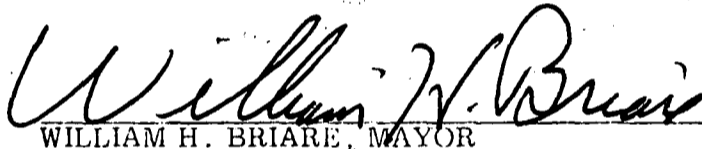
SECTION 5. That all action (not inconsistent with the provisions of this resolution) heretofore taken by said City and the officers of said City directed toward the advertisement herein prescribed be, and the same hereby is, ratified, confirmed and approved.

SECTION 6. That the officers of the City of Las Vegas be, and they are hereby, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

SECTION 7. That all resolutions, or parts thereof, in conflict with the provisions of this resolution, are hereby repealed.

SECTION 8. That if any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

PASSED, ADOPTED AND APPROVED this 3rd day of March, 1976.


WILLIAM H. BRIARE, MAYOR

ATTEST:

Edwina M. Cole, City Clerk

Mayor Briare: We also have a Safe & Sane Fireworks proposed Ordinance (Bill No. 76-17). Commissioner Leavitt, do you wish to have this Bill referred.

Commissioner Leavitt: I would like to have it referred to a Recommending Committee in which event, I believe it has to be read by Title, doesn't it?

Mr. Lovell: Yes -

A Bill entitled: BILL No. 76-17 - ORDINANCE No. AN ORDINANCE TO AMEND TITLE VI, CHAPTER 1 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY DELETING THE EXISTING SECTION 16 ENTITLED 'FIREWORKS; DISCHARGING PROHIBITED' AND ADDING A NEW SECTION 16 TO BE ENTITLED 'FIREWORKS' AND INCLUDING PROVISIONS RELATING TO DEFINITIONS, STORAGE, SALE, HANDLING, TIME OF SALE, APPROVED FIREWORKS, MATERIALS NOT TO BE STORED NEAR, FIREWORKS FOR EXHIBITION PURPOSES; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH" was read by Title by the City Attorney, who recommended that it be referred to Committee and that the Clerk be authorized to proceed with the first publication, by Title, of said Bill No. 76-17. (1st reading)

Mayor Briare appointed Commissioners Leavitt and Christensen as the Recommending Committee on Bill No. 76-17.

Mayor Briare: I would also like to have this referred for comment to this Recommending Committee, to our Fire Marshall and also to Mr. Saylor and his Department of Community Development for any recommendations he may have to this Recommending Committee relative to the locations of these types of booths that are traditionally used for the purpose of selling Safe and Sane Fireworks.

Commissioner Leavitt: I might say at this time that this proposed Ordinance is exactly the same as the County Ordinance. The County Fire Department also has extensive regulations concerning the sale of Fireworks and I would also request that those regulations be made available to the City Fire Marshall and Fire Chief so they can look them over for any comments they may have with regard to them.

BILL No. 76-8 -
ORDINANCE
No. 1808
Adopted

BILL No. 76-8 - AMENDING TITLE 1 OF CITY CODE BY ADDING NEW CHAPTER 24 ENTITLED "LAS VEGAS SENIOR CITIZENS' CENTER DIRECTOR"

Published by Title 2/24/76 L.V. REVIEW-JOURNAL

Bill No. 76-8 reported out of Committee favorably

A Bill entitled: BILL No. 76-8 - ORDINANCE No. 1808 - FIRST AMENDMENT - AN ORDINANCE TO AMEND TITLE 1 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY ADDING THERETO A NEW CHAPTER 24 ENTITLED 'LAS VEGAS SENIOR CITIZENS' CENTER DIRECTOR'; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH" was read by Title by the City Attorney. (2nd reading)

Commissioner Lurie moved that Bill No. 76-8 - Ordinance No. 1808, be APPROVED, and the Clerk authorized to proceed with the second publication, by Title, of said Bill No. 76-8, Ordinance No. 1808.

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

ITEM	Commission Action	Department Action
<p>XII <u>NEW BILLS - TO BE REFERRED TO RECOMMENDING COMMITTEE OR TO STUDY COMMITTEE</u></p>		
<p>A. Bill No. 76-14 Relating to Mobile Home Inspection Permit Fees and for Reimbursement of Inspection Fees to the State of Nevada Fire Marshal.</p>	<p>Referred (Study Committee) Commissioners Christensen and Woofter</p>	<p>3/17/76 Agenda</p>
<p>B. Bill No. 76-15 - Relating to Unlawful Sales Practices of Health Clubs, Spas, Weight Reduction Salons and Clubs</p>	<p>Bills Nos. 76-15 & 76-16 Referred (Study Committee) Commissioner Leavitt and Mayor Briare</p>	<p>3/17/76 Agenda</p>
<p>C. Bill No. 76-16 - Relating to Licensing, investigatory functions and bonding of Membership Clubs</p>		
<p>D. Bill No. 76-13 Relating to Amendments to Parking Enforcement Code provisions.</p>	<p>Referred (Study Committee) Commissioners Lurie and Woofter</p>	<p>3/17/76 Agenda</p>
<p><u>ADDITIONAL</u></p>		
<p>1. <u>BILL No. 76-17 - Re FIREWORKS</u></p>	<p>1st Reading and Referred (Recommending Committee) Commissioners Leavitt and Christensen</p>	<p>Clerk to proceed with 1st publication 3/17/76 Agenda</p>

BILL No. 76-9
ORDINANCE
No. 1809
Adopted

BILL No. 76-9 - AMENDING TITLE II OF CITY CODE BY ADDING A NEW
CHAPTER 12 ENTITLED "SENIOR CITIZENS ADVISORY BOARD"
Committee: Mayor Briare and Commissioner Woofter

Mayor Briare: The Committee consisting of Commissioner Woofter and Mayor Briare recommend approval, with the following amendment: That would be on Page of the Ordinance where on Line 2, that the wording - consisting of eleven (11) members - be eliminated thereby not limiting the number to serve on the Board.

However, in Subparagraph B, sentence 2, to read as follows:

"Upon passage hereof and for the initial period hereunder - then eliminate the words all eleven (11) - then continue . . . Board Members shall be appointed as follows: Four (4) members for a one (1) year term; four (4) members for a two (2) year term and four (4) members for a three (3) year term. Thereafter, all shall serve a 3-year term .

The first of the amendment that Commissioner Woofter and Mayor Briare offer is because it is very important that all Senior Center activities be represented, and by not knowing what is going to occur from time to time, rather than change the Board from time to time, it was felt perhaps, since members of the Board are all appointed by the City Commission anyway, best to leave that open with respect to their numerical number at the present time.

