

M I N U T E S

Las Vegas, Nevada
June 2, 1976

A Regular Meeting of the Board of City Commissioners of the City of Las Vegas, Nevada, held this 2nd day of June, 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	William E. Adams
Assistant City Manager	Richard Bunker
Chief Deputy City Attorney	Janson F. Stewart
Director, Department of Community Planning & Development	Donald J. Saylor
Director, Department of Financial Management	Marvin A. Leavitt
Deputy Director, Department of Business Activity	Howard Crow
Fire Chief	J. D. Miller
Metropolitan Police Department - SID	Stu Brown
Director, Department of Personnel & Employee Relations	J. Robt McPherson
Director, Department of Municipal Services	J. C. Cathcart
Director, Department of Public Services	Laurence Hampton
Director, Department of Funds Coordination & Projects	Bruce W. Spaulding
Director, Department of Cultural Services	Harold P. Foster
City Clerk	Edwina M. Cole

INVOCATION

The Invocation was given by Assistant City Manager, Richard Bunker:

"Our Father in Heaven, we are gathered in the capacity of a City Commission meeting this morning and would Pray that Thy Spirit might be here with us in abundance that those matters deliberated on might have the full time and attention of those present. We are grateful for this Free Country, particularly in this Year of our Bicentennial; grateful for the opportunity that is presented to us where we might participate and see our Government in Action. Be with us and guide and direct us through our endeavors this day, we Pray in the name of Jesus Christ. Amen."

PLEDGE OF
ALLEGIANCE

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

C I T Y M A N A G E R

W I L L I A M E. A D A M S

HEALTH
DEPARTMENT
FEES

Approved as
Recommended

Mr. Adams: Mr. Mayor and Commissioners, the first item before you relates to the Health Department Fees and I have set aside in the Budget for the coming Fiscal Year the sum of \$75,000.00. I recommend that it be paid to the District Health Department in lieu of establishing the proposed Fees - to be paid \$25,000.00 on the 1st of July, the 1st of October and the 2nd of January.

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.

CASHMAN
FIELD

"Rodeo"
Approved

REQUEST TO HOLD "ROADEO" AT CASHMAN FIELD - TEXACO, INC. -
AUGUST 1, 1976

Mr. Adams: Next is a request from the Texaco Company to hold a Truck "Rodeo" on the City's Cashman Field. It is in order, except that if the Commission wishes to grant this permission, it would be necessary under our Zoning Ordinance to set a time and a date for Public Hearing, with the proper advertising, for the use of the Field.

Mayor Briare: Are there any comments by the Commission?

(No response)

Mayor Briare: Is this something that requires Commission action or is it something accomplished with the approval of the City Manager?

Mr. Adams: It actually requires Commission action granting the use of Cashman Field for this purpose. It is in order insofar as the Manager's office is concerned.

Mayor Briare: It is necessary then for us to set a time for Public Hearing?

Mr. Adams: That is correct.

Mayor Briare: Does the Commission to hold a Public Hearing on this?

M o t i o n

Commissioner Lurie: I would move for approval to establish a time for Public Hearing.

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

Mayor Briare: The Clerk will get together with the City Manager's office and proceed with the necessary arrangements.

SIGNS -
AESTHETIC
REQUIREMENTS
Referred

REQUEST OF BEAUTIFICATION COMMITTEE RELATIVE TO CERTAIN
AESTHETIC REQUIREMENTS IN CONNECTION WITH SIGNS

Mr. Adams: This item involves a request from the Beautification Committee for certain aesthetic requirements for signs in and around the City.

It would be my recommendation that the Mayor appoint a Committee to study this request.

Mayor Briare: Any comments by the Commission?

(No response)

Mayor Briare: I will then appoint a Study Committee consisting of Commissioner Leavitt and Commissioner Woofter to consider this request and report back to this Board.

MINUTES
Approved by
Reference

-
- | | | |
|----|---|----------------|
| A. | REGULAR MEETING | MARCH 3, 1976 |
| B. | REGULAR MEETING | APRIL 7, 1976 |
| C. | REGULAR MEETING | APRIL 21, 1976 |
| D. | REGULAR MEETING | MAY 5, 1976 |
| C. | RECESSED REGULAR MEETING
(Re: Escort Licenses) | MARCH 5, 1976 |

M o t i o n

Commissioner Lurie: I move that Items A thru C be approved by reference, and the Mayor and Clerk authorized to sign.

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

D E P A R T M E N T O F F I N A N C I A L
M A N A G E M E N T

MARVIN A. LEAVITT, DIRECTOR

See Page 4 of these Minutes (Annotated Agenda)

ITEM

Commission Action

Department Action

- I. (c) DEPARTMENT OF FINANCIAL MANAGEMENT
MARVIN A LEAVITT, CPA DIRECTOR
- A. SERVICE AND MATERIAL WARRANTS
 Nos. C111994, E1071 to E1074,
 E113490 to E114491, E113494
 to E113508, E113512 to E113516,
 E113519 to E113530, E113533 to
 E113756 inclusive.
- In the amount of \$ 1,238,276.16
- B. PAYROLL WARRANTS
 Nos. 58337 to 59538, inclusive
 For Pay Period Ending May 15, 1976
 In the amount of \$ 355,373.21
- C. NOTICE OF INTENTION TO ACT ON TRANSFER
OF BUDGET APPROPRIATIONS BETWEEN
FUNCTIONS FOR THE YEAR ENDED JUNE 30,
1976 ON JUNE 16, 1976

Items A and B
 Approved
 as submitted
 Lurie - unanimous

Director
 authorized
 to issue

Approved as
 recommended
 Lurie - unanimous

Director
 to proceed

PUBLIC
DEFENDER
Referred

Commissioner Lurie: I have one item, Mayor, I would like to mention at this time: I didn't know if you intended to bring this up later, but I would like to have discussed the letter we received from the Public Defender and request that he be present at our next meeting to explain his letter to this Commission; also about following the NRS Statutes.

Mr. Adams: I think it would be appropriate, if you wish, that you ask him to appear relative to the letter in that he apparently as of the middle of this month is going to wish to withdraw from any of the indigent cases that are held in the Municipal Courts. Apparently he is either pre-occupied, or busy, in his own services.

Commissioner Woofter: Prior to that it might not be a bad idea for the Board to meet with the Judges, as well as the Public Defender, with regard to whatever action is to be taken.

Mayor Briare: The Municipal Judges?

Commissioner Woofter: Yes, because I've talked to a couple of them and there is a little concern on the many appointments that are made concerning indigents - in this respect - that this could be more minimized as far as to what has been going on. That phase of it.

Mayor Briare: What was your recommendation on this, Mr. Adams?

Mr. Adams: It would be my recommendation that we at least talk to him - have him appear here and talk to him or set up a meeting beforehand - whichever is the most convenient for you.

Mayor Briare: Commissioner Woofter, would you be willing to serve as Chairman of a Committee of two (2) Commissioners to work with Mr. Adams to set up such a meeting and report back to this Commission?

Commissioner Woofter: Yes, I would be happy to.

Mayor Briare: Commissioner Lurie would you agree to serve as the other member of that Committee?

Commissioner Lurie: Yes -

Mayor Briare: Then Commissioner Woofter and Commissioner Lurie will work with the City Manager to meet with the Public Defender, the Municipal Judges and anyone else, and report back to this Board.

D E P A R T M E N T O F F U N D S
C O O R D I N A T I O N A N D P R O J E C T S

BRUCE W. SPAULDING, DIRECTOR

REQUEST FOR BLOCK GRANT FUNDING - POOR PEOPLE PULLING TOGETHER - \$12,800 FROM LOCAL OPTION FUNDS

Mr. Spaulding: As the request is received from the City it is an ineligible expenditure. PPPA asked to have someone before the Commission today to indicate

PPPA
(continued)

whether they would be willing to modify the proposal to make it eligible and allow you to consider it at a later date.

Mayor Briare: Is anyone from the organization the PPPA present?

(No response)

Mr. Spaulding: With no one present, and they indicated that was a possibility - if they were not able to reach a decision we should perhaps hold the item in abeyance.

Mayor Briare: If there is no objection, it will be held in abeyance and, Mr. Spaulding, would you contact Mrs. O'Neal and tell her that the matter is going to be brought up at our next meeting. You might get a little more of an indication from her as to what their feelings are.

Mr. Spaulding: Very well, Mr. Mayor.

D E P A R T M E N T O F P E R S O N N E L A N D
E M P L O Y E E R E L A T I O N S

J. ROBT McPHERSON, DIRECTOR

See Page 7 of these Minutes (Annotated Agenda)

MUNICIPAL
COURTS -
JUVENILE
TRAFFIC
CASES

Mayor Briare: Mr. Adams, I have a question on this, just for informational purposes: When the Legislature passed the Law that the Municipal Court would handle all juvenile traffic cases, did they make any recommendation as to the funding of the additional cost, or was that left open?

Mr. Adams: I think it was assumed that in this operation the fines involved would take care of the funding. Budget-wise for the next year we are sufficiently well cared for, but between now and then we want to bring on some people before the first of July, but I think we will still be alright.

ITEM Commission Action Department Action

I-e DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS

BOB McPHERSON, DIRECTOR

AUTHORIZATION FOR TEMPORARY POSITIONS AND/OR REPLACEMENTS

1. Federally funded (No City Cost)

<u>Dept/Class</u>	<u>Monthly Cost</u>	<u>Justification</u>
PS/Streets Utility Worker - 3 Title VI (replacement hire) Until 11/15/76	520	Assigned to clean-up crew in West Las Vegas.

2. Federally funded (With Some City Cost)

Municipal Court Intermediate Clerk - 2 Title VI - Until 11/15/76	Fed-666 City- 60 Total-726	Effective July 1, 1976, the Municipal Court will handle juvenile traffic cases. These positions are needed to handle additional work load.
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Items 1 and 2
 Approved
 as recommended
 Lurie - unanimous

Director
 authorized
 to proceed

DEPARTMENT OF MUNICIPAL
SERVICES

J. C. CATHCART, DIRECTOR

See Pages 9, 10 and 11 of these Minutes
(Annotated Agenda)

REED
WHIPPLE
CULTURAL
ARTS CENTER
Motion to
Award
Failed

BID No. 75-76-REV. REED WHIPPLE CULTURAL ARTS CENTER -
BASE BID ONLY (Public Works)
(Estimate: City Engineer's Estimate - \$1,456,000.00
Architect's Estimate - \$1,286,721.00

Mr. Cathcart: Under this Bid item we recommend award on the base bid only to John E. Yoxen for the low bid in the amount of \$1,568,000.00.

