

M I N U T E S

Las Vegas, Nevada  
March 23, 1976

A RECESSED REGULAR MEETING of the Board of City Commissioners of the City of Las Vegas, Nevada, held this 23rd 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

\*Commissioners Christensen and Woofter arrived at approximately 9:50 A.M., having been excused for the purpose of attending a Personnel Meeting of the Las Vegas Convention Visitors Bureau.

STAFF  
PRESENT

City Manager	A. R. Trelease
Deputy City Attorney	Leonard Smith
Director, Department of Finance	Marvin A. Leavitt
Fire Chief	J. D. Miller
Director, Department of License & Revenue	Ila M. Britt
Director, Department of Personnel	J. Robt McPherson
Director, Purchasing & Contracts	J. C. Cathcart
Director, Department of Public Works	Laurence Hampton
City Clerk	Edwina M. Cole

Mayor Briare: This is the time set for a Public Hearing on the City of Las Vegas Tentative Budget for 1976/77. It is also a Recessed Regular Meeting of the Las Vegas City Commission and we will consider some of the carry-over items first:

AWARD OF  
CONTRACTS

Mr. Cathcart: Under Award of Bids I have five (5) Items listed. The last item is on Various Vehicles and we have five (5) Bid Groups under that. They are all in order unless you have questions on any of them.

See Page 2 of these Minutes (Annotated Agenda)

Mayor Briare: Have the record show that Commissioner Christensen and Commissioner Woofter are at a Personnel Meeting of the Las Vegas Convention & Visitors Bureau and that they will be here momentarily.

HOUSE  
NUMBERS

PAINTING HOUSE NUMBERS ON CURBS - REQUEST OF THE CLARK COUNTY JUVENILE DEPARTMENT

Mr. Hampton: I have sent a cover letter transmitting the request made by Miss Antonette Ellis. They are proposing to paint 4-inch black reflectorized House Numbers on a white background in front of the homes in the area. This is done in North Las Vegas, Henderson, Boulder City and in the unincorporated sections of Clark County.

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The City of Las Vegas has never permitted this in the past. There has never been any official sanction of this procedure, therefore no standards have ever been adopted. However, the style they propose to use is as good as I can think of.

BOARD OF CITY COMMISSIONERS

RECESSED REGULAR MEETING - 9:00 A.M.

AGENDA  
MARCH 23, 1976  
Page 1

ITEM

Commission Action

Department Action

V. PUBLIC HEARING - 9:00 A.M. - 9:50 A.M.

CITY OF LAS VEGAS TENTATIVE BUDGET  
1976-77

One (1) written protest  
One (1) oral request

BUDGET COMMITTEE  
APPOINTED, CONSISTING  
OF FULL BOARD  
MAYOR BRIARE to call  
public Committee  
discussion meeting

4/7/76 Agenda

I. PURCHASING & CONTRACTS DIVISION

J. C. CATHCART - DIRECTOR

\*CONSENT AGENDA: All matters listed  
under Item A below 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

\*AWARD OF BIDS

1. BID No. R 74.121 - TRAFFIC SIGNALS  
AT INTERSECTION OF MOJAVE & FREMONT;  
AND SMOKE RANCH ROAD & RANCHO DR.  
50% RSHC funded and  
50% State of Nevada funded
2. BID No. 76.12 - TRACTOR WITH 3/4 YD.  
BUCKET & BACKHOE (Park Dept.)
3. BID No. 76.13 - ONE (1) EA. BOOM  
TRUCK (with trade-in) (Pub Wks)
4. BID No. 76.15 - 100 EA. TRAFFIC  
BARRICADES, TYPE II - REPLACEMENTS  
(Public Works)
5. BID No. 76.18 - VARIOUS VEHICLES  
(Garage)

Items 1 thru 5  
Awarded as  
recommended  
Lurie - unanimous  
  
(Commissioners  
Christensen & Woofter  
did not vote -  
temporarily absent)

Director of  
Purchasing &  
Contracts  
authorized to  
proceed

VII. DEPARTMENT OF PUBLIC WORKS

LAURENCE HAMPTON, DIRECTOR

1. PAINTING HOUSE NUMBERS ON CURBS -  
REQUEST OF CLARK COUNTY JUVENILE  
DEPT

Approved subject to  
standards recommended  
by Dir. of P/W  
Lurie - unanimous  
(C and W did not vote)

Staff to proceed

XI. CITY ATTORNEY

CARL E. LOVELL, JR., CITY ATTORNEY

1. AGREEMENT BETWEEN CITY OF LAS  
VEGAS AND LAS VEGAS DUNES, INC.  
re ACCESS ROAD AT TULE SPRINGS

Informational Item  
at this point

Staff to proceed

Mayor Briare  
Commissioner Christensen  
Commissioner Leavitt  
Commissioner Woofter  
Commissioner Lurie

	P	A	E
Mayor Briare	X		
Commissioner Christensen	*X		
Commissioner Leavitt	X		
Commissioner Woofter	*X		
Commissioner Lurie	X		
Dep. City Attorney, Len Smith	X		

\*Commissioners  
Christensen & Woofter  
arrived at approx.  
9:50 A.M. (were  
attending Personnel  
Meeting, L.V. Conv/  
Visitors Bureau)

HOUSE  
NUMBERS  
(continued)

Commissioner Lurie: I think this is a good Program. It is a Youth Assistance Program. It teaches the youth responsibility by having to repay in matters of delinquency. It is a Project I feel will help the youth and also help the residents in the area. I know I'd be glad to pay them for painting my house number on the curb.

M o t i o n

I would move for approval.

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

VEGAS HEIGHTS  
PROJECT

Mr. Hampton: Gentlemen,, there is one additional item that we feel has some emergency to it. This involves the Vegas Heights Project. The contract on that particular Project states that if the Contractor encounters utilities that are above the sub-grade, that the utilities will pay for the lowering.

In this particular case the City is the owner of the sewer utility and on the job we have encountered several sewer laterals that were improperly installed back when the Sewer Project was put in - I shouldn't say "improperly installed" - they were installed higher than what was called for in the Plans.

The Contractor has had to lower these sewer laterals at a cost of \$4, 841.63, and we would request approval of a Change Order in that amount to cover this work.

M o t i o n

Commissioner Lurie: I move for approval as recommended.

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

LAS VEGAS  
DUNES, INC.

AGREEMENT BETWEEN CITY OF LAS VEGAS AND LAS VEGAS DUNES, INC. re  
ACCESS ROAD AT TULE SPRINGS

Commissioner Lurie: This item appearing under the City Attorney's portion of the Agenda is an informational item. It is an agreement that was prepared by the Department of Community Development, the City Attorney's office and the Department of Public Works, setting out the standards for the road that Las Vegas Dunes is going to put in to get to their property.

It is mainly an informational item and I bring it to your attention in the event you have any questions.

CITY AUDITORS  
Laventhol &  
Horwath  
selected  
for 1976/77

Mayor Briare: One piece of unfinished business, prior to our getting into the Hearing on the City of Las Vegas Tentative Budget, is a matter that was held in abeyance from our Regular Meeting relative to the selection of independent auditors for the year ended June 30, 1976.

Does the Commission wish to take action? The auditing firm of Laventhol & Horwath were selected as the independent auditors for the City for the year ended June 30, 1975.

M o t i o n

Commissioner Lurie: I would move that the same Auditors be retained for the Fiscal Year 1976/77.

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

BILL No. 76.21

Commissioner Leavitt: Your Honor, I have a request to the City Attorney's office that I made for an amendment to the Fireworks Ordinance. I understand it is on its way down. Is that right, Mr. Smith?

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Mr. Smith: Yes Sir, Mr. Ahlstrom has prepared that amendment and it is on its way down.

Mayor Briare: We will not adjourn, or recess, today, Commissioner Leavitt, until we have given consideration to your proposed amendment.