As I mentioned a little earlier, we also have some names of people we would like to name, consisting of twelve (12) - one of them is a member of this Commission.

With that amendment we request that it be read by Title.

Commissioner Woofter: Mayor, didn't we discuss on Page 2 of this ordinance, insofar as duties are concerned that rather than reporting to the City Commission (2-12-3 (F), that they report to the City Manager?

Mayor Briare: I beg your pardon, Commissioner - you are absolutely correct - it should read (F) To report their activities annually to the City Manager.

Commissioner Lurie: They will report their activities to the City Manager?

Mayor Briare: In all those instances, it was the original intent of the Committee that it be reported to the City Manager because this is to be treated as a Department under the City Manager.

Commissioner Lurie: Then he will report to us?

Mayor Briare: That is correct. Mr. Lovell, would you please read the Bill by title?

A Bill entitled: "BILL NO. 76-9 - ORDINANCE No. 1809 - AS AMENDED - AN ORDINANCE TO AMEND TITLE II OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY ADDING THERETO A NEW CHAPTER 12 ENTITLED 'SENIOR CITIZENS' ADVISORY BOARD'; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH" was read by Title by the City Attorney. (2nd reading)

M o t i o n

Commissioner Lurie: I move for adoption, as amended.

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

Mayor Briare: Relative to the appointments to this Board - Mr. Woofter -

Commissioner Woofter: Mr. Mayor, I have an Interoffice Memo before me from Mr. Ton Mulroy, Senior Citizens Officer, asking us to consider these appointments to the Senior Citizens Advisory Board:

See Page 101 of these Minutes (Interoffice Memo)

3-YEAR TERMS:

Mrs. Fay Colen
Dr. Herbert Derfelt
Lawrence Keilman
Harry C. Levy

2-YEAR TERMS:

Gus Harrison
Keith McNeil
Catherine Perrotti
Al Triner

1-YEAR TERMS:

Joe Cordova
Ron Lurie
Jacqueline McKinney
Walt Martini

Commissioner Woofter: I would make a motion to appoint these individuals to this Board.

Mayor Briare: These are the same members with the exception of one of Spanish-American descent, as the Board exists right now.

Commissioner Leavitt: Mr. Mayor, this is the first time I've seen this list - I'd like to review the list - I may have some names I'd like to add -

Mayor Briare: Of course, Commissioner, if you'd like to review that list - we have a time problem - the reason this Ordinance had to be adopted as quickly as it did is because we're within a very, very short period of time when that Center is going to open and, as is always the case, there is a lot of confusion and a lot of last-minute details that have to be taken care of relative to the Official Opening, and since these people are the ones who were the original members of the Board, it is necessary they be given as much time as possible -

Commissioner Leavitt: It isn't that I object to any of these members - it's the first time I've seen the list and I might have a few I would like to add -

Commissioner Lurie: The Ordinance does not contain any certain number -

Mayor Briare: That's why we took out the number limiting the membership of that particular Advisory Board - just for the purpose you bring up right now.

Commissioner Leavitt: Are you telling me if we adopt the Ordinance with these people on the Board, other individuals may be added to that Advisory Board?

Mayor Briare: That's exactly correct, Commissioner Leavitt.

Commissioner Leavitt: Then I would have no objection to the adoption of the Ordinance - just as long as we can add other people to the Board.

CITY OF LAS VEGAS

Date

INTER-OFFICE MEMORANDUM

March 2, 1976

TO:

Mayor Briare

FROM:

Tom Mulroy
Senior Citizens Officer

SUBJECT:

SENIOR CITIZENS ADVISORY BOARD

3-3-76 C.C. agenda

COPIES TO:

As per your request, attached is page one of the proposed Ordinance (76-9) creating the subject Board, with suggested change.

By deleting, if possible, the number of Board members, we might have a flexibility if future considerations dictate, without needing to go to Ordinance change.

If it meets with approval, the make-up of the Board might be as follows:

Dr. Herbert Derfelt, Harry Levy, Mrs. Fay Colen and Lawrence Keilman, three year terms each.

Al Triner, Gus Harrison, Catherine Perrotti and Keith McNeil, two year terms each.

Ron Lurie, Walt Martini, Jacqueline McKinney and Joe Cordova, one year terms each.

The proposed Ordinance made no reference to Ex Officio membership.

ACTION TAKEN

Approved by
City
Commissioner

Date 3/3/76

Tom Mulroy

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CL 1

BILL No. 76-9
(continued)

Mayor Briare: So that these people can meet and communicate on their business, let's appoint these people Commission, and you can present additional names at our next meeting.

There is a motion by Commissioner Woofter to concur in these appointments. Are there any further questions?

(No response)

Mayor Briare: Please cast your votes.

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

BILL No. 76-10 -
Ordinance No.
1810
Adopted

BILL No. 76-10 - ORDINANCE No. 1810 - ORDINANCE CONFIRMING PROCEEDINGS AND LEVYING ASSESSMENTS IN SPECIAL IMPROVEMENT DISTRICT No. 405

Committee: Commissioners Christensen and Woofter

Bill No. 76-10 Reported out of Committee favorably
Published by Title 2/24/76 in L.V. REVIEW-JOURNAL

A Bill entitled: BILL No. 76-10 - ORDINANCE No. AN ORDINANCE CONFIRMING THE PROCEEDINGS HERETOFORE TAKEN IN PROVIDING FOR CERTAIN STREET IMPROVEMENTS WITHIN LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT No. 405; PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING THE COSTS AND EXPENSES OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS AND PARCELS OF PROPERTY BENEFITED BY SAID IMPROVEMENTS; DESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS; PROVIDING PENALTY FOR DELINQUENT PAYMENTS; APPROVING, RATIFYING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN BY THE BOARD OF COMMISSIONERS AND THE OFFICERS OF SAID CITY DIRECTED TOWARD THE INSTALLATION OF SAID IMPROVEMENTS IN SAID DISTRICT AND PRESCRIBING DETAILS IN CONNECTION THEREWITH, AND OTHER MATTERS RELATING THERETO" was read by Title by the City Attorney. (2nd reading)

Commissioner Christensen moved that Bill No. 76-10, Ordinance No. 1810, be ADOPTED, and the Clerk authorized to proceed with the second publication, by Title of said Bill No. 76-10, Ordinance No. 1810.