Mayor Briare: Much as been said, of course, by everyone relating to this particular Project. I don't know if there is anything else to be added, but if there is anyone in the audience who has a final statement before some definitive action is taken this morning, they may do so.

(No response)

Commissioner Lurie: Mayor, I have a letter I would like to read today that I received from Supreme Court Justice Zenoff relative to our conversation at the last meeting that there was a donor willing to contribute \$100,000.00 towards the Cultural Arts Project. I would like to read this letter to the Commission:

"Dear Ron: As I told you over the telephone yesterday, and now confirmed in writing, the prospective donor has authorized me to commit the donor to a cash donation of \$100,000.00 for the Reed Whipple Cultural Arts Center.

"The Commitment was based upon my representation, which originally came through your group, that the objective of the Art Center was primarily, but not exclusively, to provide cultural opportunities for children who have desires and ability to develop non-athletic skills.

"Furthermore, I represent reference to our meeting in the morning and the conversations and representations made therein: That the \$100,000.00 would be in the total amount needed to complete the financing for the construction of the Center and that the donor would not be approached for further funds for that purpose.

"If the Center is completed as anticipated and expanded as anticipated, if the donor desires in the future to further contribute, that will be another and separate matter. This particular donation is for the purpose of completing the necessary financing to allow the construction to go forward to be completed to a turn-key basis.

"This letter may be used by you at your meeting of June 2nd. I anticipate that I will be in Las Vegas on June 3rd. I will pick up the check made payable to the Reed Whipple Cultural Arts Center and deliver the same to you, or to the person designated by you."

ITEM	COMMISSION ACTION	DEPARTMENT ACTION
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I-f. DEPARTMENT OF MUNICIPAL SERVICES

J. C. CATHCART, DIRECTOR

1. PURCHASING AND CONTRACTS DIVISION

J. E. Park, Supervisor

* CONSENT AGENDA

All matters listed under Items A, B, and C, 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. PERMISSION TO RECEIVE BIDS

1. Paramedic Equipment (Defibrillator/Recorder and Duplex-multiplex C.O.R. Unit) REVENUE SHARE ENTITLEMENT PERIOD VII (Fire Department)
2. Two (2) Pool Tables Complete with Accessories - HOUSING AUTHORITY FUNDED (Senior Citizens Center)
3. Nature Park Irrigation Well Pipe Extension (Public Works)
4. Thirty-nine (39) Illuminated Street Signs. City Forces to Install. 90% Reimbursed by State of Nevada.
5. (Additional Item)
Fire Suppression Equipment, Spring Mountain Youth Camp CETA Funds (subject to funds approval)

Items 1 thru 5
 Approved
 as recommended
 Lurie - unanimous

Director
 authorized to
 proceed

*B. AWARD OF BIDS

1. Bid #75.76-REV. - Reed Whipple Cultural Arts Center - BASE BID ONLY (Public Works)
2. Bid #76.29 - Las Vegas Animal Shelter Paving and Drainage (Public Works)
3. Bid #76.30 - Annual Glass Spheres Contract, Fiscal Year July 1, 1976, Through June 30, 1977 (Public Works)
4. Bid #76.31 - Annual Contract for Washing of City Cars, Fiscal Year July 1, 1976, Through June 30, 1977 (Various)

Motion to approve by
 Comm. Lurie rejected
 Commissioners Leavitt,
 Woofter & Mayor Briare
 voting "no"

Director to
 proceed

Approved as
 recommended
 W - unanimous

Same as above

Items 3 thru 12
 Approved as
 recommended
 Lurie - unanimous

Same as above

ITEM	COMMISSION ACTION	DEPARTMENT ACTION
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I-f. DEPARTMENT OF MUNICIPAL SERVICES, CONTD.

5. Bid #76.32 - Annual Contract for Sweeping of Municipal Auto Ramps, Fiscal Year July 1, 1976, through June 30, 1977 (Business Activity)
6. Bid #76.35 - Annual Grass Seed Contract, Fiscal Year July 1, 1976, through June 30, 1977 (Cultural Services - Parks and Golf Course Divisions)
7. Bid #76.36 - Annual Type II Base Material Contract, Fiscal Year July 1, 1976, Through June 30, 1977 (Public Works)
8. Bid #76.38 - Annual Equipment Rental Contract, Fiscal Year July 1, 1976, Through June 30, 1977 (Public Works)
9. Bid #76.39 - Annual Fertilizer Contract, Fiscal Year July 1, 1976, Through June 30, 1977 (Cultural Services - Parks and Golf Course Divisions)
10. Bid #76.40 - Annual Luminaire Contract, Fiscal Year July 1, 1976, Through June 30, 1977 - BASE BID ONLY (Public Works)
11. Bid #76.43 - Annual Lamp Contract, Fiscal Year July 1, 1976, Through June 30, 1977 - Bid Groups I and II (Public Works)
12. Bid #76.63 - Installation of Partitions and Doors - Fire Station #1 (Public Works)

See Page 6

See Page 6

*C. PURCHASE ORDER APPROVAL

1. Request purchase order approval to 3M Company St. Paul, Minnesota, in the amount of \$4,984.00, for signal heads and back plates. Sole source - original equipment manufacturer (Public Works)
2. Request purchase order approval to Hewlett-Packard Company, Mountain View, California, in the amount of \$1,095.00, for a cable fault locator. (Public Works)
3. Request purchase order approval to Sterling Codifiers, Weiser Idaho, in the amount of \$2,315.00, for fifty (50) assembled City of Las Vegas Code Books. Sole source - under contract. (Business Activities)

Approved as presented
 Lurie - unanimous

Director authorized to proceed

Approved as presented
 Lurie - unanimous

Same as above

Abeyance (for background info to be furnished by City Attorney's office)

6/16/76. Agenda

ITEM	COMMISSION ACTION	DEPARTMENT ACTION
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I-f. DEPARTMENT OF MUNICIPAL SERVICES, CONTD.

D. CONTRACT CHANGE ORDER

1. Bid #74.64 - Vegas Heights Improvements Street Construction - Bid Group I (Public Works)

Recommend approval of Contract Modification No. 8, to Frehner Construction Co., North Las Vegas, Nevada, in the amount of \$2,679.47. This modification is necessary due to unstable ground and lowering of sewer laterals.

2. Bid #75.92 - 12" Storm Drain - Commerce to Main in the Vicinity of St. Louis (Public Works)

Recommend approval of Contract Modification No. 1, to Burdick Contractors, Las Vegas, in the amount of \$2,109.29. This modification is necessary due to relocation of a sewer lateral on force account basis.

3. Bid #76.1 - Ogden Avenue Improvements - Storm Drain and Intersection Paving - UNIT #1 - STORM DRAIN - BASE BID ONLY (Public Works)

Recommend approval of Contract Modification No. 2, to Underground, Inc., Las Vegas, Nevada, in the amount of \$8,000.00. This modification is necessary to incorporate wheel chair ramps with drop inlet construction.

Items 1, 2 and 3
 Approved as
 presented
 W - unanimous

Director
 authorized
 to proceed

REED
WHIPPLE
CULTURAL
ARTS CENTER
(continued)

Commissioner Lurie: I would like that entered into the record - that the contribution has been made.

I would also like to mention that as of this time there is no one in the audience who wants to comment on the Center - I believe the Mayor is correct in saying there has been quite a bit said already concerning the Center. I would just like to say that I agree with the Mayor and other members of the Commission that there are priorities and I believe that the funds that the City has now - we have the funds available to take care of the needs of the Metropolitan Police Department, as well as financing the Cultural Arts Center for the City of Las Vegas and at this time I would move that the award of Bid No. 75.76-Rev. be approved.

M o t i o n

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

Mayor Briare: The motion is defeated.

PURCHASE
ORDER
Abeyance

REQUEST PURCHASE ORDER APPROVAL TO STERLING
CODIFIERS, WEISER, IDAHO, IN THE AMOUNT OF
\$2,315.00
for fifty (50) assembled City of Las Vegas Code Books.
Sole source - under contract (Business Activities)

Mayor Briare: I want to talk about that contract. I don't know if now would be the exact time. Is this something that Mr. Lovell (City Attorney) should be present for? It is my understanding there is some dissatisfaction with the Company who is presently codifying Ordinances, etc.

Deputy City Attorney, Jan Stewart: You may recall that we considered several companies to publish our Code and had responses from several companies. Our Code needs to be recodified and that process is going on . . . there have been some complaints on Sterling Codifiers with reference to the particular Code we now have. Keeping it updated has been a problem, I think. I don't know if I have answered your question -

Mayor Briare: Are these 50 copies to be kept in stock?

Mr. Adams: These are what we need to have on hand. We are down to where we have only about four left. They are continuously being sold and while we are in the process of working with the City Attorney to re-codify, we need to have a stock on hand to sell.

Mayor Briare: Are these more than self-supporting from the sale of them?

Mr. Adams: I would have to check that out -

Mayor Briare: Would the Commission have any objection to holding this until the next meeting? If there are no objections, let's hold this until our next regular meeting.

D E P A R T M E N T O F B U S I N E S S
A C T I V I T Y

ILA M. BRITT, DIRECTOR

See Pages 14 thru 20 of these Minutes
(Annotated Agenda)

At the hour of 9:35 A.M. Mayor Briare declared a 10-minute recess.

Meeting reconvened at the hour of 9:45 A.M. with the full Board and Staff in attendance.

D E P A R T M E N T O F P U B L I C
S E R V I C E S

LAURENCE HAMPTON, DIRECTOR

See Pages 21 and 22 of these Minutes
(Annotated Agenda)

VEGAS
HEIGHTS
CLEAN-UP
Report

Mr. Hampton: I would just like to report a very successful Vegas Heights Clean-up Program, conducted week before last. This was in cooperation with the Block Grant Program. Mr. Spaulding has some pictures here that indicate the situation. Also, we appreciate the cooperation of the people in the area.

We hauled out approximately 32 loads of trash, amounting to 400 tons. The Vegas Heights Project is in the final clean-up stages and it is anticipated it will be completed by the 8th of this month.

That Project was over a period of two days. We picked up everything they put in the streets. There was one lot, in fact, where we hauled away two truckloads of tires - just tires alone.

Commissioner Lurie: In an effort to clean up the area, the people who haven't taken advantage of the free pick-up, I would like to recommend that these people be cited - those who do not make an effort to clean up their properties - the City will perform the clean up and place a lien against their properties until the lien is satisfied.