LIQUOR  
Approved

Commissioner Lurie: I have one additional item, Mayor:

SPECIAL EVENT LIQUOR LICENSE

NEVADA ASSOCIATION OF LATIN AMERICANS

Location: Ryan's Hall, Oakey/Maryland Parkway  
Date: MARCH 27, 1976

Responsible Licensee: WILLIAM H. "BOB" BAILEY

M o t i o n

Commissioner Lurie: I would move for approval.

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

CITY OF LAS  
VEGAS -  
TENTATIVE  
BUDGET

Mayor Briare: Mr. Leavitt, are there any preliminary procedures we should be concerned with?

Marvin A. Leavitt; Director of Finance. Yes, Your Honor, let me first make a couple of comments:

On February 20th we filed our Tentative Budget with the Division of Taxation. Under State Law they are required to review that Budget and make comments on it in accordance with the laws and regulations.

We have received a letter from them which we are required to read at this Public Hearing:

"March 18, 1976

"The Honorable Bill Briare, Mayor, and  
Members of the City Commission of Las Vegas

"Gentlemen:

"The Department of Taxation has examined your tentative 1976-77 budget pursuant to NRS 354.596, Subsection 5, and finds it to be in compliance with the law and appropriate regulations. This notice of compliance shall be read at the public budget hearing pursuant to NRS 354.596, Subsection 5.

"A separate letter delineating technical errors and/or questions has been forwarded to the entity's budget officer."

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See Page 5 of these Minutes (Letter)

Marvin A. Leavitt: The Tentative Budget, as filed, provides for a General Fund Opening Balance of \$911,920.00; Revenue of \$31,783,613.00; Expenditures of \$32,632,016.00; Ending Balance of \$63, 517.00.

The Budget does not provide for new employees. At the present time it does not provide for a general salary increase; provides for \$277,892.00 Capital in the General Fund, which is approximately half of what we have had in recent past years.

It provides for a contribution to the Metropolitan Police Department equal to \$1.94 of the Tax Rate.

I don't believe I have any more comments at this time unless the Commission has some questions.

Mayor Briare: Would you please indicate the time frame under which we must operate? Our Final Budget must be adopted when?

Marvin A. Leavitt: The Final Budget must be adopted prior to April 10th so, of course, it will be possible - and I would recommend - that the City Commission take action on the Budget at their first meeting in April, which will be on April 7th.

STATE OF NEVADA

Department of Taxation

CARSON CITY, NEVADA 89710

In-State Toll Free 800-992-0900



MIKE O'CALLAGHAN, Governor

JOHN J. SHEEHAN, Executive Director

March 18, 1976

The Honorable Bill Briare, Mayor, and  
Members of the City Council of Las Vegas  
Las Vegas City Hall  
Las Vegas, Nevada 89101

Gentlemen:

The Department of Taxation has examined your tentative 1976-77 budget pursuant to NRS 354.596, Subsection 5, and finds it to be in compliance with the law and appropriate regulations. This notice of compliance shall be read at the public budget hearing pursuant to NRS 354.596, Subsection 5.

A separate letter delineating technical errors and/or questions has been forwarded to the entity's budget officer.

Sincerely,

John J. Sheehan  
Executive Director

By \_\_\_\_\_  
James C. Lien  
Deputy Executive Director

JCL:jbd

cc: Mr. Marvin A. Leavitt  
Budget Officer

AN EQUAL OPPORTUNITY EMPLOYER

Mayor Briare: The purpose of the Public Hearing, of course, is to hear comments from any interested citizen relative to the Tentative Budget and in preparation for any final decision that would be made by this Commission any time between now and April 7th.

Do any of the Commissioners have any questions?

Commissioner Leavitt: I have some questions of the Finance Director, but I will wait until the Public Hearing is concluded.

Mayor Briare: Very well, Does anyone wish to address the Board at this time?

David Hoggard, Executive Director, Economic Opportunity Board: Good Morning, Mr. Mayor and Commissioners. I am here again in the interest of the request of the Economic Opportunity Board as previously presented to the City for support.

I don't know if we have been included in the Budget at all. We have asked for \$93,000.00 in support of in excess of \$2,000,000.00 in Programs. We have asked the City for \$93,000.00. We have asked from the other political entities a total of \$225,000.00.

We have received, thus far, responses from North Las Vegas and Henderson. The North Las Vegas City Council gave us \$15,000.00 out of our request for \$42,000.00, with the understanding that they would consider the balance after July 1st.

The City of Henderson gave us \$2,400.00 now and \$2,400.00 on July 1st, out of a request for \$14,000.00, with the same promise - that they would seriously consider the balance after July 1st.

The County of Clark - I appeared at the Public Hearing yesterday, along with the Vice Chairman of the Board and some of our Staff. It was requested by Commissioner Williams that we be placed in the County Budget as a "line item" and they are considering what we will have when we come back on April 6th at their Final Hearing. They have not come to a final decision. In the Budget Hearing yesterday, though, Mr. Ogilvie indicated there was \$13,000.00 for the Economic Opportunity Board there.

Commissioner Leavitt: What is this money for, Mr. Hoggard?

Mr. Hoggard: This is a part of the in-kind local resources that we are required as part of the "match" for the various Programs.

Commissioner Leavitt: You can't use Revenue Sharing money for that, according to my understanding. Is that right?

Mr. Hoggard: Commissioner Leavitt, I think if we did have Revenue Sharing money given to us it could be used as match-money, because it is considered as being "washed" - once it goes through the City it is available for whatever purpose you designate.

The amount given so far certainly does not begin to come anywhere near what we need to continue operations at the present level. I hope that between now and April 7th you will seriously consider giving us the amount requested. I realize money is very hard to come by and with the economic situation in our community as it is now, I know there is a great concern. However, these are the kinds of times when we have the greatest demands on our resources also. Even the short time the strike has been going on, we have been getting a real increase in the number of people requesting assistance - food stamps, lunch programs, etc.

I hope that you will seriously consider our full request and support us to that extent during the 1976/77 period. I would be glad to answer any further questions.

Mr. Hoggard: You all have received communications from us giving an outline of the request.

Mayor Briare: Mr. Hoggard, your first comment was that the City of North Las Vegas, on a request of \$42,000.00, allowed you \$15,000.00?

Mr. Hoggard: Yes -

Mayor Briare: And from the City of Henderson you requested \$14,000.00 and they allowed \$2,400.00?

Mr. Hoggard: Yes, two payments between now and July 1st.

Mayor Briare: Was this money that was budgeted last year? Or is this a new request?

Mr. Hoggard: This is money that we just requested - they put that in the new Budget - that \$2,400.00.

Mayor Briare: And they promised \$2,400.00 in July?

Mr. Hoggard: Yes -

Mayor Briare: What was the total amount you asked for from the County?

Mr. Hoggard: We asked the County for \$73,000.00.

Mayor Briare: And they committed approximately \$13,000.00?

Mr. Hoggard: Yes Sir -

Mayor Briare: What are you asking for from the City?

Mr. Hoggard: \$96,000.00 -

Mayor Briare: What is the total of all the requests?

Mr. Hoggard: \$225,000.00.

Mayor Briare: And what is the total you have committed, other than from the City of Las Vegas?

Mr. Hoggard: At the moment I guess I could say only about \$33,000.00 in support of better than Two Million Dollars in Programs.

Mayor Briare: Why, for the record - I think we know, but why are you requesting that this be made a "line item" on Municipal Budgeting?

Mr. Hoggard: We would like this to be made a Line Item in all of the Budgets. We feel that with this happening, there would be then a feeling by succeeding members of Councils, or Commissions, that there was an obligation or, at least, an implication that that particular entity would be supporting the Programs of the Economic Opportunity Board. And it would keep us, hopefully, from coming down here every year and making practically the same "pitch" - which uses a lot of Staff time - in trying to prostrate the Councilmen or Commissioners, what the Economic Opportunity Board is all about.

Mayor Briare: Does it roughly reflect a 90/10% distribution?