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

BILL No. 76-11 -
Ordinance No.
1811
Adopted

BILL No. 76-11 - Ordinance No. 1811 - AMENDING TITLE V. CHAPTER 29 re OPERATING REQUIREMENTS OF MASSAGE ESTABLISHMENTS

Bill No. 76-11 reported out of Committee favorably

Published by Title 2/24/76 in L. V. REVIEW-JOURNAL

A Bill entitled: "BILL No. 76-11 - ORDINANCE No. 1811 - AN ORDINANCE TO AMEND TITLE V, CHAPTER 29, SECTION 9 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY ADDING THERETO A NEW SUBSECTION, DENOMINATED SUBSECTION (F), ADDING THERETO CERTAIN PROVISIONS RELATING TO THE OPERATING REQUIREMENTS OF MASSAGE ESTABLISHMENTS REQUIRING WRITTEN CONTRACTS OF SERVICES BETWEEN MASSAGE ESTABLISHMENTS AND THEIR PATRONS; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCE IN CONFLICT HEREWITH" was read by Title by the City Attorney. (2nd Reading)

Commissioner Lurie moved that Bill No. 76-11, Ordinance No. 1811, be ADOPTED, and the Clerk authorized to proceed with the second publication, by Title, of said Bill No. 76-11, Ordinance No. 1811.

Motion carried by the following vote: Commissioners

BILL No. 76-11
(continued)

Christensen, Leavitt, Woofter, Lurie and Mayor Briare
voting aye; noes, none.

BILL No. 76-2
1st Reading
& Referred

Re: METROPOLITAN CITIES INCORPORATION LAW
Committee: Full Board with Commissioner Leavitt as Chairman

Commissioner Leavitt: Has this Bill ever had its First Reading?

Mr. Lovell: No -

Commissioner Leavitt: Then at this time I would ask that the Bill be read by Title and referred to a Recommending Committee comprised of the entire Board.

A Bill entitled: BILL No. 76-2 - ORDINANCE No. _____ AN ORDINANCE BY THE CITY OF LAS VEGAS, NEVADA, ELECTING TO COME UNDER THE PROVISIONS OF THE METROPOLITAN CITIES INCORPORATION LAW, CHAPTER 648, STATUTES OF NEVADA, 1975, PURSUANT TO SEC. 3 (1) OF SAID CHAPTER" by read by Title by the City Attorney, who recommended that it be referred to Committee and the Clerk authorized to proceed with the first publication, by Title, of said Bill No. 76-2. (1st Reading)

Mayor Briare named the full Board of City Commissioners as the Recommending Committee on Bill No. 76-2, with Commissioner Myron E. Leavitt acting as Chairman of said Committee.

BILLS Nos.
76-5 and
76-6

BILL No. 76-6 - ORDINANCE No. _____ AMENDING TITLE XI, CHAPTER 3 OF CITY CODE re REGULATIONS FOR ON-PREMISE SIGNS AND PROHIBITING ROOF SIGNS

Committee: Commissioner Lurie and Mayor Briare

a n d

BILL No. 76-5 - ORDINANCE No. _____ AMENDING TITLE XI, CHAPTER 3 OF CITY CODE re REGULATIONS AND REQUIREMENTS FOR OFF-PREMISE SIGNS

Committee: Commissioner Lurie and Mayor Briare:

Commissioner Lurie: If there is no objection, I would like to hold these two Bills.

Question: Is it proper for a member of the public to address the Commission at this time on the up-coming amendments to the Sign Ordinance?

Mayor Briare: You certainly may, Sir - they have not come out of Committee as yet, which could possibly mean they won't even be introduced. But if you have a comment you'd like to make - you understand this is in a Study Committee and it is not even suggested at this moment that these Ordinances are going to be introduced -

Mr. Colin Stone, 2903 Palma Vista: I understand -

Mayor Briare: It might be more proper to determine when the Study Committee is going to meet and address them there, but we will hear from you now if you prefer.

Mr. Stone: Yes - I represent some outdoor advertising companies - Del Rey Outdoor and Ryan Outdoor Advertising. Two days ago when we heard there was possibilities of the Sign Ordinance being amended we hoped that members of the industry would be allowed to participate in these discussions.

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Commissioner Lurie: I would recommend then that copies of these Bills be given to you for review by your organizations. These amendments were recommended by the Beautification Committee and I would suggest that you discuss these proposed changes with the Beautification Committee . . .

Mr. Stone: We're very concerned about this because we heard that

AMENDMENTS TO
SIGN ORDINANCE
(continued)

the recommendations would exclude us out of Commercial Zones and as a commercial business, we think it's unconstitutional that we should be zoned out of Commercial Zones.

Mayor Briare: Mr. Stone, if you would go to the City Clerk's Office on the 10th Floor of City Hall, copies of these proposed amendments will certainly be made available to you. I don't know what Commissioner Lurie's pleasure is going to be as Chairman of the Committee -

Commissioner Lurie: If there are going to be any changes after our discussion with the Beautification Committee, we will probably hold a Public Hearing - if there are to be major changes -

Mr. Stone: These are major changes because they exclude us out of Commercial Zones -

Commissioner Lurie: We are trying to conform our Sign Ordinance with that of the County -

Mr. Stone: The County ordinance is in the process of being changed - I represent three of the Las Vegas major Outdoor Advertising companies and we would like to participate in these talks because we are so much affected. It seems a pity to me that we might be in a position whereby the Ordinance is rewritten so that we are excluded from Commercial Zones and we go through all the problems of a Public Hearing and we think there are some legalities to this that the Commission should think about.

Mayor Briare: We realize the importance of this and it is my understanding that prior to an Ordinance being adopted, they are published in the paper for the purpose of notifying everyone that certain changes are being considered, but until action comes from the Study Committee to this Board with a recommendation, it is not even alive . . .

Mr. Stone: And we would like to participate in those discussions -

Commissioner Lurie: Now that we have your name and address, the City Clerk will be instructed that any information concerning these two Ordinances you will be notified - before any action is taken.

Mayor Briare: Also, it might be the proper time now to make a comment to the effect that if this is the proper Ordinance to include it in, Commissioner Lurie, I'm going to request an amendment to the Sign Ordinance to exclude political signs from being posted throughout the City, with the exception of those by constitutional right, be allowed on neighborhood lawns for single family homes, and things of that nature. I'm going to be discussing this with the City Attorney at a later time and the Study Committee, if they do get to the point where they will be considering this from a Public Hearing standpoint, I would want that amendment to be considered.

Mr. Stone: I wanted an opportunity to address the Commission, and I think you for this opportunity because these things seriously affect us - and we find out about them by accident.

Commissioner Lurie: Usually when the Beautification Committee presents a matter to this Board for action, they have already discussed it with the industry -

Mr. Stone: They certainly haven't . . .

Commissioner Christensen: Doesn't the Outdoor Advertising industry have a member serving on the Beautification Committee?

Commissioner Lurie: I believe they always have had -

Mayor Briare: They did, but the representative of the Outdoor Advertising industry did not attend the meetings . . .

Commissioner Lurie: In any event, you will be notified if the matter goes to a public hearing.