I know there are property owners over there who do not live in the City, or even in the State, who probably could care less about the condition of the West Side. I feel their attention out to be brought to our efforts in cleaning this area.

Mr. Hampton: I think they should also be reminded that Silver State Disposal still maintains its policy in Vegas Heights, as it does in other parts of the City, of picking up on a once-a-month basis.

ITEM	Commission Action	Department Action
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I-g. DEPARTMENT OF BUSINESS ACTIVITY
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. HEAD START PARENT POLICY COUNCIL -- bake sales, fashion shows, raffle tickets, dances
2. DOLLS & GUYS AMATEUR ATHLETIC ASSN -- bake sales, fashion shows, raffle tickets, dances
3. CLARK COUNTY HUMANE SOCIETY - tattoo clinic for dogs and cats; garage sale
4. JUVENILE DIABETES FOUNDATION - canisters and wishing wells
5. VETERANS OF FOREIGN WARS, POST #1753 -- tickets to a baby pageant and preteen show

Items 1 thru 5
 Approved
 Lurie - unanimous

Director authorized to proceed

*B. CHILD CARE FACILITY APPLICATIONS
 (Approved by the Child Welfare Board)

Child Care Centers

1. OPERATION INDEPENDENCE
 1966 Genoa Drive
 104 children daytime
2. NALA (Nevada Association of Latin Americans) CHILD CARE CENTER
 2810 Ambler
 20 children daytime

Items 1 and 2
 Approved
 Lurie - unanimous

Same as above

ITEM

Commission Action

Department Action

I-g. DEPARTMENT OF BUSINESS ACTIVITY
 (cont'd)

*B. CHILD CARE FACILITY APPLICATIONS
 (cont'd)

Family Child Care Homes

1. *SANDRA PETERS
 6525 Aberdeen Lane
 Six (6) children days
 Two (2) children nights
 *1-protest
2. SANDRA BARBER
 2517 Richfield Boulevard
 Five (5) children days
3. SUSANNE KIES
 301 Falcon Lane
 Four (4) children days
 Three (3) children nights
4. BONNIE MARIE HOULDSWORTH
 5708 Auburn
 Five (5) children days
 Two (2) children nights
5. MARGARET MARLOW
 4142 Coran Lane
 Five (5) children days

Items 1 thru 5
 Approved
 Lurie - unanimous

Director
 authorized
 to proceed

NOTE: No response
 to the Mayor's
 call for objections
 re Item 1.

*C. GAMING -- Additional

1. G.S.Y., INC.
 Centerfold Casino
 2440 Las Vegas Blvd South
 1 Crap
 1 Roulette
 1 "21"
2. ELSINORE CORPORATION
 Four Queens Hotel/Casino
 202 East Fremont Street
 13 "21"
 1 Baccarat
 1 Crap
 2 Poker
 1 Roulette
 264 slots
3. FREMONT HOTEL, INC.
 Fremont Hotel/Casino
 200 East Fremont Street
 3 Pan games

Items 1 thru 5
 Approved
 L - unanimous
 Commissioner
 Woofter
 Abstained
 on Item No. 1

ITEM

Commission Action

Department Action

I-g. DEPARTMENT OF BUSINESS ACTIVITY
 (cont'd)

*C. GAMING -- Additional (cont'd)

See Page 10

See Page 10

4. HERBERT PASTOR

Golden Goose Casino
 20 East Fremont Street
 6 slots

5. MONEY TREE, INC.

Money Tree Casino
 2466 Las Vegas Blvd South
 1 poker game

*D. RETAIL TOBACCO -- Additional

Approved
 Lurie - unanimous

Director
 authorized
 to proceed

1. S. SMITH VENDING CO.

Chapala Restaurant
 1815 East Charleston Blvd

E. LIQUOR & RETAIL TOBACCO -- New

Approved subject
 to conditions
 Lurie - unanimous

Same as above

1. *SMITH'S FOOD KING
 232 North Jones
 Package Liquor Ltd.

Smith's Management Corp.,
 parent of Smith's Food King
 No. 1, Inc.
 Dee Smith, Pres
 et al

Lawson Childress, Div Mgr

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

F. LIQUOR -- Request for Extension
 of Inactive Status

Approved
 as requested
 Lurie - unanimous

Same as above

1. PORT TACK
 9 West Charleston Blvd
 Tavern

Port Tack, Inc. -
 Robert Kostelecky, Pres/Treas
 et al

(Closed 2-8-76. Extension
 for 4-8-76 thru 6-6-76 apprd
 4-7-76. Request for 60-day
 extension of inactive status
 for: 6-7-76 thru 8-5-76.)

ITEM	Commission Action	Department Action
<p><u>I-g. DEPARTMENT OF BUSINESS ACTIVITY</u> (cont'd)</p>		
<p>G. <u>SPECIAL EVENT LIQUOR LICENSES</u></p> <p>DE LUCA IMPORTING CO., INC. Responsible Licensee: Robert Keyser</p> <p>For: Beer and Wine Only</p> <p><u>June 3rd, 1976</u></p> <p>Smith's Food King #370 2901 West Washington</p> <p><u>June 4th, 1976</u></p> <p>Smith's Food King #365 3830 West Sahara Avenue</p> <p>Panorama Market 4101 West Charleston Blvd</p> <p><u>June 5th, 1976</u></p> <p>Smith's Food King #361 1221 East Sahara Avenue</p> <p>Smith's Food King #362 22 East Oakey Boulevard</p> <p><u>June 10th, 1976</u></p> <p>Albertson's #637 1570 North Eastern Avenue</p> <p><u>June 11th, 1976</u></p> <p>Skaggs #38 800 North Rancho Drive</p> <p>Skaggs #26 1800 East Charleston Blvd</p> <p><u>June 12th, 1976</u></p> <p>Lucky Market #732 2400 East Bonanza Road</p> <p>Foodland 1500 East Fremont Street</p> <p><u>June 17th, 1976</u></p> <p>Vegas Village #1 1501 Las Vegas Blvd North</p> <p>Page 17 Minutes - Regular Meeting City Commission June 2, 1976</p>	<p>Approved for dates requested Lurie - unanimous</p>	<p>Director authorized to issue</p>

ITEM	Commission Action	Department Action
<p><u>I-g. DEPARTMENT OF BUSINESS ACTIVITY</u> (cont'd)</p>		
<p>G. <u>SPECIAL EVENT LIQUOR LICENSES</u> (cont'd)</p> <p>DE LUCA IMPORTING CO., INC. (contd)</p> <p><u>June 18th, 1976</u></p> <p>Vegas Village #4 1717 South Decatur Blvd</p> <p>Safeway Store #349 4750 Vegas Drive</p> <p><u>June 19th, 1976</u></p> <p>Safeway Store #335 701 North Rancho Drive</p>	<p>See Page 12</p>	<p>See Page 12</p>
<p>H. <u>RETAIL TOBACCO -- New</u></p> <p>1. LARRY LA PENTA</p> <p>Larry's Rancho Villa 2401 West Bonanza Road</p> <p>Old Ranch House 3369 Thom Boulevard</p> <p>2. LIBRARY LTD. - Donald W. Pettit, Pres</p> <p>Library Buttery & Pub 200 West Sahara Avenue</p>	<p>Items 1 and 2 Approved Lurie - unanimous</p>	<p>Director authorized to proceed</p>
<p>I. <u>PRIVATE DETECTIVE LICENSE --</u> <u>Change of Business Name, Change</u> <u>of Location, Change of Corporate</u> <u>Officers</u></p> <p>1. From: Las Vegas Canine Patrol, Inc. 2631 South Highland Drive</p> <p>Las Vegas Canine Patrol, Inc. Dr. Joseph I. Leveque, Pres Joanne Leveque, Secy-Treas</p> <p>To: ALLIED SECURITY SERVICES 518 East Garces</p> <p>Las Vegas Canine Patrol, Inc. Lewis Whitney, Pres Joseph I. Leveque, V.P. Ruth J. Anderson, V.P. Ethel R. Whitney, Secy-Treas</p>	<p>Approved Lurie - unanimous</p>	<p>Same as above</p>

ITEM	Commission Action	Department Action
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I-g. DEPARTMENT OF BUSINESS ACTIVITY
 (cont'd)

J. PRIVATE DETECTIVE LICENSE --
Change of Ownership

1. ALLIED SECURITY SERVICES
 518 East Garces

 From:
 Guardco -
 William Caskey, Licensee/
 Qualifying Agent
 (Lewis Whitney, 100% owner
 of Guardco)

 To:
 Las Vegas Canine Patrol, Inc.
 Lewis Whitney, Pres
 Joseph I. Leveque, V.P.
 Ruth J. Anderson, V.P.
 Ethel R. Whitney, Secy-Treas

Approved
 Lurie - unanimous

Director
 authorized
 to proceed

K. M-7 BUSINESS LICENSE APPLICATIONS

1. MARILYN S. COHEN MSW
 318 South Maryland Parkway

 Marilyn S. Cohen

 Marriage & Family counseling;
 psychiatric social work.
2. DR. CARROLL F. KNUTSON
 1711-A Santa Paula

 Carroll F. Knutson

 Consulting geologist.
3. WESTERN SPLENDOR
 810 East Sahara Avenue

 Briony Merriman

 Modeling - fashion shows,
 convention and industrial
 fashion modeling.

Approved
 Woofter - unanimous

Same as above

Approved
 Lurie - unanimous

Approved

Abeyance (applicant
 not present)

6/16/76 Agenda

ITEM	Commission Action	Department Action
<p>I-g. <u>DEPARTMENT OF BUSINESS ACTIVITY</u> (cont'd)</p>		
<p>L. <u>LIQUOR -- Change of Business Name and Change of Ownership</u></p> <p>1. From: Mike Kenny's Saloon</p> <p>To: *THE GETAWAY 1111 South Decatur Blvd General Liquor</p> <p>From: Michael J. Kenny, 100%</p> <p>To: C & S, Inc. William Waltermire, Pres/Secy- 50% Heidi Waltermire, VP/Treas - 50%</p> <p>*Subject to the provisions of the Planning, Building and Fire codes and Health Department regulations</p>	<p>Approved subject to conditions Lurie - unanimous Commissioner Woofter abstained</p>	<p>Director authorized to proceed</p>
<p>M. <u>GAMING -- New</u></p> <p>1. THE GETAWAY 1111 South Decatur Blvd 6 slots</p> <p>C & S, Inc. - William Waltermire, Pres- Secy 50% Heidi Waltermire, VP/Treas - 50%</p>	<p>Approved Lurie - unanimous Commissioner Woofter abstained</p>	<p>Same as above</p>

ITEM Commission Action Department Action

I. (h) DEPARTMENT OF PUBLIC SERVICES

LAURENCE HAMPTON, P.E., DIRECTOR

*CONSENT AGENDA

All matters listed under Items A, B, and C 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 PLAT

It is recommended that the following final plat be approved. All engineering designs have been checked and accepted. Fees have been paid and bond posted for this subdivision.