Mr. Hoggard: 80/20% is the requirement at the moment, roughly, of most of the programs. It is expected it will probably go to 70/30% under present Legislation -

Mayor Briare: And then what?

Mr. Hoggard: I understand there has been some talk of 60/40% -

Mayor Briare: Let's keep right on going until it is 100% - 100% local and "zip" Federal -

Mr. Hoggard: I don't know if it would ever come to that, Mayor - that may be particular to some people, but I don't believe local communities could support these Programs. Many local communities have in our area and in this region, given to community action agencies a great deal of support - San Bernardino, for instance - Phoenix and some of the other communities in the area that are larger in population than we are - their Programs are larger too.

Commissioner Lurie: How much is your total budget?

Mr. Hoggard: A little in excess of Two Million Dollars.

Commissioner Lurie: It seems to me you are in here every year asking the City for more money. Can't you hold the line in your Budget? Why do you over-spend? And then have to come back to the City and request additional funds when we contribute quite a bit to EOB through Community Development Block Grant monies - and now you come back and ask us to fund the Programs. We've been receiving a lot of mail, cards and telephone calls from people saying that we are going to discontinue Senior Transportation and different Programs you have established. We are not discontinuing any Programs. We would like to see all of those Programs, but it just seems to me that you are not holding the line. We have an obligation to the residents of the City to provide a certain amount of services. Then you come in all the time and want additional monies to fund your Staff to provide these services. Something is not there - we're not holding the line somewhere.

Mr. Hoggard: Commissioner, we do attempt to hold the line - the increases we may have in some budgets - we have to pay the power bills, etc. - and the rent, which is very low. Then the merit increases which amount to an average of 4% on an annual basis for 187 employees, plus the increased cost in paper, supplies and what-not.

I don't like to be in the position of having to come to you every year, but I think someone needs to come before you - there are people in the City here whose needs are not being met. I think we've done very well in managing the monies that have been made available to us. Our budgets are being cut back too and we're trying to keep the same number of Programs in force in services to the people.

We have received about a 15% cut-back in funds across the board in the last twelve months, in programs that have been going on for a number of years. For instance, Head Start is a Program that everyone is familiar with and it has been one of the success stories, but for the last four years we have received the same amount of money to fund that Program. Teachers' salaries have gone up. We have served more children because the Housing Authority gave us some rent-free space and we were able to increase the services. The Staff is only making on an average of about \$8,000.00 a year.

I would like to respond to your remark, Commissioner Lurie, about the letters to you saying that you were going to reduce the services to Senior Citizens - or any other Program. I have not - the Economic Opportunity Board, as such, has never told anyone that the City was responsible, or would be responsible, for reducing services. The Board has urged recipients and clients to contact their Commissioners and their Councilmen, if they knew them on a personal basis - to write them a card asking them to consider the request favorably. But to say that any one Program would be cut, no one has ever said that, to my knowledge. It was not said officially. The only way this could be done is by Board action. We live within the guidelines - some money comes ear-marked. For instance, the Head Start money cannot be spent on anything except the Head Start Program. Some funds have no administrative costs - the Foster Grand Parent Program is one of them and it costs the Agency money to operate that Program.

Mayor Briare: I think there is no one you come in contact with that is more receptive to message from the public than this Board. We have no disagreement. We like to receive letters, phone calls, cards, etc., but to suggest that the message that was consistent

throughout most of the post cards was not initiated from somewhere in your vicinity, is difficult to believe - because, who furnished the post cards - who did the mailing - who composed the messages? It would be ironic if hundreds of people would come up with the identical message on identical type post cards. As I say, I don't want to suggest to you that we are not very happy to receive these messages, but it is the suggestion that it is the prerogative of this Board to cut, or to keep, certain Programs, is unfair to this Board because it is the prerogative of your Board to but, or to keep, these Programs.

Mr. Hoggard: That's right - it is. I have not seen one of those cards, Mayor. I can tell you that they did not - the cost of the cards and the postage for them, did not come out of any of the Federal funds donated in support of the Agency. This was done on an individual contribution basis. I did not have anything to do with the wording. I have heard from you, and other persons, that it did give this implication, but it is not any official position of the Economic Opportunity Board. We realize that the Economic Opportunity Board has that responsibility.

Mayor Briare: OK - just so there is no misunderstanding relative to who cuts Programs and who initiates Programs. Also also, I wouldn't want any misunderstanding that we are not very grateful of the fact, from whatever source it came, it did come and it gave people an opportunity to address us, and we're happy for it.

How many new Programs were started this year?

Mr. Hoggard: Three.

Mayor Briare: Were each one of those Programs properly budgeted?

EOB Staff Member: The Senior Transportation Program was not properly budgeted.

Mayor Briare: It was not properly budgeted?

Answer: No.

Mayor Briare: When was that determination made - that it was not properly budgeted?

EOB Staff Member: In July when we got the Program.

NOTE: This Staff member did not approach the microphone and her responses from the audience were not sufficiently distinct to be recorded.

Commissioner Lurie: It was my understanding that \$96,000.00 went to purchase the equipment, I believe from the State, and the operating costs were from the County and the employees to drive the busses was from the City.

EOB Staff Member: I am speaking of the original Transportation Program we inherited from Community College. Community College had had a Grant somewhere in the neighborhood of some \$50,000.00 and we took it for \$38,200.00 and it just did not meet the costs - it was short budgeted.

Mayor Briare: Mr. Hoggard, is what Sylvia is saying is that you knowingly went into a Program that was inadequately funded to begin with?

Mr. Hoggard: I think that is what you could say - yes, we did.

Mayor Briare: Would that hold true in the other two instances also?

Mr. Hoggard: The other two Programs were adequately funded.

Mayor Briare: You made the comment that there were cut-backs. From whom were the cut-backs mandated?

Mr. Hoggard: From HEW -

Mayor Briare: The Federal Agency?

Mr. Hoggard: Yes.

Mayor Briare: So, in a sense, is this what we are considering here - the Federal Government have cut out, and insisted that you cut back - so now the suggestion is that the Local Government Agencies pick up that deficit. That's it in a nutshell, isn't it?

Mr. Hoggard: Yes - it's the result of all this Federal Legislation to call on the local resources to the greatest extent possible.

Mayor Briare: Do you see any end to a circle that begins with the design of a new Program by your Staff, where a need is created, notwithstanding whose obligation it would be - whether it be Federal or State or Local - to design a new Program and then come around and try to fund it - then get to a point where the funds are cut out - then go back to the question as to whether the Program should be continued or not - then coming to Local Government to pick up where the Federal Government left off? Is there any end to the Programs that would be forthcoming?

Mr. Hoggard: That is a very complex matter to comment on, but let me say - yes, I think there is a problem Mayor. One of the other mandates under the Economic Opportunity Act is for us to develop these local resources, and we are hoping that through self-help we will be in better shape in the next couple of years than we are now - "we" meaning the Economic Opportunity Administrative Program. The West Side School Program, for instance - that's a Block Grant and that money can be used only for that School rehabilitation. We are waiting for an architect to come up with a design - when that Project completed it will funnel back some \$150,000 back into our Programs. We have also developed a profit-making corporation which would put money back into EOB, which is a non-profit organization. These steps could conceivably reduce the amounts we need from local governments. I would say it would take a couple of years, though, before we could expect to see any effect.

Commissioner Lurie: Are the Programs that were approved for this year through the Community Development Block Grant - is there money allocated in your budget to provide the administration for these Programs. I heard on the news today that some of the Programs were approved - one of them was the Day Care Center, which we feel very strongly about. I know you got the Grant for that - is there money to fund all these Programs you are starting up?

Mr. Hoggard: We have all the money for the Day Care Center. That will work as part of Title 20. The funds that were granted CD Funds for Day Care will be used as a match. There is no problem there with that one. The only one we may have some difficulty with is the Renovation of the School, but I really can't comment on that until we get the information from the architect.