AMENDMENTS TO
SIGN ORDINANCE
(continued)

Commissioner Lurie: If you would like, when you get copies of the Ordinances, jot down any suggestions you might have and give us a copy so we can be familiar with them and consider them for inclusion in the ordinance.

Mr. Stone: And will we have an opportunity to make any representation before this comes to a Public Hearing?

Commissioner Lurie: Yes . . .

Mr. Stone: And I will be notified - thank you very much.

CULTURAL ARTS
CENTER
Bids
Authorized

REED WHIPPLE CULTURAL ARTS CENTER - FUNDING FOR DEVELOPMENT THEREOF
Committee: Commissioners Lurie and Christensen (as City Commission members of Joint City/County Committee)

Mayor Briare: Commissioner Lurie, would you like to open the discussion on this item?

Commissioner Lurie: It was recommended before, at our last meeting, I feel that the opportunity and the timing is appropriate at this point to proceed with the funding for the Cultural Arts Center.

My recommendation would be to instruct the necessary Departments to proceed in obtaining new bids on the renovation of the Cultural Arts Center.

Commissioner Leavitt: Where will you get the money?

Commissioner Lurie: The money? A million dollars will be borrowed which has already been approved by this Board and by the Tax Commission and is in our Budget for 1976/77. The additional money will be hopefully derived from Revenue Sharing dollars, on which you have received a copy of the breakdown.

I would also like to bring up the fact that in September of 1974 the U. S. Mayors adopted a Resolution on the Arts. It was a 5-point Resolution sponsored by the Mayor of Seattle, which asks the Nation's cities to recognize the Arts as an essential service to the people. That Resolution was unanimously adopted by the U. S. Conference of Mayors on July 25th in San Diego, California. The Resolution urged that City Governments recognize the Arts as an essential service equal to other essential services.

See Page 106 of these Minutes (Resolution)

Commissioner Lurie: This Resolution was sent to me by a person on the Allied Arts Council. There is more information available on the Arts, but I believe it is important that we have Capital Projects and we should allocate funds for this Project and I would so recommend to this Board, and move that we instruct the Departments to proceed with bids on the renovation of the Reed Whipple Cultural Arts Center.

M o t i o n

Mayor Briare: Before I call on Commissioner Leavitt, the Engineer's and Architect's estimate falls below \$1,400,000.00. Commissioner Lurie has already indicated the source of \$1,000,000.00 of that - that is the heretofore approved Emergency Loan procedure. Was it your thinking that the monies from Revenue Sharing source be limited to the estimate submitted by the Engineer and Architect?

Commissioner Lurie: No.

Mayor Briare: Is there any limitation? There would have to be -

Commissioner Lurie: The limitation is \$1,750,000.00 -

Mayor Briare: The reason I asked, Commissioners, is because - as you well know - you indicate you've got \$1,750,000.00 to spend - you're not going to get very many bids for less than \$1,749,000.00. I think it's important that we do put in a limitation - so important that it might make the difference whether the motion goes on this particular project.

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September 1974

U. S. MAYORS ADOPT RESOLUTION ON THE ARTS

A five-point resolution sponsored by Mayor Wesley Uhlman of Seattle, which asks the nation's cities to recognize the arts as an essential service to the people, was unanimously adopted by the U.S. Conference of Mayors on July 26 in San Diego, California. The resolution urged:

1. That city governments recognize the arts as an essential service, equal in importance to other essential services, and help to make the arts available to all their citizens.

2. That every city have a public agency specifically concerned with the arts.

3. That the physical appearance of the city, its architectural heritage and its amenities, be acknowledged as a resource to be nurtured.

4. That a percentage of the total cost of every municipal construction budget be set aside for the purchase or commission of works of art.

5. That city governments working together with the public at large shall help to effect a new national goal: "That no American shall be deprived of the opportunity to experience (or to respond artistically to) the beauty in life by barrier of circumstance, income, background, remoteness or race."*

*(Final quote is from Culture & Company, by Alvin H. Reiss, Twayne Publishers, Inc., New York, New York, 1972.)

Commissioner Lurie: You tell me how you want the motion to go, Mayor.

Mayor Briare: Well, the Engineer's estimate, and the Architect's estimate, falls just under \$1,400,000.00. We have their assurances that this is the way it will be so the building contractors will recognize that we intend to stay within that commitment.

I would support your proposal and designate a maximum of \$500,000.00 that would be taken from Revenue Sharing sources.

Commissioner Lurie: That was my intention to do that - the bids would come back say around \$1,400,000.00. You had mentioned maybe \$1,750,000.00 if for some unforeseen reason there might be an increase that we didn't allocate for.

Mayor Briare: We now have before us a request for authorization to proceed for bids, subject to a maximum of \$1,500,000.00.

Commissioner Leavitt: When did we appropriate the Revenue Sharing money for this purpose?

Commissioner Lurie: We would do that at this meeting today -

Commissioner Leavitt: To my knowledge, there has been no appropriation of Revenue Sharing money for this Project at this point.

Mayor Briare: I believe the motion was to appropriate \$500,000.00 . .

Commissioner Leavitt: Are we appropriating Revenue Sharing money today? Because I've got a few Projects I'd like to move for too - I'd like to appropriate Revenue Sharing money to put a Police Substation in, which Commissioner Lurie would want - it's a good Project - I'd like to take Revenue Sharing money for that - and I'd like to have Revenue Sharing money appropriated for a Police Substation in the eastern part of the City. I'd like to see the possibility of the City acquiring the land that belongs to the State at Atlantic and St. Louis and putting a Substation down there. We've all said we want these Substations - we've all said they're great things and now it's a question of the money

Now, if you take \$500,000.00 of Revenue Sharing money and use it for a Cultural Arts Center, there may not be any money left to put in a Police Substation. Now, if we're just going to make speeches and say we want these Substations, and when it comes time to put the money there and we don't want to vote for the money, I think we'd better take a look at that.

I think you had better decide, right now, where we're going to spend this Revenue Sharing money. The motion as I understand it is to go to bid - get a \$1,000,000.00 loan and get \$500,000.00 money from Revenue Sharing - and not to accept anything over \$1,500,000.00. That's the way I understood the motion, and that is a back-door attempt to try to appropriate at this point, Revenue Sharing money.

I think we ought to have a meeting to determine how we're going to spend our Revenue Sharing money -

City Manager, A. R. Trelease: Right now, all the Revenue Sharing money is in the Budget.

Commissioner Woofter: Do we have any Revenue Sharing money that is not in the Budget? That has not been allocated?

Mr. Trelease: No.

Commissioner Leavitt: Where is this \$500,000.00 going to come from, Mr. Trelease?