1. Amended Plat of Stewart Arms Subdivision. (Charleston Continental Village, Inc., Ron Rudin, President)

Approved
 as recommended
 Lurie - unanimous

Director
 authorized
 to proceed

*B. RELEASE OF CONSTRUCTION CONTRACT

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

1. Bid No.: 75.100
 Contractor: Stewart Construction Co.
 For: Orion Street Drainage Correction
 Notice of Completion: May 12, 1976
 Release Date: June 16, 1976

Approved
 as recommended
 Lurie - unanimous

Clerk & Muni.
 Services
 to proceed

*C RIGHT OF WAY ITEMS

1. Grant Deed
 From: Verlas Company, a Nevada Corporation
 To: City of Las Vegas
 For: Portion SE-1/4, Sec. 28, T20S, R61E
 Bonanza Rd. Building Permit. Dedication
2. Grant Deed
 From: Ernest A. Becker, a married man
 To: City of Las Vegas
 For: Portion NW-1/4, Sec. 31, T20S, R61E
 Bedford & Revere St. Required as a condition for rezoning Dayton-Hudson parcel

Items 1, 2 and 3
 Approved
 Lurie - unanimous

Director
 authorized to
 proceed

VEGAS HEIGHTS
CLEAN-UP
(continued)

I'm sure if I mentioned that the funds for the cooperation with the Contractor on the clean-up was provided the Block Grant Program.

Mr. Saylor: Just as a follow-up, Mayor, on the clean up we will proceed now to inspect every property over there and direct letters to those property owners who have not cleaned up their properties. Hopefully we will get this project completed 100%.

ZONE CHANGE
Z-27-76

Commissioner Lurie: Before we continue with the agenda, Mayor, I would like to request that the item that was turned down at the last Commission meeting concerning the Valley Hospital, be reconsidered at our next meeting and that Staff be instructed to notify the property owners in the area that the Commission will re-hear the request of Valley Hospital.

M o t i o n

I have letters from property owners that I feel are important to a decision concerning that particular matter, and I would so move for a re-hearing on ZONE CHANGE Z-27-76:

FIRST NATIONAL BANK, TRUSTEE; VALLEY BANK OF NEVADA, TRUSTEE AND VALLEY HOSPITAL, LTD.

Mayor Briare: Commissioner Lurie moves that the vote whereby Valley Hospital was denied a rezoning request now be reconsidered and set for public hearing at our next regular meeting.

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

DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT
DONALD J. SAYLOR, DIRECTOR

See Pages 24 thru 29 of these Minutes
(Annotated Agenda)

ITEM	Commission Action	Department Action
<p>I-(i) DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT DON J. SAYLOR, AIP, DIRECTOR</p>		
<p>A. <u>ZONE CHANGE - Z-28-76 - EVA M. WICKMAN</u></p> <p>Property located on the east side of South Maryland Parkway between East Oakey Boulevard and Franklin Avenue at 1611 South Maryland Parkway.</p> <p>From: R-1 (Single Family Residence) To: P-R (Professional Office & Parking) Proposed Use: Office</p> <p>Planning Commission unanimously recommends APPROVAL subject to the following conditions:</p> <ol style="list-style-type: none"> 1. Resolution of Intent be restricted to a twelve (12) month time limit. 2. Removal of the concrete slab, cover over the patio, cover over the driveway, chain link fences and garage in the rear yard area as required by the Department of Community Development. 3. Removal of all appurtenances in the 9 ft. driveway as required by the Department of Community Development. 4. 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 systems shall be cause for revocation of a business license. 5. Submittal of a landscaping plan prior to or at the same time application is made for a building permit. 6. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets. 7. Conformance to code requirements and design standards of City departments, including a 6' masonry wall on the east property line. <p style="text-align: center;">Protests: 0</p>	<p>Approved as recommended by Planning Commission Lurie - unanimous</p>	<p>Clerk to notify Dept. of Comm. Planning & Dev. to proceed</p>
<p>B. <u>PLOT PLAN REVIEW - Z-100-64 - NORMAN TY HILBRECHT</u></p> <p>Property located on the east side of Casino Center Boulevard between Garces Avenue and Gass Avenue at 723 Casino Center Boulevard, R-4 zone, (under Resolution of Intent to C-2).</p> <p>Planning Commission unanimously recommends APPROVAL subject to the following conditions:</p> <ol style="list-style-type: none"> 1. All access drives and parking areas shall be paved as required by the Department of Community Development. 2. Conformance to the plot plan. <p style="text-align: center;">(Continued)</p>	<p>Approved as recommended by Planning Commission Lurie - unanimous</p> <p>Page 24 Minutes Regular Meeting City Commission June 2, 1976</p>	<p>Same as above</p>

ITEM	Commission Action	Department Action
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I-(i) DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT
 CONTINUED

B. Z-100-64 continued

See Page 18

See Page 18

3. 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 systems shall be cause for revocation of a business license.

4. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.

5. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.

6. Conformance to code requirements and design standards of City departments.

Protests: 0

C. PLOT PLAN REVIEW - Z-25-73 - JOHN F. RECTOR

Approved as recommended by Planning Commission
 Leavitt - unanimous

Clerk to notify Dept. of Comm. Planning & Dev. to proceed

Property located on the south side of West Owens Avenue between Interstate 15 and Main Street at 31 West Owens Avenue in zoning district "M".

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

1. The shaded work area to be constructed be relocated to the west half of the property as required by the Department of Community Development.

2. Conformance to code requirements and design standards of City departments.

Protests: 0

D. PLOT PLAN REVIEW - Z-102-73 - DAYTON HUDSON PROPERTIES

Approved as recommended by Planning Commission
 C - unanimous

Same as above

Property located on the northeast corner of Decatur Boulevard and Michael Way in zoning district C-1.

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

1. Each phase of the development shall have adequate parking and traffic circulation.

2. Parcels indicated as "reserved" on this plot plan are not included under this plot plan approval.

3. All previous conditions of approval under Z-102-73.

4. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.

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 City Commission
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(Continued)

ITEM	Commission Action	Department Action
<p>I-(i) DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT CONTINUED</p>		
<p>D. Z-102-73 continued . . .</p> <ol style="list-style-type: none"> 5. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets. 6. Conformance to code requirements and design standards of City departments. <p style="text-align: center;">Protests: 0</p>	<p>See Page 19</p>	<p>See Page 19</p>
<p>E. EXTENSION OF TIME - Z-40-74 - JOHN E. KENNEY, JR.</p> <p>Property generally located on the southeast corner of East Bonanza Road and Pecos Drive, extending south 709 ft. in zoning district C-1. Original Approval: 11-6-74 (6 months) 12-month extension granted: 5-6-75</p> <p>Planning Commission unanimously recommended a six (6) month extension of time, subject to the following condition:</p> <ol style="list-style-type: none"> 1. All requirements imposed by ordinances adopted subsequent to the initial approval of this application shall be adhered to. <p style="text-align: center;">Protests: 0</p>	<p>Approved as recommended by Planning Commission Leavitt - unanimous</p>	<p>Clerk to notify Dept. of Comm. Planning & Dev. to proceed</p>
<p>F. PLOT PLAN REVIEW - Z-24-68 & Z-31-71 - ARTHUR H. KNAPP</p> <p>Property generally located on the east side of North Highland Drive between Bonanza Road and McWilliams Avenue at 740 North Highland Drive in zoning district C-1 (ROI to C-M).</p> <p>Planning Commission unanimously recommended APPROVAL, subject to the following conditions:</p> <ol style="list-style-type: none"> 1. Elimination of the driveway on the east end of the property as required by the Department of Community Planning and Development. 2. Conformance to all other conditions of approval under Z-24-68 and Z-31-71 except as otherwise provided in the amended approval. 3. 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 systems shall be cause for revocation of a business license. 4. Submittal of a landscaping plan prior to or at the same time application is made for a building permit. 5. All mechanical equipment, air conditioners & trash areas shall be screened from view from the abutting streets. 6. Conformance to the plot plan as amended. 7. Conformance to code requirements and design standards of City departments. <p style="text-align: center;">Protests: 0</p>	<p>Approved as recommended by Planning Commission C - unanimous</p> <p style="text-align: center;">Page 26 Minutes Regular Meeting City Commission June 2, 1976</p>	<p>Same as above</p>

ITEM	Commission Action	Department Action
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[-(i) DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT
 CONTINUED

G. C-D USES PERMITTED - CD-1-76 - VIRGIE LEE
 EPPERSON

Property located at 3009 West Charleston
 Boulevard, C-D zone.
 Proposed Use: Antique Store

The Planning Commission unanimously recommended
 APPROVAL subject to the following conditions:

1. The antique business be limited to genuine
 antiques only.
2. No outside display or storage shall be
 allowed as required by the Department of
 Community Planning & Development.
3. Conformance to code requirements and design
 standards of City departments.

Protests: 0

Approved as
 recommended by
 Planning
 Commission
 Lurie - unanimous

Clerk to notify
 Dept. of Comm.
 Planning & Dev.
 to proceed.

H. PLOT PLAN REVIEW - Z-100-64 - JERRY J. KAUFMAN

Property located on the southwest corner of
 Clark Avenue and South 4th Street at 500 South
 4th Street in zoning district C-2.

Planning Commission unanimously recommended
 APPROVAL, subject to the following conditions:

1. Conformance to the plot plan.
2. Landscaping and a permanent underground
 sprinkler system shall be provided as re-
 quired by the Planning Commission and shall
 be permanently maintained in a satisfactory
 manner. Failure to properly maintain re-
 quired landscaping and underground sprinkler
 systems shall be cause for revocation of a
 business license.
3. Submittal of a landscaping plan prior to or
 at the same time application is made for a
 building permit.
4. All mechanical equipment, air conditioners
 and trash areas shall be screened from view
 from the abutting streets.
5. Conformance to code requirements and design
 standards of City departments.