Commissioner Lurie: Who is your Architect?

Mr. Hoggard: Zick & Sharp.

Commissioner Lurie: I would like to know when we are going to get started on that School - you got \$167,500.00 this year to rehabilitate the School and nothing has happened so far.

Mr. Hoggard: I have had one conference with Mr. Sharp, in person; I've had one telephone conference with him and one of my Staff has had two conferences with him. I have written him a letter. We are waiting for a response to that letter. We have asked that they give us a price of how much they can do it for. Mr. Sharp's opinion to me, verbally, was that it really wouldn't take as much as some of us have estimated.

We have a schedule that was given to Community Development in the City that calls for, hopefully, for submission of his Plans by, I think, May 15th; going to bid about the 1st of June and getting started on July 1st, or thereabouts and with five or six months work on it we will have it all completed.

Commissioner Lurie: Mr. Saylor, on those bids - do those bids go through the City?

Commissioner Lurie: Do we monitor those bids, or do those bids go through EOB?

Mr. Saylor: I think we do. I can't say that with finality, but I think we do under our contract.

Mr. Hoggard: It is in the contract being developed between the City and EOB. The money is not available yet - at least not to my knowledge. The latest we've heard is that it probably would be May 1st before the money is available.

Commissioner Lurie: It has been allocated. It said \$167,000.00 - it's \$162,000.00 - whether or not it has been distributed yet - some of it has been approved because I heard on the news today that the Day Care Program was approved and there were two others that were approved.

Mayor Briare: There was some discussion, too, Commissioner, that this seems to be another instance where the representatives of the City of Las Vegas sitting on this Board are requested to make funds available through whatever facilities they have - Community Development Block Grant funds in this instance - and then have very little to say as to the administration of those funds.

It could very well be that funds that are available, and whether they are technically or legally available as a Federal bureaucracy thing, is difficult for me to understand. On the one instance when it is suggested that EOB is going to cut out Programs that we not only as individuals but as a City Board, very strongly support - that there is a threat of cutting them out by your Board unless this Board takes some financial action, is disturbing because we would rather cut out some of the other things and continue those Programs, if we have anything to say about it.

I am saying this: Again, I don't know what the technical parts are and I probably will be proven wrong - I would much rather see a Program designed to give services to the Senior Citizens and designed to give services to little children you have to take care of in Day Care Centers, and other Programs that are being threatened now. I would much rather see the continuation of those Programs than new offices for the EOB. Technically, Mr. Hoggard, I think I'm wrong because I don't think you can take those Block Grant funds to be used to make new offices for the EOB and use them for operational monies. But that is the whole problem. You use monies for one thing; they are not renewed the next year, then comes the problem of - what are we going to do? Do we have to cut out the Program? Or find new money?

Mr. Hoggard: I am certainly partially in agreement - almost totally - with what you are saying, Mayor. We have carried on a running battle with Regional Federal Offices ever since we've been in business - You are correct - monies cannot be transferred from the Department of Labor to support HEW Programs even though they are all Federal dollars. The U.S. Department of agriculture will not let you use their money to support other Programs for people on welfare, so we have that problem all the time. Neither will they duplicate the administrative costs. They think that CFA, which is the replacement for OEO, should have all the administrative responsibility and should control all the administrative money. The \$162,000.00 is just not there.

We would be happy to go into any detail with you. You can come over and look at our books. We do send you monthly reports to give you an idea of how we are dispersing our monies -

Commissioner Lurie: Have you ever cut any Programs out because you didn't have the money to fund them?

Mr. Hoggard: The Emergency School Aid Assistance Act, as we know as ESAA, presently is being short-staffed in comparison to other years. It has been short-budgeted - cut back \$10,000.00 -

Commissioner Lurie: When was EOB first opened up here?

(continued)

Mr. Hoggard: The EOB was first organized in 1964 and went into operation in 1965. We were ten years old last year.

Mayor Briare: It was referred to as Operation Independence - right?

Mr. Hoggard: Operation Independence preceded EOB - that was first yes - then when the Act came about in August of 1964, Operation Opportunity was formed. From that time it became known as the Economic Opportunity Board - the corporate name is Operation opportunity d/b/a/ Economic Opportunity Board.

Mayor Briare: Are there any further questions by any of the Commissioners?

(No response)

Mayor Briare: Thank you very much, Mr. Hoggard. Is there anyone else who wants to address this Board at this time? This is a Public Hearing.

(No response)

Mayor Briare: Apparently there is no one else to address the Board so this Public Hearing is hereby closed. (10:50 A.M.)

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Commissioner Leavitt: On Page 3 you have estimates from Hotel and Motel Room Tax. In view of our present situation with the strike, do you have any indication of what impact this is likely to have on this estimated revenue?

Marvin A. Leavitt: On that particular item, that is from Room Tax strictly within City boundaries. Most of that, I don't think, has been severely impacted yet. However, if we go into strike in the Downtown area, then that will become severely impacted, of course. Every day will mean a portion of it.

There are revenues, however, that are much more severely impacted -

Commissioner Leavitt: What effect has the strike had on the City?

Marvin A. Leavitt: Right at this point, the major effect is on those revenues such as the Sales Tax, the Cigarette Tax and the Liquor Tax, that are collected County-wide and distributed to the cities within the County. Inactivity on the Strip, of course, affects those immediately - from the very day that started. I think we're talking about a minimum of around \$15,000.00 a day from those types of revenues.

When we get further into the strike, of course, it will start to affect other revenues, but those are the immediate effect.

Commissioner Leavitt: At this point you say the City is losing approximately \$15,000.00 a day because of the strike?

Marvin A. Leavitt: That's right. That is what I would estimate right now. It is very difficult to estimate, but based on what we can look it, it would appear to be about that.

Commissioner Leavitt: I notice in your cover letter to us you indicate that your estimates are based on the continued growth of the economy in a good economic year - that's why I asked that question.

Marvin A. Leavitt: That's right. the revenue increases are in line with a fairly good economic performance . . .

Commissioner Leavitt: It is my understanding this Budget does not include any utility franchise fees. Is that right?

Marvin A. Leavitt: It does not include . . .

Commissioner Leavitt: From January 1, 1977 to June 30, 1977?

Marvin A. Leavitt: That's right - only the 1% on the Power that was provided for in Senate Bill 601.

Commissioner Leavitt: In other words, the 1% that the Legislature allowed?

Marvin A. Leavitt: That's right -

Commissioner Leavitt: But you have included the Franchise fees for the first six months?

Marvin A. Leavitt: That's right.

Commissioner Leavitt: And your ending balance here is \$63,517.00?

Marvin A. Leavitt: That's right.

Commissioner Leavitt: The 12% then would be 1.294 Million - is that right?

Marvin A. Leavitt: Yes, that's about what that would be, so you can see we are \$1,230,000.00 . . .

Commissioner Leavitt: The Tax Commission has approved this - is that right?

Marvin A. Leavitt: They have approved it. However, the provision that calls for the 4% can indicate that all you have to do to get them to approve it, is to explain why it is so low - the provision is loose in requiring that by the legal aspect of it, but still not have a good situation, and I would be the last to say that having a \$63,000.00 ending balance is one that we want to tolerate . . .

Commissioner Leavitt: Well, that's what upsets me a little bit, because you say we are losing \$15,000.00 a day on account of the strike and we're going to have \$63,000.00 left at the end - that's cutting it pretty short. If that's the case, we will wind up without any ending balance at all -

Marvin A. Leavitt: That's right. There is perhaps one thing I might mention: During the year we are in right now, we've been, by action of the Board in not approving new positions and cut-backs by the City Manager as well, have been saving money over and above what is budgeted for this current year. So, right now, it looks like we will possibly save \$500,000.00 from that source -

Commissioner Leavitt: Then we'll have a better opening fund?