Mr. Trelease: I don't know -

Commissioner Leavitt: Why are we considering this today when we don't know where the money is coming from. If there is no \$500,000.00, why are we going to bid? To go through an exercise in futility - you go to bid and say we're going to accept bids up to \$1,500,000.00, when we don't have the \$500,000.00 in Revenue Sharing money in the first place. Is that correct - we don't have the money, Mr. Trelease?

Mr. Trelease: Well, as I've said, all the Revenue Sharing money is in the Budget - it is allocated in various funds -

Commissioner Leavitt: In other words, where are you going to take it from - to get this \$500,000.00? Which Revenue Sharing fund are you going to take from? Are you going to take from the \$647,000.00 that was allocated to the Metropolitan Police? Are you going to eliminate the Warehouse - where will the \$500,000.00 come from?

Commissioner Lurie: Right now there are unallocated funds of \$214,000.00 and there is \$385,000.00 from the Convention Authority for recreation purposes. Roughly we have the money we're looking for without taking money from the Metropolitan Police, or the Teen Center . . . It's a matter of how you allocate your money - on priorities -

Commissioner Leavitt: How are you going to build your Substation that you so anxiously want . . .

Commissioner Lurie: If you would listen for one second - that Substation by the Teen Center is built already - it was purchased at no cost to the City. The money that was going to be given to renovate that and operate it was derived from the sale of the old Animal Shelter. If you want to recommend that a Substation site be chosen in your District and the money allocated for that Substation, then make that recommendation. Don't try to put apart the Substation up in the West Charleston area over a Substation you want somewhere else, which Substation is already there.

Commissioner Leavitt: What you have just suggested is that you take all of the unallocated funds - \$214,000.00 - take it all - and you have taken all the money from the Las Vegas Convention Tourist Center given to us for recreation purposes, and use it for one Project. That's what you've done.

You say I can go ahead and make my recommendation, but you've taken all the funds and there are no funds left to do it with. Now, it takes more to build a Substation than just a building, especially in view of the fact you're going to put jail cells in it, as requested by Metro. Your Substation isn't going to exist just the way it is.

What you are suggesting is that we take all of the unallocated funds and all of the money we have received from the Convention Authority to be used as a 1-shot Project. We have had no public hearing on this. By law, we are required to have a hearing on Revenue Sharing money - and you're going to take it for a 1-shot Project to remodel a gymnasium.

Commissioner Lurie: You are not required to have a public Hearing on Revenue Sharing money, and I'm not taking all the money . . . just that money that hasn't been allocated.

Commissioner Christensen: Your Honor, I would like the record to show that I object to that being called "remodeling a gymnasium" . . .

Commissioner Leavitt: It has been used for a gymnasium more than it has for anything else -

Commissioner Woofter: Going back - somewhere along the line I've lost a legal point. I am going to ask Mr. Lovell: The original million dollars we're talking about insofar as the loan is concerned - what determination, from a legal standpoint, is there as to utilizing this money for this particular purpose? I mean insofar as the A.G.'s office is concerned.

Mr. Lovell: We have not contacted, nor been contacted, by the Attorney General's office, insofar as the loan is concerned.

Mr. Trelease: It has to be used as we asked for it - for the rehabilitation of the building.

Commissioner Leavitt: I'd like to ask the City Attorney a question: Mr. Lovell,, is it your opinion that the procedure used to obtain the Million Dollar loan by the City of Las Vegas, on the basis it was an emergency need, was proper and legally done?

I'm talking about the original Million Dollar loan - the Resolution supported it on the grounds that the Law requires such matters to be of an emergency nature. Is it your opinion, as City Attorney, at this time, is the Resolution and the procedure used to obtain the Million Dollar loan that Commissioner Lurie is talking about - was that procedure correct and legal?

Mr. Lovell: Two points: I would have to first take a look at the exact procedure followed, other than the policy decision here.

Number two, I would want to see the minutes where the input, or the basis, for the report by the Tax Commission as to why they didn't question it. I would have to look at those two things before giving an opinion. But I did question, insofar as the emergency loan at the last meeting, whereat I think I even cited some cases where it had to be a true emergency, and I am not that familiar at this point in time with that original loan to make that determination.

Commissioner Lurie: The City Manager should have that information-

Mr. Trelease: I would assume from the fact that the Tax Commission approved it, that we legally submitted it.

Commissioner Leavitt: I understand that - what I'm concerned about is if we proceed to go ahead on the basis of this, if our City Attorney, as he has indicated at a previous meeting that he doesn't think it was legally done - that it was not an emergency and not proper - and we go ahead and proceed to borrow the money, we would be acting against our City Attorney's advice, and I would like to hold this matter until such time as the City Attorney can investigate it and determine whether or not, in fact, the loan would be legal and a binding action within the Laws of the State of Nevada.

Mayor Briare: On the motion to table then . . .

Commissioner Leavitt: Motion to hold - not table - hold until we get an opinion from the City Attorney's office.

Mayor Briare: In any event, was this done originally, Mr. Lovell, on the basis of an interim procedure, or interim financing? Or was it done under a procedure for an emergency?

Mr. Lovell: I don't know -

Commissioner Lurie: It was an emergency -

Mayor Briare: I think we decided that when it took a unanimous vote -

Commissioner Woofter: May I amend Commissioner Leavitt's motion - I agree with him about holding it to determine the legal status, but I would request the City Attorney's office to contact the Attorney General's office in regards to the Tax Commission's action to see if this was a correct legal act.

Mayor Briare: I am going to call for the vote on the motion to hold.

Motion defeated by the following vote: Commissioners Leavitt and Woofter voting aye; noes, Commissioners Christensen, Lurie and Mayor Briare.

Mayor Briare: The motion is rejected. Now the question is Commissioner Lurie's motion.

Commissioner Leavitt: Before we vote on that motion, I would like to request the City Attorney to go ahead and proceed to investigate through the Attorney General's office to determine the legality of the action taken by the previous Board of City Commissioners.

Mayor Briare: Would you proceed along those lines, Mr. Lovell - I'm sure you'll be able to do it in time to weigh it, depending on what the outcome of the next vote is.

Commissioner Leavitt: Do I understand the motion then to be - we are going to bid and as part of the motion, \$500,000.00 of Revenue Sharing monies to be taken from the unallocated funds and the Las Vegas Convention Visitors grant is to be used for that purpose?

Commissioner Lurie: I am not specifying which of these sources the money will be coming from -

Mayor Briare: It would be generally described as - we have three sources - Revenue Sharing - City Hall funds and the Las Vegas Convention Visitors grant - you are suggesting that money be taken from within the scope of those three areas, but not specifically one or the other -

Commissioner Lurie: That is correct.

Commissioner Leavitt: From which area - all of them?