Protests: 0

Approved as
 recommended by
 Planning
 Commission
 Lurie - unanimous

Same as above

I. EXTENSION OF TIME - Z-14-75 - LEONARD
 ROSENSTEIN

Property located on the east side of Shadow Lane
 extending from West Charleston Boulevard to Ellis
 Avenue in zoning district R-E (ROI to C-1).

Original Approval: May 21, 1975
 No previous extensions.

Planning Commission unanimously recommended
 APPROVAL of a One-year extension of time, subject
 to the following condition:

Approved as
 recommended by
 Planning
 Commission
 W - unanimous

Same as above

ITEM	Commission Action	Department Action
<p>I-(i) DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT CONTINUED</p>		
<p>I. Z-14-75 continued</p> <p>1. All requirements imposed by ordinances adopted subsequent to the initial approval of this application shall be adhered to.</p> <p style="text-align: center;">Protests: 0</p>	<p>See Page 22</p>	<p>See Page 22</p>
<p>J. EXTENSION OF TIME - Z-5-74 - WAYNE W. RIIS, U-HAUL CO. OF LAS VEGAS, INC.</p> <p>Property located on the south side of West Bonanza Road between North Highland Drive and North Rancho Drive at 1909 West Bonanza Road in zoning district R-E (ROI C-2). Original Approval: February 27, 1974 No previous extensions.</p> <p>Planning Commission unanimously recommended APPROVAL of a six-month extension of time, subject to the following conditions:</p> <p>1. This extension of time has been approved for only a portion of the property consisting of the northwest 200' x 130' lot.</p> <p>2. All requirements imposed by ordinances adopted subsequent to the initial approval of this application shall be adhered to.</p> <p style="text-align: center;">Protests: 0</p>	<p>Approved as recommended by Planning Commission Lurie - unanimous</p>	<p>Clerk to notify Dept. of Comm. Planning & Dev. to proceed</p>
<p>K. PLOT PLAN REVIEW - Z-44-59 - J. W. ALLEN AND JOHN ROBARTS</p> <p>Property located on the northwest corner of West Sahara Avenue and Las Verdes Street in zoning district C-C.</p> <p>Planning Commission unanimously recommended APPROVAL, subject to the following conditions:</p> <p>1. Conformance to the requirements under the C-C zone.</p> <p>2. Conformance to the plot plan as amended.</p> <p>3. 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 systems shall be cause for revocation of a business license.</p> <p>4. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.</p> <p>5. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.</p> <p>6. Conformance to code requirements and design standards of City departments.</p> <p style="text-align: center;">Protests: 0</p>	<p>Approved as recommended by Planning Commission Lurie - unanimous</p> <p style="text-align: right;">Page 28 Minutes Regular Meeting City Commission June 2, 1976</p>	<p>Same as above</p>

ITEM Commission Action Department Action

-(i) DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT CONTINUED

L. PLOT PLAN REVIEW - Z-108-63 - JACK E. CASON

Property generally located on the northwest corner of West Sahara Avenue and Rancho Drive in zoning district R-1 (ROI to C-1).

Planning Commission unanimously recommended APPROVAL subject to the following conditions:

1. Conformance to the plot plan.
2. Waiver of Condition #2 under the original approval under Z-108-63.
3. 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 systems shall be cause for revocation of a business license.
4. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
5. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
6. Conformance to code requirements and design standards of City departments.

Protests: 0

Approved as recommended by Planning Commission
 Lurie - unanimous.

Clerk to notify Dept. of Comm. Planning & Dev. to proceed

M. SET DATE FOR PUBLIC HEARING ON ANY APPEALS RECEIVED FROM ACTIONS OF THE BOARD OF ZONING ADJUSTMENT AT THEIR REGULAR MEETING ON MAY 27, 1976.

Set Public Hearing on V-25-76 for 7/5/76 at 10:00 a.m.

7/5/76 Agenda
 Clerk to proceed

ADDITIONAL ITEM

1. REQUEST FOR RECONSIDERATION OF:
 ZONE CHANGE Z-27-76 - FIRST NATIONAL BANK, TRUSTEE; VALLEY BANK OF NEVADA, TRUSTEE AND VALLEY HOSPITAL, LTD.

Approved for 7:00 P.M. 6/16/76

Dept. of Community Planning & Development to notify property owners 6/16/76 Agenda

Mayor Briare: There is a memo before you from Commissioner Christensen relative to the funding of the Metropolitan Police Budget and other items related thereto:

See Page 31 of these Minutes (Memorandum)

Commissioner Christensen: Your Honor, this memo has been circulated and has had some exposure in the Press. What I am vitally concerned with here is the crime problem in the City of Las Vegas. I am being painted somewhat by some of the media of being anti-Police, which is definitely not the case. I am probably as pro-Police as anybody on this Commission.

However I still think there are problems confronting the Police Department on an equitable basis. Consequently I offer this as a possible solution to some of the problems. It is more or less a part of the County Commission and if they are really vitally interested in Police functions, as they indicate, I would be glad to go along with them to a degree, provided we can clear up some of these inequities in the funding of the Police Budget.

I will leave it with that, except that I do have some figures here: Item No. 4 - McCarran Airport Contract. What we actually have is \$774,565.00 being paid back to the County General Fund for Police protection at the Airport. Of this \$774,565.00 the City contributes 52-1/2% of that and yet when it is rebated, it is rebated 100% to the County.

The revenue generated by the Clark County Jail - they have an over-crowded Jail so they have had to open their annex in our basement. Part of that over-crowding is Federal prisoners for which they extract from the Federal Government \$100,000.00 a year and which goes directly to the County General Fund, which I think is in error. I think this is an extra burden placed on the taxpayers of the City of Las Vegas and that they are not obligated to have to shoulder it.

I don't know what the amount of money is that the County takes into its General Fund to operate their automotive services on the Gasoline, because I don't know how much gasoline the Police Cars burn, but we are looking at something between 14¢ and 16¢ a gallon of gasoline over and above the County's cost to operate a service station for the benefit of the Police Department. Under the old City Police Department I believe - correct me if I'm wrong - but I believe the Police pumped their own gas at the exact cost to the City. So you can imagine the savings of how many Patrolmen you could hire for a sum of from 14¢ to 16¢ for every gallon of gasoline that a Police car burns in the City of Las Vegas - and there are a lot of Police cars in the County of Clark, not just the City of Las Vegas.

So I submit this the way it is written. If you feel you need to make some modifications to it, I am open minded and willing to listen. I am not anti-Police - never have been. I am not anti-Law Enforcement and never have been - I am as "pro" as you can get.

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Mayor Briare: Thank you Commissioner Christensen. In addition to the amounts of money that could possibly be generated as the result of the proposals that Commissioner Christensen mentions, there also would appear to be some substantial sentiment toward contributing a substantial amount of Revenue Sharing Funds to support the Metro Police under certain terms and conditions; the most important of which would be that the funds would be utilized almost exclusively to support additional uniformed

CITY OF LAS VEGAS

I;

Date

INTER-OFFICE MEMORANDUM

TO: MAYOR BRIARE
CITY COMMISSIONERS
CITY MANAGER

FROM: PAUL J. CHRISTENSEN, Commissioner
Paul J. Christensen

SUBJECT: ALLOCATION OF FUNDS TO METRO

COPIES TO: ASSISTANT SHERIFF BARTON JACKA
Las Vegas Metropolitan Police Department

Being vitally concerned with the crime problem and aware of the mandate to open the Metropolitan Police Jail in City Hall, I would recommend adoption of the allocation suggested by the City Manager of \$332,277.

However, as an elected official of the taxpayers of the City of Las Vegas, I feel it incumbent on me to also preface the approval on these conditions:

- 1. that all expenditures in excess of the \$1.94 rate established by the 1975 Session of the State Legislature be presented to and approved by the Las Vegas City Commission.
- 2. that the Metropolitan Police agree that the opening of the Jail with the money allocated will not draw corrections officers from commissioned personnel currently assigned to uniformed patrol services or other assigned police functions.
- 3. that the County of Clark will agree to sell gasoline and other supplies to the Metropolitan Police for the same price that the County is paying to the vendor.
- 4. that McCarran Airport contract with the Metropolitan Police Department for police services.
- 5. that revenue generated by the Clark County Jail be distributed to the entities in the same proportion as expenditures.
- 6. that the Southern Nevada Memorial Hospital contract to pay for their police service with reimbursement to the Metropolitan Police budget.

Should these conditions be agreeable to you, I will have the item on the agenda for June 2, 1976.

BUDGET
(continued)

Policemen to serve within the City of Las Vegas, but not at the expense of Police who are presently serving.

These are matters that are going to have to be taken up a little later on the agenda, that the City Manager is going to be discussing with us. However, I wanted to bring it up because former City Commissioner, George Franklin is in the audience and I am advised that he takes exception to the suggestion that the City of Las Vegas contribute more funds to the Metropolitan Police Department. As a consequence, Mr. Franklin, I know that you want to be heard. I am not saying the Commission is going to do this. They are considering this possibility so, by all means, this would be the time for anyone in favor of, or in opposition to, our considering contribution to the Metro Police, to be heard. I wanted to indicate that it would seem to be the consensus - not officially, but unofficially - that the City Commission is very strong in its feeling that any monies it would contribute, would be solely and exclusively for the benefit of people who live inside the City Limits of the City of Las Vegas. Now, Mr. Franklin, do you wish to make any comments?

George E. Franklin, Attorney at Law: Yes, I do. In fact, I would like to preface those comments, gentlemen, by saying that . . .

Mayor Briare: Excuse me, Mr. Franklin - I forgot to add that this would be for funds in excess of the \$1.94 rate established by the State Legislature.

Mr. Franklin: Gentlemen, I realize, probably more than any one of you up there, that it is not very popular for anybody in public office - as you are - as a matter of fact, it's a very delicate situation to even question a Law Enforcement budget. It is very difficult to do so because in an era of rising crime, everybody seems to want to give more money - more Police - whatever they want - to stop the crime rate.

Gentlemen, since Metro was created - and that was just in July of 1973 - the Metro Budget has gone up 46%. And that, gentlemen, is the Budget that appears on paper. That does not include \$913,000.00 that the City is, in effect, donating that doesn't appear anywhere in that Metro Budget.

The requested Budget is \$24,900,000.00. The City has \$913,000.00 other than that. The County, on undisclosed Budget items, for the benefit of Metro, is in excess of \$1,000,000.00. You are not the only one - the County also - pay for Metro for does not appear on the Budget.