Marvin A. Leavitt: That's right - it looks like we will have a better opening fund which would, of course, give us a better closing fund than the \$63,000.00. However, the loss in revenue has to offset that too.

Commissioner Leavitt: You talk about four days of strike, and that's wiped out - and we've been in the strike longer than that -

Marvin A. Leavitt: That's right - four days of strike would wipe out that balance.

Commissioner Leavitt: Now I would like to talk to Mr. Jacka: I understand, Mr. Jacka, that the Grand Jury has investigated the jails and filed a report on March 11th concerning the over-crowded conditions, and other problems, in the Clark County Jail. As a result of that, they have made certain recommendations. Would you want to tell us what they are?

Sheriff Jacka: Yes, Mr. Commissioner - Mayor and City Commissioners of the City of Las Vegas. The Grand Jury, pursuant to its investigation - Case No. A-137310, filed a Report on March 11, 1976 with the Chief Judge.

That Report is presently being discussed by the judiciary and then, in turn, they will discuss it with the entities involved.

Sheriff Jacka: Under the section on Page 7, entitled "Recommendations" it says: Based upon the above findings and the emergency conditions that presently exist in the Metropolitan Jail, the Grand Jury feels compelled to make the following recommendations:

1. The Grand Jury recommends that the Court enter an Order compelling the City Commission of Las Vegas, and the County Commission of Clark County, to jointly provide the funds to open and staff the City Jail forthwith.

The next item is of no significance in the sense that it talks about removing juveniles from certain sections of the Jail.

The third items talks about providing separate psychiatric treatment and medical treatment areas for certain prisoners.

The fourth item is of interest: We recommend that the Police Commission contact a physician to hold daily sick calls in the Metropolitan Jail, and examine all prisoners upon admission and hold daily sick calls in the Metropolitan Jail. This has a severe impact upon us in that it is a mandated thing from the judiciary.

The fifth item simply point out that either the County Commission and/or the Police Commission comply with the statute, and that is to the facility and prepare a report pursuant to law.

Commissioner Leavitt: The Judge, to this point, hasn't made that Order to use the City Jail, has he?

Sheriff Jacks: He has not indicated that. However,, the likelihood is that it is very possible. The Jail presently - the Metropolitan main complex - is built to house 498 prisoners. Facility Sciences Corporation, which is a corporation hired by the County and has been used by the City in an in-turn effort, studied the space last year and in that Study they also studied the Jail, and they recommended that the maximum effective capacity in the Jail be 465, with administrative segregation that is necessary according to the type of crime that one commits - problems with youthful offenders vs. adult offenders, etc., it is our recommendation that it be 450. The counts have been as high, since the first of the year as 523 in custody, so you can see that the Jail is in a very over-crowded condition.

We've taken steps that were outlined by Facility Sciences over a year ago - we took the steps prior to the time Facility Sciences came in, to institute several programs to alleviate the problem. One of those is misdemeanor citation capability beyond traffic citation, which we have industriously involved ourselves in.

Then the Justice Court has an OR Release Program which they have instituted, but nonetheless there are more people going to Jail and the conditions keep mounting.

Commissioner Leavitt: This resume that you've given the City Commission indicates that the cost relating to using the City Jail facilities, is \$664,555.00 - is that correct?

Sheriff Jacka: That is correct.

Commissioner Leavitt: You indicated it was going to be necessary for a Butler-Built type of building to be used for a storage facility. Do you have any indication where that will be constructed?

Sheriff Jacka: When we originally requested the \$410,000.00 out of Revenue Sharing from the Police Commission, we asked that consideration be given to build that unit at the Rehab Farm where we have better security over the control of evidence. There are some other alternatives available down the road, but that was the original recommendation - at the Rehab Farm.

Commissioner Leavitt: Do I understand, then, that the present budget of the Metropolitan Police Department does not include this \$664,555.00?

Sheriff Jacka: That is correct.

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(continued)

Sheriff Jacks: When we presented our budget to the Police Commission at 24.3 Million Dollars, that included opening the Jail and taking care of the problems. However, the Tentative filed with the Department of Taxation is 22.9 Million Dollars - \$300,000.00 more than this present fiscal year.

Commissioner Leavitt: What is the plan relative to the City Jail for the feeding of prisoners?

Sheriff Jacka: We had originally contemplated contracting with the Community College, or something similar to that. Community College has a Program called "Meals on Wheels" and they provided a service to the State prison facility over here on Highland. However, since they have involved themselves in that, they have found it to be very undesirable.

So what we intend to do is to prepare the meals in the main complex at the Courthouse and transport the meals in hot units over to the Jail, at much less expense than buying capital to build a facility within the City Hall complex, as well as having to have additional persons to staff that kitchen.

Commissioner Leavitt: What I'm getting at - that \$664,555.00 figure takes care of the idea of buying a new kitchen?

Sheriff Jacka: That is correct.

Commissioner Christensen: I would like to ask a couple of questions: To get down to the nitty-gritty of what you are telling us then, Bart, is that you want the City to come up with 52-1/2% of \$664,555.00 to comply with the Grand Jury's request?

Sheriff Jacka: I'm not asking for 52-1/2% - I'm simply making the request pursuant to a request from a member of this Commission. Originally, Mr. Ogilvie, the County Administrator, I understand, directed a letter to the City initially. There is some misunderstanding, apparently, as to the end response on that. At that time he asked to share the operation 50/50 - in his correspondence.

Commissioner Leavitt: Let me clarify that. I ask Mr. Jacka to be here. Commissioner Lurie and I attended a meeting on Criminal Justice when this question came up regarding the Grand Jury Report and possible Court Order that the City Jail would have to be opened, and I asked Mr. Jacka, in the scope of what we might be looking at, to be here today so we could discuss the matter with him.

The indications are that the Judge is going to Order that the City Jail be opened and I think we ought to take a look at it and realize that we may end up with having to pay 52-1/2% of it. I suggested that they split the cost, but they didn't buy that.

Commissioner Christensen: In other words, Commissioner Leavitt, what you are saying is that the City may be forced to buy a storage building and other capital improvements the Police need, whether or not it involves the City Jail complex.

Sheriff Jacka: Commissioner Christensen, the Evidence Storage Building does involve the City Jail. We are presently storing that evidence in the City Jail complex, as we are in one of the rooms in the City Parking facility across from the Courthouse, as well we are storing evidence in a complex in the Courthouse and at two other locations out in the County. We're saying that we need the Evidence Storage facility in order to free the Jail complex to use it as a Jail.

Commissioner Christensen: Of course, I am aware of that, but you could relate any facet of the Police Department to the State problem - the Jail - the Storage Facility, etc . . . call that a part of opening the Jail . . .

Sheriff Jacka: I don't believe that is correct, Commissioner Christensen -

Commissioner Christensen: At the time when we were on the Police Commission, we had a big rhubarb on this split, which resulted in getting us all kicked off the Police Commission, and one of the things we asked for that was not available to us, but I understood records were being kept to make that available - we didn't last long enough to get any of the information - was relative to the crime in the City Limits and in the non-City Limits, and the traffic violations in the City and out of the City, etc. Do you have any statistics along those lines?

Sheriff Jacka: Commissioner Christensen, we don't keep track of them, statistically, according to political boundaries. We keep track of statistics for the Federal Bureau of Investigation and the State, based upon the total Police responsibility.

Commissioner Christensen: In other words, you still can't tell me how many of your prisoners are in jail because they committed crimes in the County - how many murders were committed in the County as against how many in the City - rape, robberies, burglaries, etc? Those statistics are still not available to us?

Sheriff Jacka: That's an unfair phraseology - to say "still not available". It is collected as a total unit for total Police responsibility. That was one of the benefits - and I realize I'm sticking my foot into it when I say that was one of the benefits of Police consolidation. That the political boundaries from a Police standpoint would be eliminated. We could go back and obtain the number of people arrested for Title I crimes, that are traffic offenses, etc., but it would take a considerable amount of manpower to do that. And as I indicated on July 1, 1973, we began to collect statistical data based on the total Police jurisdiction.