Mayor Briare: Whichever is sufficient -

Commissioner Leavitt: The motion is vague - how can we vote on a motion when we don't know where the money is coming from?

Commissioner: Well, you would vote against it whether you knew . . .

Commissioner Leavitt: I want to know exactly what I'm voting against, and exactly what everyone else is voting for -

Commissioner Lurie: We are voting to receive bids on the renovation of the Cultural Arts Center. Today we are actually requesting permission to go back to bid on the Cultural Arts Center. We don't have to, today, say where the money is coming from - when they come back, if the bids are too high, we turn it down.

Commissioner Leavitt: That isn't what the motion was.

Mayor Briare: Would you, Commissioner Lurie, restate your motion?

Commissioner Lurie: The motion was to proceed to get new bids on the renovation of the Cultural Arts Center. I think I'm just going to leave it at that at this point. Then when the other Commissioners come in with any recommendations they may have on the allocation of Revenue Sharing funds, we will decide at that time how much of the Revenue Sharing money will be used to be included with the Million Dollar loan that has already been approved, to pay for the renovation of the Reed Whipple Center.

Commissioner Leavitt: I think the Mayor put an amendment to your motion - is that still in effect?

Mayor Briare: I asked if there was a limitation as to what the maximum expenditure would be, for the purpose of letting it be known that the City doesn't intend to entertain bids up in the amounts the bid was given to us in the first place.

Commissioner Leavitt: Is that a part of the motion now?

M o t i o n
(restated)

Mayor Briare: I was wishing that Commissioner Lurie would put on a maximum of \$1,500,000.00 -

Commissioner Lurie: I did -

Mayor Briare: In deference to his statement he doesn't particularly care to indicate at this time from whence it would come, I'm still going to support it, based on a maximum of \$1,500,000.00.

Commissioner Lurie: I am agreed to a maximum of \$1,500,000.00. I am not agreed to the exact amounts of money where we are going to get the \$500,000.00 from -

Commissioner Woofter: This motion is for bids for the Reed Whipple Center - \$1,500,000.00 maximum -

Commissioner Christensen: I would like to ask one question for clarification: This motion doesn't mean that you are going to accept bids as long as it is under \$1,500,000.00 does it?

Mayor Briare: The bids have to be received before you can make any further determination of whether you're going to accept or reject - they are rejected at the end of the procedure, unless I'm mistaken.

Commissioner Christensen: I think that's what Commissioner Leavitt is alluding to - that it is almost like saying we will accept any bid that comes in at \$1,500,000.00, and that's not necessarily the case -

Commissioner Lurie: If the bids come in at Two Million we could deny them because we don't have the additional funds.

Commissioner Christensen: Suppose the bid comes in at \$1,300,000.00 and you can't shake out the \$300,000.00 from Revenue Sharing - then what are you going to do with the bids?

Commissioner Lurie: If we don't have the Revenue Sharing money or the money from other sources, then we don't proceed. That's simple.

Commissioner Christensen: I have another question: Did I understand you correctly, Commissioner Leavitt, that you asked the City Attorney to request an opinion of the Attorney General whether the request for permission to borrow the money was properly submitted to the Tax Commission, and whether the Tax Commission properly acted in giving its permission?

Commissioner Leavitt: That's what I asked him to do.

Commissioner Christensen: Then I would also like to ask, since we're going to bring the Police into it, I would also like to ask the City Attorney to request from the Attorney General whether or not the Tax Commission acted properly in their interpretation of the way the Police budget was split when they decided on a 47-1/2%/52-1/2% split. Maybe we could shake that money back from the County on the Police budget.

Mayor Briare: I have a feeling that request is perfectly in order as soon as we resolve this matter that is before us.

Commissioner Leavitt: I have one more comment to make on the motion: I would like to point out that we all sat here in January and we heard reports regarding the City and County budgets. We heard a report that the County budget was facing a 5.5 Million Dollar deficit and that the City budget was facing a 3.7 Million Dollar deficit and that it was possible the two governments would have a 9.2 Million Dollar deficit. Granted, this included cost-of-living raises - it also included a healthy balance at the end of the year, which I think is necessary for good fiscal responsibility - nevertheless, our Finance Director, Marvin Leavitt and the County Administrator, George Ogilvie, made a presentation to the Joint City/County Consolidation Committee, to the effect that the joint budgets could have a deficit of as much as 9.2 Million Dollars. And in view of the fact that we all sat here - we all saw that - I

am going to object at this time to using Revenue Sharing money for anything until we determine what our deficits are, which is actually going to be until such time as the Tentative Budget is prepared, both the City and the County, and we have a better fiscal picture of where we stand. That was another reason I wanted to hold the matter. I just want to speak on the motion, for the record, to indicate we have been informed that both budgets, combined, could have a deficit as much as 9.2 Million Dollars.

Commissioner Christensen: I'd like to ask one question of Commissioner Leavitt: If that is your feeling, does that not also apply to the \$60,000.00 you just gave to the P.D. out of Revenue Sharing?

Commissioner Leavitt: Commissioner Christensen, if you don't know the difference between \$60,000.00 and \$1,750,000.00 . . .

Commissioner Christensen: I believe I know the difference, but you add the \$60,000.00's up and they come to \$1,750,000.00 pretty fast! If we can't spend \$400,000.00 of Revenue Sharing money, how can we spend \$60,000.00 of Revenue Sharing money? The same shoe fits does it not?

Commissioner Leavitt: I think, again, it's a matter of priorities - determined on where you want to spend this money - what you think the primary functions should be. The prime function of Municipal Government has always been to protect the citizens . . .

Commissioner Christensen: You didn't answer my question - does, or does not, the same criteria hold true?

Commissioner Leavitt: Commissioner Christensen, I am sure that \$60,000.00 can be found in the budget, but in any event we might be able to squeeze around and come up with \$60,000.00 - the Finance Director indicated that might be possible. However, there is still a good chance we are going to be facing that huge deficit. I think you have to look at it - I think you have to wait until you get all the facts before you - before you start spending this money. In fact, the Finance Director suggested that. He suggested that we have a matting to determine what the priorities are - where we are going to spend the money.

Commissioner Lurie: Well, first of all, I don't like looking at what the County's problems are because I think right now the financial situation of the City is good. The County in reporting their deficit of 5.5 Million Dollars forgot to mention they have Four Million Dollars in Revenue Sharing money that they haven't even allocated as yet . . . if there was any way that our budget reflected that we were doing anything illegal, or were not going to meet the State Law, or the Tax Commission recommendations, I wouldn't be in favor of proceeding with the development of this Cultural Arts Center. But I think if we review the Budget and look at it very closely, there's a lot of augmentation that's going to take place when it comes time for the Public Hearing and final approval for the 1976/77 year.