Now, what did they promise us? You all know that I was dead opposed to Metro anyway. As a matter of fact, I thought they took away a magnificent Police Department under an excellent Chief of Police and merged it into a mass that is not functioning - the crime rate has gone up at a scandalous rate and every time you give them more money, the higher the crime rate goes.

But what do they tell us in the Act? Either what they said was true or they got an Act passed by fraud, because they lied to us. Here it says: Legislative Findings - Declaration of Purpose. Let's read the first paragraph:

1. The Legislature finds (a) that there is a substantial duplication of function, manpower and expenses between the City and County Law Enforcement Agencies . . .

Gentlemen, if that preface was true, and that's why we

BUDGET
(continued)

voted in Metro, then they lied to us, because they immediately hired more men - there was no duplication - they've added to it in every single way. I think it's been a failure. I think the City should explore, immediately - immediately - the possibility - and I know it is hard for the City to take the stand as the City, but I think you should do it - to set aside Metro. Get back your Police Department so you can provide what you are supposed to provide for the public safety of your people. It is now totally out of your hands, gentlemen. You cannot provide for the safety of your people, and yet that is one of your sworn duties. Get it back where it belongs. Get back a Police Force that knows what it's doing, and handle it very, very well.

I realize we used to get the comments about a Chief of Police was bad - they were firing them every time they didn't do what the Commission wanted them to do. That was a bunch of pure hog-wash and if you think it wasn't hog-wash, ask John Moran, our last Chief of Police. He felt absolutely no political pressure of any kind and he will be the first to tell you that.

I think you should do that for the sake of your people. We just cannot afford a \$26,900,000.00 Metro Police Budget. Number one, they are taking so much money that they are impacting your ability to provide other needed and necessary Governmental Services, and Governmental Services of a lasting nature - not money that is used up almost immediately by salaries and the rest.

Now, I am also very upset with a statement given to you gentlemen by Mr. Jacka. I will not say some of the things I probably should say, but, in any event, to give you a comparison survey of Staffing Summary: Gentlemen, there were false representations made in that Staffing Summary. Mr. Jacka came before you and said that in the Metro area they had to police 320,000 people, and he said that was based on the 1975 population projection of the Regional Planning Council.

I have that projection of the Regional Planning Council, gentlemen, and it was approved by all of you. Every single agency involved in that Planning Council approved the population figures of 1975 and based on those figures, there were 300,000 people in the Metro area - not 320,000. What the difference of the 20,000 excess? It's the difference of a town the size of Henderson, and then some.

Even more importantly, he is asking in that same Staffing Memo that he be allowed to have 3.5 Officers for every 1,000 in population. There's a 20,000 over population that do not exist so he was asking for 70 additional Officers to serve a population area that does not exist.

I would also point out that when he gave you the comparisons on Birmingham, Alabama, and Honolulu and Portland and Long Beach, he gave you the number of Police Officers on the payroll as of January 1, 1974 and projected it against the population of that city in 1970. And if you don't believe that, go look at your Municipal Year Book. But when he came to the Las Vegas population he didn't use the 1970 population. He used the 1975 population.

So when he said in Birmingham they had 2.6 total employees per 1,000 residents, he was using the 1970 residents against the 1974 number of Police on the Force. I'll give you just a couple of examples. This is something, I think, that's got to be said and got to be done. I am very happy that both the City and County Commissioners have voted for a Survey. I hope the Survey will also include the budget of Metro.

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(continued)

To give you some ideas of how these figures are exaggerated, I'm going to give you the names of a few cities and the amount of Police they have - total Force, not just uniformed - based on population at a time when Las Vegas had a 1970 population of 215,000:

City	Population	Police Force
Akron	275,500	508
Las Vegas		922
Austin, Texas		597
Birmingham	300,000	775
Las Vegas	215,000	922 (almost 200 less than we had)
Ft. Worth, Texas	393,000	831
Las Vegas		922
Long Beach, Calif.		874
Miami, Florida		936
Minneapolis		934
Norfolk		632

All of these towns have appreciably less, as much as one half less, than we have in the City of Las Vegas. We here are a 24-hour town - as if we were the only 24-hour town in the world - and if that statement is a true statement, gentlemen, what percent of Las Vegas, or Metro, is a 24-hour town? Less than 10%. 90% of all the businesses in this town are not 24-hour. How late do you stay open, Commissioner Christensen? Are you a 24-hour business?

Commissioner Christensen: If you will recall, I raised that question during the week of the budget hearings with Metro - that was one of the things to be considered. We were told by the then County Administrator and apparently the Tax Commission bought it - that that had no direct bearing. I argued that point, but lost.

Mr. Franklin: We are not a 24-hour town. 10% of our town is a 24-hour town, and the rest of us go home and sleep like they do in any other town. We talk about it being a "tourist town" as if no other town in the world ever had a tourist. Only this town has tourists! Long Beach doesn't have tourists - Anaheim doesn't have any tourists - I think Anaheim has a Police Force of 322 men, and don't tell me they don't have more tourists than we do, because they have Disneyland.

These are all things that nobody has ever questioned them on it - nobody wants to question them on it and, gentlemen, I am telling you that you are going to be doing a great dis-service to all of the other forms of Government you must provide if in any way Metro is allowed to have a \$26,900,000.00 budget for one year. Just ten years ago, gentlemen - just ten years ago - the total budget for the City of Las Vegas - that included Police, Fire, Parks - every damn dime of the City budget ten years ago was \$11,000,000.00. Ten years later the Metro budget is \$26,900,000.00! They've put in about \$24,000,000 but I'm telling you there is about \$1,800,000.00 from the City and County that is buried - but they get the advantage of it.

I also want to tell you what Mr. Jacka tells you what their personnel is - he came in with his Staffing Report and said we have 900+ people. He always forgets he has 62 full time CETA employees. They're working full time over there. Maybe he is trying to justify holding them on later, but at the present time the personnel of the Metro Department is 1010 employees, because you've got to count those CETA people. They also don't tell you that part of their traffic problem - there are 68 Nevada

BUDGET
(continued)

State Highway Patrolmen in this County - 60 of them sworn officers - all devoted to traffic. We don't hear about that. We hear about Jacka having 8000 acres he had to Police - I didn't hear about any Police problems out on the dry lake or on top of the mountain out there, but in that 8000 acres he talked about "they had to police" - we also have a Police Force of 164 men over in North Las Vegas. We have a Boulder City Police Department. We have a Henderson Police Department. We have Park Service Rangers - I don't know how many of them down around that Lake. That's a separate arm of Law Enforcement. They never mention all of these.

The FBI - they have more FBI men here than any town per capita in the world - the Strike Force - you've got more of them - all devoted to Law Enforcement in this community. They have a whole staff of crime fighters over there, but they don't mention that.

And I'll tell you something else, gentlemen, that they don't mention: In Clark County there are licensed and issued permits to 1500 Security Guards and Patrolmen. When was the last time any of you heard about a Metro Officer making an arrest for shoplifting? It's the Security Guard. That whole field of law enforcement is taken away from them - the Security Guards at the Hotels, and there are thousands of them, have the exact right of arrest as a Police Officer - for misdemeanors or for felonies - and we've got 1500 of those.

By the time we could all of the Law Enforcement personnel available for the reduction of crime, maybe we'll find we are the most over-Policed area in the entire world.

One final point: If any part of the County budget, gentlemen - I don't know if any of it is used - but if any part of that County budget for Metro comes out of an ad valorem tax - any one fraction of it comes out of the ad valorem tax - then your people in the City of Las Vegas are getting hit twice; not only the 52-1/2% you have to pay them - don't forget that County ad valorem tax is over the City too. So they are collecting that ad valorem tax from the City - you are putting up the City's 52-1/2% and if the County is using the ad valorem tax, your people that elected you, are really getting it in the neck.

I think we've got the most expensive over-staffed Police Force in the history of the world. It's not going to make me any friends for saying so - I'm not in public office - I don't have to be popular - but somebody has got to do something about it and quit accepting those figures they give you at face value because they are not, indeed, true figures. Thank you, Gentlemen.

Commissioner Leavitt: As I understand it, what you are suggesting is that we go back to the old System, where we have the City Police Department and the Sheriff's Department?

Mr. Franklin: Absolutely -

Commissioner Leavitt: That would be your recommendation -

Mr. Franklin: Have you seen any evidence whatsoever that the combination of Metro has produced better Law Enforcement? Has reduced the crime rate? Has reduced personnel or costs? I say it has not. But beyond that - I think the critical point I want to make - the thing I am really concerned about - I think you, as a City Commissioner, have a duty to protect your people. I think that is the

duty of an Elected Official in a city. You are the ones to provide the Police protection - not an alien and foreign Board that you have no control over. Get back the control of your own capacity to protect your own people. Yes - I say - go back.

Mayor Briare: Are you calling the County Commissioners "aliens" and "foreigners"?

Mr. Franklin: Let me clarify that because I'm in enough trouble now with the County Commissioners - trying to run them out of office anyway. Let me clarify that - as to three of them; that is exactly what I meant. Gentleman, can you conceive of a 7-man Board, as the Metropolitan Police Commission, and three of them, or 43% of the total Board not elected by one single person in the Metro department - three of them that have their own private Police Forces? Two from North Las Vegas and one from the Boulder City/Henderson area - who sit as 43% of the Board governing your area? It's wrong. The Bill is wrong and I think something should be done about it.

Commissioner Leavitt: Don't you think this is up to the Legislature? The Legislature is going to have to correct any of these things, if they see fit to do so, but the Legislature is the one who gave us the Metropolitan Police Department - the Legislature is the one that took the City Commissioners off the Metropolitan Police Commission, and if it's going to be changed it's going to be up to the State Legislature to do so.

I recall that Commissioner Christensen asked our City Attorney to explore the possibility of the City of Las Vegas withdrawing from the Metropolitan Police Department, and I'd like to hear from Jan Stewart (Deputy City Attorney) at this time, because I understand that an opinion has been asked for . . .

Mr. Franklin: I asked that while I was still on your Board and got an oral opinion from Mr. Lovell . . .

Commissioner Leavitt: Don't you agree with what I'm saying, as a lawyer, that this is going to take action either by the next session of the Legislature or by the Courts in the meantime -

Mr. Franklin: From what I've seen coming out of the last several Legislatures, Commissioner Leavitt, especially Consolidation and some of the others - Thank God we've got Courts, because the Legislature will not correct their own errors - they have never shown even a tendency to correct their own errors - they merely magnify them by going from at least allowing you half the membership on the Police Commission, to taking you off completely. I say when they deprive you of the right to administrate for the safety of your people, that is an unconstitutional Act and my recommendation is not to wait until the 1977 Legislature, but to go to Court now!