Commissioner Christensen: Then what you're saying is that there is no way we can determine if the City is paying more than its share. The next time we go to the Tax Commission it's going to be the same game - whoever represents the prettiest picture to them, or does the better salesman's job, because we have no statistics to back us up when we ask for a rehearing on the budget split - there is no way that we can present any statistics to back us up. It is just a case of - take your best shot and hope you come out.

Sheriff Jacka: We could go back, Commissioner Christensen and, by hand, ferret that material out, but we have not done that. As I've said, that would take considerable time and effort to do that.

Commissioner Christensen: It was my understanding - at one of the Police Commission meetings, and I'm sorry I didn't make note of it so I'd know which one it was - it was my understanding that we asked for this information and were told - yes, it was being kept track of now so that we would have some historical data to call on the next time, that would show where the crimes were being committed and where the arrests were being made. But now you're telling me we still don't have that.

Sheriff Jacka: At that time, Commissioner Christensen, I did not represent the Police Commission as it was then made up. I do now but I wasn't attending those meetings - I don't recall that - perhaps that did happen.

Commissioner Leavitt: The only thing I wanted to point out to the Commission at this meeting was the possibility of a Court Order and that the City budget could be impacted in that amount to share with the Metropolitan Police Department's budget. I understand, Marvin, that this is not included in our Budget at all because it is something that just came up as the result of a Grand Jury investigation. But I think it should be duly noted.

Commissioner Christensen: I wonder if we could get this research bit because it seems to me like we have a Bill that was passed by the Legislature that took away our place on the Police Commission and it also sets our maximum amount of contribution for Police services at \$1.94. Now does that render that Bill null and void if the Judge forces us to go over that? And if it does, does that give us back our representation on the Police Commission, or where do we stand? I would like to suggest some research by the City

Attorney's office into the ramifications of that.

Commissioner Leavitt: I think Commissioner Christensen is correct. I think we should definitely have a legal research of this question. One meeting that I attended I mentioned that I had been reading in the paper about how the City Jail was going to be taken over by the Metropolitan Police Department, but to my knowledge, nobody spoke to a member of the City Commission or the Mayor, or anybody, about using it for that purpose. Being the City Commission you'd think we had control of City Hall and if we're going to have a Court Order that says we've got to open it up for a Jail and turn it over to the Metropolitan Police Department - fine - but let's find out if that is legal.

Commissioner Christensen: It was turned over at the time of the Police merger -

Commissioner Lurie: Are you telling us that the Judge is going to tell us how we have to allocate our budget money to expand the Metropolitan Police Department?

Sheriff Jacka: Commissioner Lurie, I'm not saying the Judge is going to do anything - I'm saying that the potentiality exists based upon the Grand Jury's recommendations -

Commissioner Lurie: Did they also make a recommendation as to where these funds should come from?

Sheriff Jacka: No, they did not - that is not within their perogatives.

Commissioner Leavitt: I asked Mr. Jacka to come over here today to explain to us what the situation was and what the estimated cost would be because as he has indicated, it is up to the Judge now to make that decision, not him.

Commissioner Christensen: I have one other question that is pertinent: I don't know who can answer it so I don't know who to direct it to, but I will direct it to Mr. Jacka since he seems to have most of the information: This Grand Jury recommendation was undoubtedly the result of a lot of testimony, etc. - I've read in the papers where some of the testimony came from the prisoners - did any of this testimony come from the Police Commission?

Sheriff Jacka: I appeared pursuant to subpoena, to the Grand Jury and Commissioner Broadbent appeared according to the number of witnesses; Jail personnel from the Metropolitan Police Department appeared, as well as doctors and two District Court Judges appeared and some inmates of the Jail.

Commissioner Christensen: Was anybody from this Commission subpoenaed to appear before the Grand Jury?

Sheriff Jacka: No -

Commissioner Christensen: Then what the Grand Jury got was a one-sided situation again on this Police thing - it looks like.

Sheriff Jacka: Commissioner Christensen, by law I can't comment on how I testified before the Grand Jury, but that is an unfair statement.

Commissioner Christensen: I'm aware of that, but it seems like if they are going to ask the City to participate, we should have been asked about what our participation is.

Commissioner Lurie: I think we all recognize what the problem is. I sat through a meeting the other day concerning the Criminal Justice problem we have and I would like to see this Board take favorable consideration on the items of capital operations cost of the Jail here at the City Hall; also the Evidence Storage Facility, out of Revenue Sharing. I believe it is important that the Jail - if we hadn't gone through the merger and the Police Department was still with the City, we would have to operate that

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(continued)

Jail. We need these items and I believe under Revenue Sharing there is money available if we move some items around insofar as priorities are concerned, and the County is going to have to re-adjust their budget and come up with additional monies to staff the Jail.

I think the City has always taken the first step in trying to provide the type of facility that residents here in the City feel they should have - like combating crime - and I feel I still want to take that first step forward. The County is just going to have to readjust their budget because the City has established sub-stations- we do have the Jail here which should be used for what it was intended to be used for - detention and not a storage facility. These items here I think are all justified and I hope this Commission takes favorable consideration of them.

At the hour of 10:15 A.M. Mayor Briare declared a 15-minute recess.

BILL No. 76-21  
1st Reading  
& Referred

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BILL No. 76-21 - AMENDING ORDINANCE No. 1814 re FIREWORKS  
Committee: Commissioners Leavitt and Christensen

M o t i o n

Commissioner Leavitt: I want to amend this Bill to add paragraphs 7, 8 and 9 and delete paragraph 7 of the Bill as previously adopted, and move for adoption of the Ordinance as amended.  
Deputy City Attorney, Leonard Smith: I will read the Bill by Title:

A Bill entitled: "BILL No. 76-21 - ORDINANCE No. 1814 - AN ORDINANCE TO AMEND VI, CHAPTER 1, SECTION 16 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY MOVING EXISTING SUBSECTION 7 TO SUBSECTION 9, AND BY ADDING TWO NEW SUBSECTIONS IMMEDIATELY BEFORE SUBSECTION 9, TO BE SUBSECTION 7 ENTITLED 'APPROVAL FOR SALE' AND SUBSECTION 8 ENTITLED 'PERMIT TO SELL', and REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH." (1st reading)

Mayor Briare: The motion is to adopt the Ordinance as amended?

Commissioner Christensen: I want to ask the City Attorney a question: Which way do I vote to vote against fireworks?

Mr. Smith: I think that this amendment, Commissioner Christensen, will not have any affect on whether you vote for or against Fireworks. All this amendment does is restrict the sale to Charitable Organizations and adds a \$25.00 fee for a Permit.

Commissioner Christensen: Well, to be consistent, do I vote Aye or Nay? I voted against the original Ordinance -

Mayor Briare: This is a motion to adopt the Ordinance, as amended.

Mr. Smith: This will be the first amendment of that Ordinance. If you were opposed to the Ordinance . . .

Mayor Briare: Commissioner Leavitt, I have just one question: on Page 4, paragraph 8 - where each permit granted shall require a License fee of \$25.00 for each location and this fee shall be considered as a License fee for the Permit granted. Was it your intention, Commissioner, inasmuch as this is for Charitable and Fraternal organizations - was it your intention perhaps that this \$25.00 be paid by the supplier, or the wholesaler? Or by the retailer?

Commissioner Leavitt: I don't care who pays it, as long as it is paid. I think what happens is that the retailer ends up paying it - the Charitable organization winds up paying it. It's part of the overhead. It's the same as the County's.

Mayor Briare: My point being, Commissioner, that since these are Charitable or Fraternal organizations we will, no doubt, be getting requests to waive that fee. It is only for Charitable and Fraternal organizations - not for anybody else.

Commissioner Lurie: Do they pay it in the County?

Commissioner Leavitt: They pay it - it's a very nominal fee -

Mayor Briare: You want the Charitable and Fraternal organizations to pay a \$25.00 fee?