Commissioner Leavitt: Well, I'm not going to answer that. I will say just this, Commissioner Lurie, assuming that we get re-elected - assuming that we're in office in January of 1977, you and I will be County Commissioners - if Senate Bill 601 is upheld . . . assuming that they do take place, you and I will for the last half of the Fiscal Year be under the County Budget. That's why I think we have to take a look at the County Budget as well as the City Budget.

Mayor Briare: Is there anything else? Are you ready for the question? This is the motion to accept bids and there has been a maximum put of \$1,500,000.00. If there are no further comments, please cast your votes.

Motion carried by the following vote: Commissioners Christensen, Woofter, Lurie and Mayor Briare voting aye; noes, Commissioner Leavitt

LIQUOR
ORDINANCES
Discussion

REVIEW OF CURRENT CITY OF LAS VEGAS LIQUOR ORDINANCES
Committee: Commissioners Woofter and Christensen

Mayor Briare: Commissioner Woofter, do you have anything to report from this Study Committee?

Commissioner Woofter: Just one thing, Mr. Mayor, Commissioner Christensen and myself are still in the process of reviewing these ordinances. I did receive a call from the President of the Tavern Association yesterday and he did invite Commissioner Christensen and myself, and I would extend the invitation to the rest of the Board, to a meeting on March 10th at 2:30 p.m., at which they are going to discuss possible revisions and considerations insofar as up-dating the Liquor Ordinances is concerned.

Other than that, we will continue with our review -

Mayor Briare: Where is that meeting going to be?

Commissioner Woofter: At the Elks Club at 2:30 p.m., March 10th.

LOS ANGELES
SCHOOL OF
MASSAGE &
PHYSICAL
THERAPY, INC.
Discussion

Mayor Briare: I have one matter here - I'm not sure if this was put on each of your desks, but I am going to request your consideration and any formal action that might be appropriate to either go on record, or be present, or whatever, at the Nevada Commission on Secondary Institutional Authorization - a meeting to be held on March 9th at 9:30 a.m. wherein Clark County intends to include an application by the Los Angeles College of Massage and Physical Therapy, Inc., for a Las Vegas Branch - requesting permission by the Nevada Commission, obviously, for approval.

I would like to ask the City Attorney if it would be proper for the official governing body of the City of Las Vegas to go on the record opposing consideration of this application by this Nevada Commission.

Mr. Lovell: I think it would be very proper, Mayor, for this Board to have it go on record - made to the State Board of Education - based upon the information you have received in the past as to the questionable creditability of this particular school.

I plan, personally - and I think Mrs. Britt intends to be there personally - intend to go over there and comment in front of them with reference to past questions to them raised by this Board and for which they were also denied the - their graduates were denied as masseuse applicants in front of Judge Wendell because of their questionable activity. I certainly think it is proper.

Commissioner Leavitt: Are you personally going to go on record as opposing them, or just furnishing them with information? I question whether we should go on record as opposed to the granting of a License as opposed to just furnishing them with the information that was made available to us.

Mayor Briare: I can assure you Commissioner, if I didn't state it clearly, it was my thought, and it would be my recommendation, that the governing body of the City of Las Vegas, meaning this Commission, go on record with the Department of Education opposing the granting of a License for the Los Angeles School of Massage and Physical Therapy. I have confidence that the reasons therefor could be outlined very eloquently by Resolution and by the personal attendance of the City Attorney, the Director of Licensing and any other person in the City who would like to go over and support that position.

Commissioner Christensen: I have no objection to that as long as the reasons are set forth . . .

Mayor Briare: Oh, yes - I think we're in about as good a position as anyone in the United States of America to lay out those reasons.

Commissioner Leavitt: As long as the reasons are made a part of the record -

Commissioner Woofter: Are you asking for concurrence, Mayor?

Mayor Briare: I am asking for concurrence -

M o t i o n

Commissioner Woofter: I so move, Your Honor.

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

Mayor Briare: The motion is approved. Mr. Lovell, we will get together and decide on an appropriate Resolution.

Commissioner Woofter: Mr. Mayor, some time ago - I believe two meetings ago, I made a request in regards to this Half Way House - this situation over on Highland with respect to the Program that is going on over there as far as pre-release of certain prisoners from the Nevada State Prison when they are brought down here to sort of get re-oriented to society before their release.

I had certain conversations with the Director during which I advised him that other members of the Commission also had questions and had asked for him to be present at our last meeting. It was a late meeting and it was late before I realized he was not present.

He sent me some material which I definitely had questions on about the Program in existence, in which he states that some 400 to 700 have gone through this Program - that they had been investigated and appreciated as being a good risk to return to society as good citizens. I know for the record, as of two meetings ago, that some of these "good citizens" have Rap Sheets that were more than four or five pages.

I certainly would like to question him and I would renew that request - that certain individuals who represent this Program be present at our next meeting to discuss this further.

Mayor Briare: Mr. Trelease, would you perhaps be a little stronger in the approach that's made this time so that these people will be out on notice . . .

Mr. Trelease: He called me . . .

Mayor Briare: That's not the point, Mr. Trelease - he can call me - he can call Commissioner Christensen . . .

Mr. Trelease: I called him first -

Mayor Briare: When you call him again, just tell him to be here, or certain other representatives, and not to call us as individuals. Pick out a certain hour for him that would fit in with the agenda and we will interrupt whatever is going on at that time so we can get answers to the questions that Commissioner Woofter wants answered.

Is there anything further to be brought up by the Commission?

(No response)

Mayor Briare: This gentlemen here has been waiting for an opportunity come forward - now is your chance. We've enjoyed having you here today, and especially the folks you brought along with you. Now remember - as I warned you outside - you're going to be bringing up some things over which we have no control whatsoever, so as you bring them up and they should go in some other direction, we will try to assist you in where to go.

CITIZEN
PARTICIPATION

Boris Ergarac: I live at 1009 Ingraham, Las Vegas, Nevada 89101. My phone number is 649-5430. I am employed by Allied Securities as an investigator.