Commissioner Leavitt: OK - you agree with what I'm saying then, that one of the two things would have to take place - Court Order to take the City out of the Metropolitan Police Department or the 1977 Legislature -

Mr. Franklin: The Court is in session at all time - the Legislature is not.

Commissioner Leavitt: We have asked our City Attorney to explore that. I'd like to have Mr. Stewart comment on this, Mayor.

Commissioner Lurie: I asked the City Attorney's office to take that Bill that takes the City off the Police

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(continued)

Commission to Court at the same time they took S.B. 601 because I believe, like you, that that Bill is unconstitutional - to take the City off the Police Commission - take our representation off that Board to the point where we have no jurisdiction over the spending, or how that money is spent - that 52-1/2% we contribute for the public safety of the citizens of the City of Las Vegas. I was informed that it would be an effort, it seems to me, that the City Attorney's office didn't want to take because by the time it went through the proper Courts, the 1977 Legislature would be in session -

Mr. Franklin: That might have been a wise move - you have enough problems going on between the City and the County over Consolidation - rather than to have another -

Commissioner Lurie: I have already requested a Bill to be introduced at the next Legislature to correct that situation on the Police Commission - to make it on a 50/50 basis.

Mr. Franklin: I don't think that's the theory Metro works - but that is a Legislative matter. I don't think that a Sheriff who is elected once every four years and therefore is only responsible to the electorate every four years, is nearly as conducive to changes in crime rates or to an elective Board - there is nothing wrong with an elected Board having a Chief of Police - a Chief of Police sees thing going wrong in his Police Department and he knows he is going to get jacked up. An elected Sheriff can go his way for four years. You just don't get as good Law Enforcement, believe me.

Deputy City Attorney, Janson F. Stewart: As has been indicated, we received, I think, oral and written communications from several of the Commissioners. We recently had a written memorandum from Commissioner Lurie.

On the advisability of a law suit concerning the Metropolitan Police Department and taking the Las Vegas City Commissioners off the Police Commission, it was our feeling at the time we should wait until the matter of S.B. 601 has been resolved before we proceed on this other issue.

If S.B. 601 is upheld, to some extent that might affect the situation of our need for a law suit. We were more or less waiting until the Supreme Court rules on S.B. 601.

Commissioner Leavitt: I have a question: Has anything happened in the meantime, Mr. Stewart, to change the legal opinion - your earlier opinion - that we should wait until S.B. 601 is decided by the Supreme Court before we explore the possibility of what to do with the Metropolitan Police Commission situation? Is that still your legal advice to us?

Mr. Stewart: Yes, it is.

Commissioner Leavitt: Have you had any indication as to when the Supreme Court is going to rule on it? I know your arguments have been submitted and it is getting pretty close to the time when they should render a formal decision. We've got filing closing on July 21st and if the Bill should be held constitutional, there's going to have to be an Election and everybody on this Board is going to have to run. So, naturally we are all a little anxious and concerned to find out what the situation is. You haven't heard from the Supreme Court as to when a decision could be expected?

BUDGET
(continued)

Mr. Stewart: No, we have not. The only word I have any indication of is - don't expect a decision before the end of May and I think they also indicated that - quoting George Franklin in his arguments - that it is better to give a good decision than necessarily a quick decision - or something to that effect.

Mr. Franklin: Gentlemen, the very last thing I said to the Supreme Court because Bruce Woodbury was trying his best to get them to give an opinion immediately, if he could - was that I felt very confident that Senator Gibson was so proud of this Bill that if the Supreme Court did rule against him, that he would probably take an appeal to the United States Supreme Court and therefore I was more concerned with the Supreme Court here coming out with a good opinion, rather than a fast one, and the other day Chief Justice Gunderson was quoted as saying they were more interested in having a good opinion than a fast opinion. It could conceivably not be here until the first of July, and then you will have 21 days in which to file.

Commissioner Leavitt: How much does that have to do, Mr. Stewart, with the Law that requires the districting 90 days prior to the last day of filing? I just throw that out for consideration.

Mr. Franklin: I think you can all wait and be assured you are operating under your Charter of 1971, which is a good Charter -

Commissioner Leavitt: I appreciate your confidence, but I would like to wait until the Supreme Court makes a decision before I rely on that Charter . . .

Mr. Franklin: You've got a reason to worry about waiting? I do not.

Commissioner Leavitt: You and I both know that you should never anticipate what a Court is going to decide.

Mr. Franklin: I know that. Do you have any other questions, gentlemen?

Mayor Briare: Thank you, Mr. Franklin. To say the least, your comments are interesting. I'm sure there are other viewpoints.

Mr. Franklin: If Mr. Jacka wants rebuttal, let me know -

Mayor Briare: I would imagine that Mr. Jacka would take exception to quite a few of the things you have said -

Mr. Franklin: I thought Mr. Jacka was here, but I see he isn't here -

Mayor Briare: Would that have changed any of your comments?

Mr. Franklin: None at all.

Mayor Briare: No - I've known you too many years, Mr. Franklin, to guess that you would change any of your comments, notwithstanding who was present.

The thing, perhaps, that motivated Mr. Franklin to make his comments was the suggestion that the City was contemplating a contribution to the Metro Police budget from Revenue Sharing funds. That question is still before us and it was going to be conditioned on the basis that these funds would be used solely and exclusively for Police protection inside the City of Las Vegas. These are things, of course, that have to

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(continued)

be negotiated. There are a number of questions that are unanswered and have not been addressed yet between the City Commission and the County Commission and it would seem that after we hear from our City Manager it might be appropriate to instruct our City Manager to sit down with the County Administrator and discuss some of the possibilities that arise as the result of the discussion today.

Also, as George Franklin alluded to, this Commission has unanimously supported a so-called Chamber of Commerce Metro Police/Criminal Justice Study. We are very interested in what the results of that Study will be. It might very well bear out from independent sources, that Mr. Franklin is correct in many of his evaluations and certainly other are correct in their evaluations which might be contrary to Mr. Franklin's.

But, in the meantime, we have some decisions that have to be made and in view of the action that was taken this morning by rejecting the bid on the Reed Whipple Cultural Arts Center - perhaps some re-evaluation done on Revenue Sharing monies and Recreation Funds that are available.

Mr. Adams, I will ask if you have any comments to make along those lines -

City Manager, William E. Adams: Yes, I do, Mr. Mayor. I have prepared a recommendation on the reallocation of those Federal funds, and other funds, and I'd like to give them to you for your perusal.

Commissioner Leavitt: This is different from Plan B we received the other day?

See Page 40 of these Minutes (Memo)

Mr. Adams: Yes.

Commissioner Leavitt: So far, I had a Proposal and then there has been a Plan A and a Plan B. Just to differentiate, what are we going to call this one? Plan C?

Mayor Briare: Mr. Adams, does this incorporate the feelings of Commissioner Christensen's memo that we discussed earlier?

Mr. Adams, Yes Sir -

Commissioner Christensen: It incorporates the financial, but it doesn't have the conditions.

Commissioner Woofter: My question is: There were certain allocations made made to the Cultural Arts Center and the Jail that we approved. As far as I'm concerned, that's still the status - that certain Projects were approved and there hasn't been any further action to the contrary.

This just covers them again, Mr. Adams - like Renovation of the Swimming Pools - Gym Floors? We approved those at a prior meeting. We also approved a Police Sub-station. I don't see that.

Mr. Adams: It was left off - it was the idea to remodel Fire Station 3 - moving that equipment over and giving Fire Station 7 as a Police Substation.

Commissioner Leavitt: This looks very close to Plan B, with a few modifications.

Mr. Adams: It is very similar -

CITY OF LAS VEGAS

City Clerk - Item Ij

Date

INTER-OFFICE MEMORANDUM

June 1, 1976

TO:

MAYOR BRIARE
CITY COMMISSIONERS

FROM:

W E Adams
W. E. ADAMS, City Manager

SUBJECT:

PROPOSED RE-ALLOCATION FOR 1976-77

COPIES TO:

The recommendations for the re-allocation of federal and other funds are as follows:

(a) Federal Revenue Sharing re-allocation:

1. Capital Outlay <i>(Manager's 1st priority)</i>		\$275,000
2. Paramedic Program		55,000
3. County Jail in City Building	77,957	
4. Additional Police Officers for Las Vegas	<u>254,320</u>	
		332,277
5. Microfilm Equipment <i>(Manager's 2nd priority)</i>		75,000
6. Traffic Signals		150,000
7. Remodel Fire Station 3 and Remodel Fire Station 7		300,000
8. Police Study (50% contribution)		50,000
9. Contingency		<u>19,976</u>
		\$1,257,253

(b) From Debt Service

1. Bus Transportation contribution		50,000
2. Downtown Assessment District		200,000
3. Contingency		<u>25,000</u>
		\$275,000

(c) From Recreation Fund

1. Renovate Swimming pools		35,000
2. Renovate gym floors		60,000
3. Potosky League		50,000
4. Cultural Services Building Remodel- Naval Res. Bldg. <i>(Manager's 3rd priority)</i>		160,000
5. Other Recreational projects		<u>80,000</u>
		\$385,000

ACTION TAKEN

*Approved
by City Commission*

Date *4/2/76*

TOTAL:

\$1,917,253

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BUDGET
(continued)

Commissioner Leavitt: Is there anything that was taken out of Plan B - is there anything in Plan B not included in this?

Mr. Adams: Yes, the \$76,000.00 for the Pumper - the Fire Department Pumper - has been removed. The Traffic Signals are still in; the Paramedic Program is still in; the Swimming Pools; the Gym Floors. The Downtown Assessment District is new, from what Commissioner Woofter is saying, but it is not new from Plan B.

The Potosky League is a new one. That was a request that was received a little later.

Commissioner Leavitt: Do I understand that this \$160,000. for "Cultural Services Building Remodel - Naval Reserve Building" - is there any plan for that remodeling? Is that going to include anything besides offices?

Mr. Adams: We are attempting to set up some offices, some class rooms - storage space -

Commissioner Leavitt: Arts and crafts - that sort of thing too?

Mr. Adams: Our prime concern is twofold - to move an open space on the 6th Floor and put all of those units in one package area where we would it more readily available for outside sources, as well as from the City. We will wind up utilizing that building to the fullest possible.