Commissioner Leavitt: Whoever gets the License.

Mayor Briare: I am going to vote in favor of your motion, Commissioner, but I am opposed to charging a \$25.00 fee to a Charitable or Fraternal organization. Are there any other comments?

(No response)

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

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COMMITTEE

Mayor Briare: In order for us to consider the Budget, if it meets with the approval of the Board, I would like to recess this meeting subject to the call of the Mayor, with ample advance notice to all concerned. We will be in recess to a time to be set for further consideration of the Budget. Does that meet with the approval of the Board?

Commissioner Leavitt: It has to be completed by April 10th and we meet in regular session on April 7th.

Mayor Briare: I would like to do it in kind of a committee form - Instead of recessing this meeting, as soon as we take care of the next item on the agenda, we will go ahead and adjourn this meeting but I'm going to appoint a committee, referred to as the "Budget Committee" consisting of the Mayor and the four Commissioners and a meeting of that Committee, which will be open to the Press and everyone that is interested, will be set subject to the call of the Mayor.

Commissioner Woofter: In regards to - as represented at the last meeting - placing a Question regarding Consolidation on the Presidential Primary Ballot, the City Attorney's office has furnished me with a draft of the Question proposed to be placed on the ballot. The way I read the statute, it does take the vote of the Commission - a majority vote of the Commission, to place such a Question on the ballot.

The Question would be:

SHOULD THE CITIZENS OF LAS VEGAS HAVE THE  
OPPORTUNITY TO VOTE ON ANY FORM OF CON-  
SOLIDATED GOVERNMENT BETWEEN THE CITY OF  
LAS VEGAS AND THE COUNTY OF CLARK?

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Commissioner Woofter: I believe this gets the message across what the big concern of the citizens of Las Vegas is - not the Consolidation concept, but whether or not they should have the absolute right to vote on any form of Consolidation before it becomes Law.

Mayor Briare: Commissioner Woofter, I remember at one time we asked Stan Colton (Registrar for the County of Clark) what kind of a deadline - what kind of a time situation he was faced with. Did he also indicate to you a deadline?

Commissioner Woofter: Yes - April 5th.

CONSOLIDATION  
"QUESTION"  
(continued)

Commissioner Christensen: I'd like to pose a couple of questions about this Question: Number one, the way the Question is worded it looks to me like if the answer was "yes", then that would mean that if it was determined that we could enter into an Interlocal Agreement to cover each other on fires, etc., that would have to go to a vote of the citizens of Las Vegas because that is one form of Consolidated government? That would put any contractual agreement that we had with the County up to a vote of the public.

Mr. Smith: Commissioner Christensen, if I could just point out a couple of things: The Question is not one of a mandatory nature for the citizenry either to approve or disapprove. The Question merely states - should the citizens have the opportunity to vote on Consolidation. You probably would be correct if, for example, we enacted a new State Statute for the Fire Department such as came about for the Metropolitan Police Department. That might be a form of Consolidated government.

An affirmative vote on this particular Question certainly would not mandate . . .

Commissioner Christensen: You are looking at the legal ramifications of it and I'm looking at the political ramifications. We have now before us a mandate from City residents having to do with pornography on a 3-1 vote and it is thrown at us every time we lose . . . why we have to put up with it - we voted against it - and then somebody comes up and explains that was just a test of the waters. And this is just another test of the waters. What worries me here - the public are not attorneys and consequently when they see this - and this Question is worded so that chances are it will end up with an affirmative vote. Now, how do you handle the public on an affirmative vote when they come to a City Commission meeting and just raise Cain and want everything put on the ballot - every agreement that you make with the County? That is what it could do. Now, you can explain that, legally, that doesn't bind you, but at these Commission meetings that isn't going to explain it away. The guy that voted "yes" thinking he was going to have a vote on all agreements.

Mr. Smith: Certainly that could be the case - I can advise you only as to the legal ramifications on the particular Question.

Mayor Briare: In fact, two things have occurred to me: Number one, I don't like to suggest what the turn-out is going to be on the May 25th Presidential Primary. Whatever the turn-out is, it has no bearing on what the Party Political Conventions are going to do at their Conventions, if my understanding is correct. I believe it is a preferential poll just to get a reading on whether they like the candidates, or not, which I think probably makes a Question such as this is an appropriate Question to ask in order to get a preferential - just to see what their preference is and it is not binding or legal. The same way as when a previous administration put on a ballot whether the citizens wanted the Power Company to be in private hands, whether they wanted the Power Company taken over by the City or none of the above. But if the County voters, who will also be going to the polls, could at the same time be polled to determine what their preference is, wouldn't that really give you a much better indication of what the whole thing should be?

Commissioner Woofter: There's no question . . .

Mayor Briare: Would it serve any purpose to inquire if the members of the County Commission would be willing to ask the voters of the County a similar Question? What their preference was? There might be other preferences or other alternatives that maybe the County Commissioners would have some comment on.

This is not said, Commissioner Woofter, to in any way, shape or form destroy the intent or to procrastinate, or anything of that nature -

Commissioner Woofter: My only concern is the need for immediate action on the matter.

CONSOLIDATION  
"QUESTION"  
(continued)

Mayor Briare: The Presidential Primary is May 25th - right?

Commissioner Woofter: That's right -

Commissioner Lurie: Maybe we should send a letter to the County Commission asking them to put that Question on the ballot.

I just have one thing I would like to say - maybe this is the appropriate time. I did send out a poll on this Question and my response back was a 40% return on the poll I sent out, and 95% of the response to this Question on whether or not the people should have a vote as to whether or not they should be Consolidated, was negative. They felt they should have a vote on whether or not they should be Consolidated.

There was another Question also asked: If they felt - it was like a 2-part Question - if there wasn't to be a saving by Consolidating the City of Las Vegas and the County of Clark, then the people were against Consolidation.

This Question will have to be worded in such a way - if there is a saving by Consolidating the two governments, they would be in favor of Consolidation. If there is no saving, then the people, I can tell you right now, are not in favor of any form of Consolidation if it will have any effect on raising their taxes.

Mayor Briare: I imagine, Commissioner, you feel it safe to assume that the constituents in your District are speaking an opinion that would probably be uniform throughout the City?

Commissioner Lurie: Yes, I would assume that -

Mayor Briare: I would say that your constituency is well informed - at least you keep them that way.

Another interesting thing, too, that you bring to mind, Commissioner Lurie, and that is yesterday from the reporting in the Press, the County Commissioners have suggested there be various increases in taxes. They suggested charging fees for the use of Parks, which I think was probably boo-ed down other members of the Commission. They suggested that perhaps there should be a review for a possible increase in Business Licenses.

The City, -on the other hand, at Commissioner Leavitt's comment - and I don't mean to comment for you, Commissioner Leavitt, but you suggested and our budgets have indicated that there be no Franchise fees after January 1st. There have been suggestions that perhaps other considerations be given relative to License Fees here in the City, and we seem to take an entirely different approach to the future of government in Clark County.

On the one hand the City is suggesting cuts in current revenues, as the Legislature mandated in S.B. 601 - we're suggesting there be some relief given to the pocketbooks of the residents of the City of Las Vegas. On the other hand, the County is suggesting increases and yet the Legislature mandated that there be savings.

It would seem to me that this Question could be very interesting -

Commissioner Lurie: It is our fiscal responsibility - that's right.

Commissioner Leavitt: I have a couple of observations on the Question: Actually the Question says "opportunity to vote on any form of Consolidated Government". Senate Bill 601 was not a Consolidated Government. It was Consolidated Services. The two Governments were left separate and apart - there was still a City Commission and a County Commission.

I am a little confused in my own mind about what the Question says. Of course, it says: SHOULD THE CITIZENS OF LAS VEGAS HAVE THE OPPORTUNITY TO VOTE ON ANY FORM OF CONSOLIDATED GOVERNMENT . . ." Now, S. B. 601 was not a consolidation of government. It was a consolidation of services.