Mayor Briare: I thought you were a school teacher -

Mr. Ergarac: I am a Coach at the Rancho Hi School and I am a former Gold Medal Winner in the Olympics in soccer, 1940, in Sydney, Australia; a 2-title holder - middle-weight/light weight boxing in Jugoslavia, 1947-48 and I have spent twenty years as a Professional Wrestler - I used to weigh in at 275 pounds - now I weigh 180. I came here two years ago from Los Angeles - from Santa Monica, California. My wife is a retired nurse. She has asthma and heart trouble. I moved here and bought a home and I'm working like every other citizen, but on February 5, 6 and 7 I would like to report on bussing problems. On February 5th at 11:30 p.m. right across the street - the Lady Luck - I work at night time security at the Silver Star because it is close and it has 24 hours security over there. 4 busses - they've got over 75 passengers that need a bus. The drivers call the supervisor and say there is nobody to bring the busses. Busses are not right - signals are not working - turn signals - no lights on - in the front some of the busses have lights - in the back, no lights. Brakes are not working. Inside the people have got sick - drunk - that bus running eight hours - smelling and stinking inside - nobody clean up. Bus drivers in a double-park in the streets talking to each other - never coming on time. It's supposed to be every 15 minutes. No. 6 never comes on time - the bus drivers run it as they want it - for two and a half months I have never seen a supervisor come to check the bus drivers . . .

Mayor Briare: Now, as I told you, there is a division of responsibility here. There is a portion that the City is involved in and the City Manager is going to be instructed here right now, when the record here is transcribed and he gets a copy of it, to reflect your complaints here to the Las Vegas Transit Company who has a franchise with the City.

Secondly, the Public Service Commission is also interested in complaints such as you register here and, Mr. Trelease, I think when you forward these complaints on to the Las Vegas Transit Company, you might as well go ahead and forward one to the Public Service Commission. That is the best we can do for you right at the present time.

You will be ready, if necessary, to follow it up with times and places and in a little more detail than you've just given us here.

Mr. Ergarac: I am a short time here - I bought a house here - I moved on the 1st of September, 1974 - I pay for the house cash and everything else. When I see - especially with the Taxi drivers - I called up last night at 11:45 p.m. for a taxi to come to take two old ladies - one is 85 and the other is 73 years old - to Boulder Highway and Bruce. What that taxi driver told these two ladies - I don't take this load. When they asked why, he said - because you don't give me a tip -

Mayor Briare: Did you get the Taxi's license number by any chance?

Mr. Ergarac: Yes, I have it here. Then about 5 minutes later an ABC taxi cab coming - dropped four people at Lady Luck's and these ladies said - do you want to take us to Bruce and Boulder Highway - he said - I no take the load - call up another cab. Those two ladies waited to 12:35 a.m. in the rain and the cold and nobody give a damn for a senior citizen. My wife is 64 years old - something could happen to my wife . . .

CITIZEN PARTICIPATION
(continued)

Mayor Briare: You have a legitimate complaint there. In this instance, as Commissioner Lurie told you, I believe, or Commissioner Christensen, I'm not sure which - indicated to you at lunch-break today that Mannie Cortez, right over here at the State Building, is the Director of the Nevada Taxicab Authority. That's all they do, is to take care of problems that arise in the Taxicab industry. There is no jurisdiction by this Board at all. He is the one to bring that particular complaint to.

Mr. Ergarac: Now, one more -

Mayor Briare: The one at Mojave and Washington -

Mr. Ergarac: I talked to him and he said it would cost about \$60,000.00 to put in the signs - I said what about Washington - the red lights - the family walking - they got little kids - they are scared because of teen agers never stop - every week we have accidents at Mojave and Washington -

Mayor Briare: Can we get traffic counts on that, Mr. Hampton - and also he just indicated about accidents - we can get a report on the number of accidents that have occurred. This is a dangerous area. We have an Engineering Department -

Mr. Ergarac: And Washington is flooded from Las Vegas Blvd. all the way to Mojave - every time it rains- flooded. Now if they start cleaning that canal I guarantee you that all of 15 to 20 trucks of dirt, garbage, sand, rocks, everything else - inside. Nobody do anything - twice a week guys come and spray for the bugs - spending tax money for nothing - twice a week is not necessary -

Mayor Briare: That's something for the Public Works Department and we're going to refer that to them.

Mr. Ergarac: We have in Los Angeles County Recreation - no posted dogs - people bring their dogs - do their heavy duty jobs - your family comes and the kids sit down - dogs running loose - at training school that guy brings 15 or 20 dogs and no clean up the mess after. Leave it - take off - everybody picks up their own dog and goes home.

Every morning - on Saturday morning - I work three days split shift - different shifts - sometimes four o'clock - and when I am passing by - especially Saturdays or Sundays - on that Park at Washington and Las Vegas Blvd., right on the corner, every Saturday and Sunday, there are from 15 to 20 persons drinking and sleeping - and some honest family with the little kids are scared to walk in the Park - they see the guys drinking, and sleeping and laying in the grass - cheap wine. Last Sunday at 8:30 in the morning I called Metro and she said they would send somebody if they had one available - nobody coming.

Mayor Briare: Mr. Trelease, would you make note of that complaint relative to Parks - notify the Park Department - He has indicated a specific area - let's concentrate on that a little bit -

Mr. Ergarac: And why can't we get the Metropolitan on their feet?

Mayor Briare: You mean walking Police?

Mr. Ergarac: Yes - like they have in Los Angeles -

Mayor Briare: You've been here all day and you've heard on several occasions members of this Board bemoaning the fact that they didn't have control of the Police Department - that it was under a Police Commission consisting of the County Commissioners. That's why I indicated to the City Manager that certainly we can pass on your complaints to the Metro Police, but it is difficult for us to address ourselves in a positive manner to those complaints you have.

Mr. Ergarac: I understand, but we have reserve policemen and

CITIZEN
PARTICIPATION
(continued)

the City pays \$15.00 and he's supposed to come twice a month and to put that reserve Policeman walking on foot, with partners - one on one side of the street and the other on the opposite side- but when the Officers sit for five or ten minutes next to the Four Queens - after five minutes, he takes off. He's sitting in the car - he's not seeing the purse-snatcher from the senior citizen - . . .

Mayor Briare: You are going into so many different phases here - you're just registering all of the complaints you have in your mind -

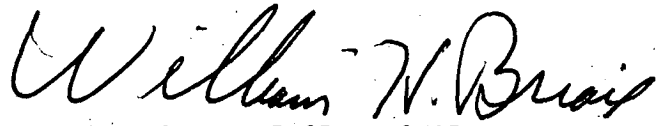
Mr. Ergarac: Only what I see do I bring here -

Mayor Briare: Our City Manager, Art Trelease, on every one of those items you brought up could have brought up in his office. There was no need for you to sit here all day -


Mr. Ergarac: I have the day off today and I got patience -

Mayor Briare: We are too. This meeting is now RECESSED to the hour of 2:30 P.M. on Friday, March 5, 1976. (Time of Recess: 5:00 P.M.)

APPROVED


WILLIAM H. BRIARE, MAYOR

ATTEST:


EDWINA M. COLE, CMC
CITY CLERK

APPROVED BY REFERENCE at a Regular Meeting of the Board of City
Commissioner held on the 2 day of June, 1976.