The Question confuses me. Are we saying here that the people should

CONSOLIDATION  
"QUESTION"  
(continued)

vote before we consolidate governments but it's OK to consolidate services? If that is what it means, OK, I have no objection to it, but the question is - is that what you mean? Do you mean that the citizens of Las Vegas should have the opportunity to vote before consolidating services? As Commissioner Christensen has said - if we tried to consolidate the Fire Departments - should they vote on that? Or if we consolidated the Parks & Recreation Departments - should they vote on that? or the Department of Public Works? These are services as opposed to governmental entities and that is what S.B. 601 was aimed at - was to consolidate the services - not the governments. I am a little confused at this point. I think that is one problem the Legislature has had too - to get a question they could put on the ballot that would not be confusing to the people and would have an end result of what was really meant.

Mayor Briare: Do you suppose, Commissioner, there would be reason to feel that instead of having one omnibus question, that perhaps two or maybe as many as three questions, should be asked?

Commissioner Woofter: I am open to any suggestions, Mr. Mayor. I think to satisfy Commissioner Christensen's question, and Commissioner Leavitt's - the concern I have is if we can incorporate, before any action is taken on the State level - I think that would eliminate any action here insofar as the Commission is concerned, where we can act, legally, on it - any form of inter-governmental action. My reason is, for the public, they want a right to vote before the State Legislature acts and the Governor signs anything in this regard into Law.

Mayor Briare: Of course, we would be second-guessing, first of all, the Supreme Court and then depending on what that guess was, we would be second-guessing Governor O'Callahan as to whether he would call a Special Session and then what the Special Session, if it were called would do. I think what we are really talking about - and I'm in agreement with you, Commissioner - I don't think I am in total agreement with the way the Question is worded. I feel there should be more than one question, but I think that what you really want to do is - when the regular session of the Legislature convenes early in 1977, instead of having the Legislature mandate the people, you want the people to mandate the Legislature.

Commissioner Woofter: That is correct.

Mayor Briare: I can't find any argument in that -

Commissioner Christensen: I can't either, but what kind of a mandate are you going to get when you've got half the people voting on it? Not half the people voting - half of the people even entitled to vote - much less half the people voting, because without the County vote it means nothing - consolidation with the County mandated by a vote of the people, one way or the other, either consolidation or non-consolidation, or whatever, mandated by a vote of the people from just half of the entity to have anything to do with consolidation, it really doesn't tell you anything.

Commissioner Woofter: I think it gives you a reading, though. Certainly it won't be an absolute mandate, but if it's overwhelming one way or the other, I'm sure we can request it. Like Commissioner Lurie's poll - he took it in one District -

Commissioner Christensen: Of course, the residents of the City have a different axe to grind than residents of the County. If you divided half the City and half of the County, it would be a different story, but you've got the City voting on it and nobody from the unincorporated areas of the County voting on it, which really weighs it.

Commissioner Lurie: It is just an opportunity for the citizens of Las Vegas to voice their opinion on how they feel about Consolidation, and they understand that . . .

CONSOLIDATION  
"QUESTION"  
(continued)

Commissioner Christensen: I understand all that and I have no fight with the citizens expressing an opinion on this, but I think the Question has to be worded so that they can express an opinion, because when you have a nebulous Question like this - Commissioner Leavitt just gave you a picture of the situation - he is the Consolidation Chairman and has probably spent hours and hours on the subject of Consolidation, and the Question confuses him. Now what is it going to do to someone who didn't spend hours and hours on the subject of Consolidation? That's what worries me.

I don't mean to belittle the intelligence of the Board - that's not my point . . . but what you've got to consider here - in order to answer the Question - in asking the Question here, are you asking it to get an answer, or are you asking a rhetorical question?

Mayor Briare: It bring up some very interesting academic questions that we may, or may not, be able to resolve this morning; another of which comes to my mind - supposing we could turn the clock back and this was on the ballot and the people of Las Vegas, particularly in Commissioner Woofter's District, and they also ratified what Commissioner Lurie's poll said, it was determined that the people of Las Vegas didn't want Consolidation, and yet the elected officials were mandated by State Law to pursue Consolidation?

Commissioner Leavitt: Which could be the case, depending on the Supreme Court. If you were to take out the words "Consolidated Government" and insert the words "Consolidated Services", would you have an entirely different meaning? In other words:

SHOULD THE CITIZENS OF LAS VEGAS HAVE THE  
OPPORTUNITY TO VOTE ON ANY FORM OF CONSOLIDATION  
OF SERVICES BETWEEN THE CITY OF LAS VEGAS AND THE  
COUNTY OF CLARK?

Commissioner Christensen: That makes it even more certain that they would want an opportunity to vote on every Interlocal Agreement.

Commissioner Leavitt: That may be true - I'm just saying that "Consolidation of Governments" could really mean the merger of the governments of the City and County into one government, which would mean a Metro Government. When you talk about "Consolidation of Governments" to me, that means a merger of the City of Las Vegas and the County of Clark. But that wasn't what the Legislature did. It merged the services. I don't know whether you want to put that Question to the voters or not - whether you want the voters to let you know whether they want any form of Consolidation of Services as opposed to Consolidation of Government. When is the deadline on this?

Commissioner Woofter: The 5th -

Commissioner Lurie: Well, I can tell you one thing - I am not in favor of Consolidation at the present time if it has to affect our Budget. We have balanced our Budget. The County still has a problem. I don't want to see the City Budget brought into a consolidated County budget and pull us down when we're not able to provide that -

Commissioner Christensen: What about the Police?

Commissioner Lurie: The Police is different - we talking about something different now - we're talking about taking our budget and consolidating it with the County, trying to help them out with some of their fiscal problems -

Commissioner Christensen: What do you think you're doing with the Police?

Commissioner Lurie: We're not doing anything with the Police that we are not obligated to do by Law - providing the \$1.94 of our tax and putting in an "x" amount of dollars - whatever is decided upon by this Board, to provide - Revenue Sharing monies to provide additional services that I think we are obligated to do.

CONSOLIDATION  
"QUESTION"  
(continued)

Commissioner Christensen: Well, that's the part that's indicated by Law, and you just got through twenty minutes ago telling us that you advocated helping them build an Evidence Vault, Opening the Jail and all the things a Police Department normally does, and should be able to do on our \$1.94 equivalent - and you are adding more to the Police Commission, which happens to be the County Commission, which happens to make less of an impact on their budget and more on ours. I don't understand your thinking.

Commissioner Lurie: City residents are getting the services -

Commissioner Christensen: They don't receive as much in the way of services as they used to, and we're paying 40+% more, plus whatever else we take in out of Revenue Sharing.

Mayor Briare: Mr. Trelease, do you know when the County Commissioners meet again in regular session?

Mr. Trelease: On April 6th -

Mayor Briare: Do you think we would be stretching it if we were to ask the County Commissioners if they would entertain such a Question on Tuesday, April 6th. Then, depending on what their answer is on the 6th that we consider the Question on Wednesday, April 7th. Then, whatever the outcome of that is, advise the Registrar of Voters on the afternoon of the 7th?

Commissioner Woofter: I will call the Registrar of Voters and tell him we need a couple of days extension.

Mayor Briare: Just in the event there is further discussion on this, let's include any further comments on this particular subject at our Committee meeting which we will have prior to the 7th of April.

Is there anything further to come before the Board?

(Nothing further)

Mayor Briare: Alright, we are in adjournment, with the next possibility of a Committee meeting. (11:15 A.M.)

APPROVED

*William H. Briare*  
WILLIAM H. BRIARE, MAYOR

ATTEST:

*Edwina M. Cole*  
EDWINA M. COLE, CMC  
CITY CLERK

APPROVED BY REFERENCE at a Regular Meeting of the Board of City

Commissioners held on the 21st day of July, 1976.