Of course, when the Navy builds a building it is almost always one big . . .

Commissioner Leavitt: Under the previous plan, that money came from Revenue Sharing - under Plan B - that \$160,000.00 was Revenue Sharing. Now it's Recreation money.

Mr. Adams: The reason for that is, in making the shift around I could not take the Bus Transportation contribution, for instance, from anything except pure local money. So by taking that and setting in the Downtown Assessment District to come up with that amount of money, I had to pull something from above and put something in Recreation Funds for things I could actually use the funds for. The total amount is the same.

Commissioner Leavitt: I'm not quite clear as to what that "Bus Transportation contribution" is. Would you explain that to me?

Mr. Adams: This is, by coming up with a contribution with the other - I think the County is involved in the local transportation picture, we then can apply for a Grant from the Department of Transportation for a major over-haul of our Bus System by buying new busses - better busses and a better operation.

Mr. Leavitt: But this is for the private Company that operates the busses? The Las Vegas Transit Co.?

Mr. Adams, That is true - for the Bus Company that operates under our Franchise to furnish transportation in the area.

Commissioner Leavitt: The City comes up with the money for the busses, along with the Federal funds - is that how it works?

Mayor Briare: I might add to that - the formula of the Department of Transportation for Federal funding on a 20-80 basis for capital improvements. This \$50,000,

BUDGET
(continued)

together with another \$50,000.00 to be furnished by the Bus Company itself, and the County, and any others who might want to contribute, but there are commitments to generate at least \$100,000.00, which would then cause a budget of Half a Million Dollars to be available for capital improvements. It is not uncommon for a municipality who doesn't wish to go into the Bus Transportation business to support the private Bus Companies in this manner.

Commissioner Leavitt: I assume that the City Attorney has looked at it and there is nothing wrong with it from a legal standpoint? I just didn't quite understand how it worked.

Mayor Briare: Actually, the City and/or County, or whatever public entity is involved, own the busses and lease them for \$1.00 a year - or whatever to the local Transportation System.

Commissioner Leavitt: How long does the present Franchise with the Bus Company have to run?

Mr. Adams: I don't recall offhand - I'd have to check it -

Commissioner Leavitt: Is it one of those things we can cut off at any time. Usually these things are based on long Franchises on the basis of the fact they've got so much money invested in capital improvements, etc., they have to have a long time in order to get a return. But if we're going to put up some money for improvements, along with the Federal Government, we ought to be able to have some kind of control over the service and to cut off the Franchise, if it gets out of hand -

Mayor Briare: May I give you a word of warning -

Commissioner Leavitt: I don't want to get into the Bus Transportation business - but it could be thrown out to bid, possibly, for other companies who might want to make a bid for it.

Mayor Briare: Commissioner Leavitt, do you think under the present unsuccess of Las Vegas Transit that anybody would want to come in here and bid on an unsuccessful endeavor?

Commissioner Leavitt: I just want to make sure that we are on legal grounds and that we're not using taxpayers money to contribute to private enterprise -

Mayor Briare: In a sense you are, because if you didn't use some taxpayer money to contribute to the success of a private enterprise, that private enterprise is going to walk out of town and leave you with the nice little job of running an extremely expensive operation.

Commissioner Leavitt: Well, I assume this has been run through the City Attorney's office and there is no problem -

Mr. Adams: That's true - we would have no intention of doing it otherwise. It is a means by which we could improve the Bus System. I don't recall the length of time on the Franchise that is involved, but I'm sure it is something we can check and as soon as we have the opportunity, we will check it.

Commissioner Lurie: What is the City Manager's first priority under Capital Outlay? How is that broken down?

Mr. Adams: That is completely all throughout the City -

BUDGET
(continued)

all various departments - it includes our typewriters, desks, adding machines, cash registers, etc. It is actually cut down from over a Million Dollars to the \$275,000.00 -

Commissioner Leavitt: That for all departments - routine replacements -

Commissioner Lurie: How come the Warehouse is taken off?

Mr. Adams: The Warehouse is already allocated under the existing funds and will be encumbered before the 1st of July. It is in Federal funds that are in existence now.

Commissioner Lurie: Well, what are these Federal funds here? On my list of proposed allocations it was listed under A and B - now this is supposedly A and B put together - I don't see it here -

Mr. Adams: Not really - I have taken here only the funds that will be coming to us from the 1st of July through the end of December of 1976, which would be used across the Year 1976/77, and included the Debt Service and Recreation funds in that they were dropped away from the Reed Whipple funds -

Commissioner Leavitt: But the money has been set aside for the Warehouse?

Mr. Adams: Yes - it is already allocated from the last Budget Year.

Commissioner Lurie: It is my understanding in talking with Bart Jacka that they don't necessarily feel a Substation on the West Side is necessary - that they can service the West Side area from the City Hall facility. Have you discussed that with the Sheriff so that we might not be trying to duplicate services that are not necessary?

Mr. Adams: I would say this - I have discussed it with Mr. Jacka - yes. He apparently is not in favor of a West Side Substation, and I think it would be the policy decision of the Board of City Commissioners as to whether they want to proceed to put it there, or whether they want to put it somewhere else.

Commissioner Lurie: If we establish a Substation, who is going to man it?

Mr. Adams: I would assume that Metro would have to man it.

Commissioner Lurie: It's an important item - you would have to set aside \$300,000.00 for a Substation that Metro doesn't really need.

Mr. Adams: \$300,000.00 was set aside originally in the Budget, upon the approval of our last Budget for the coming year - it was set aside for a Police Substation. This is the manner by which we can establish one on the West Side. We can, of course, pull it back and have \$300,000.00 set aside for a Substation somewhere else if you want to. But I think it is a decision of this Board as to which way you want to go.

Mayor Briare: Do you know how long it would take, Mr. Adams, to evaluate Commissioner Christensen's proposal with respect to the dollars it would generate, if agreement could be reached with the Metropolitan Police Commission to refund those monies the County has inherited?

BUDGET
(continued)

Mr. Adams: There are two we can come up with readily. The other two, I think, would take us a week. Of course, we would have to get some figures from both the Metro and from the County to ascertain exactly where we are - we could probably have it in a week, perhaps, for those two items. The rest of it we can come up with that readily.

Mayor Briare: The reason I say that is because it would appear that those funds could be quite substantial. I would say they could be very substantial and if it would be the intention of this Board to contribute money in order to acquire new Patrol personnel within the City Limits of Las Vegas, those items would be extremely important to obtain.

I would like to ask the assistance of the Board as to what procedure they would like to follow. These are decisions we must make very quickly. I think one thing hinges on the other.

I would like to recommend that the City Manager, as quickly as he can get with the County Administrator, to discuss those matters that have been brought up this morning and report back to us because they will fall like dominos all the way down the line on this particular recommendation.

Commissioner Leavitt: Commissioner Christensen's memo was submitted to us earlier and this morning he mentioned some figures I hadn't heard before. I would certainly like those figures. He indicated that McCarran Airport was \$774,000.00 and that the Federal Prisoners was over \$100,000.00 - and the gas figure too - it could add up to as much as a Million Dollars. I certainly want to have those figures - I'd like to have clarification of those figures. Check them out. I'm sure the revenue at the County Jail of \$100,000.00 is just an estimate. I would like to get the actual figure for the last Fiscal Year.

Mr. Adams: Those we can get readily - Nos. 4 and 5. No. 3 I think we can get readily too, except that it will take a little time to do it.

Commissioner Leavitt: I understand on this Item No. 3, that the County agreed to adjust that in the Metropolitan Budget. Maybe that's been done, with regard to the gas. We can explore that possibility. Commissioner Petitti indicated to me that would be straightened out, when we were having Consolidation meetings. It is something we should check out.

Commissioner Lurie: I have a question: It is a very serious question. I want to know, now that the Commission noted not to proceed with the Reed Whipple Cultural Arts Center, what plans the Commission has for the building and the property at the Reed Whipple Center. I don't want to think that issue is just going to die, because I'm going to keep it alive. But I want to know what plans, since it was voted down this morning, the other members have for utilizing that building - when you are talking about spending \$160,000.00 to renovate the Naval Reserve Building?

Mr. Adams: It would be my recommendation that we continue to use it as it is being used now, with the addition, perhaps, of additional drama-type operations. . . . I think we need to continue the same type of programing.

Commissioner Leavitt: I don't think it is fair at this time to ask the City Manager that question. I don't think he expected that vote this morning, and until he had knowledge of that vote, I don't think he could make a determination, but I have no objection to asking him for a recommendation. I think it is unfair to ask him - what are you going to do about it - today because he didn't know what was going to

BUDGET
(continued)

happen this morning. Until that happened, he couldn't make any determination as to what the future would be.

Mayor Briare: There are a number of matters, Commissioners, that the City Manager is going to have to talk to the County Administrator about and Mr. Adams has indicated that perhaps within a few days such conversations could be had relating not only to this, but the space problems that we share with the County, and other matters.

Whether a conclusion can be drawn here - Commissioner Lurie has just posed a proper question - the only action that was taken this morning was the rejection of the bids before us. There has been no policy determination made notwithstanding the outward appearance, as to what the plans of the City are toward the future of a Cultural Arts Capital Improvement Program. I think it is now on the table, Commissioners, and anyone who has any ideas it would be perfectly proper to present them.

I would like to be able to move on with today's agenda. It would necessitate calling another meeting, which I know you are all extremely busy with other matters and other meetings, but I would certainly like to be able to have this matter firmly concluded in as quick a time as possible. Perhaps it would seem that we are going to be able to conclude our agenda before the lunch period - at that time recess until another time when we can get together again - hopefully the last time with respect to the division of Revenue Sharing monies.

Commissioner Lurie: I just have one other item: I brought this up before that I feel that the Department of Cultural Services should be located in the Reed Whipple Center. As I mentioned during the meetings on Consolidation, the Metropolitan Police Department was looking for a Police Academy and I recommended at that time that the Naval Reserve Building be used for the Police Academy to give our men the opportunity to have the training facility they need, and the classrooms they need to update their training in being Police Officers, and I would never spend \$160,000.00 on that building for Cultural Services without spending money on the Reed Whipple Center.

I still think that building should be used as a Police Academy. These people who run the Academy have been shifted and moved around to every building in the City and the County. They need a home and that building should be used as the Metropolitan Police Academy.

That was a suggestion that was made during Consolidation meetings - I don't want that suggestion to be out, either - I want that suggestion to be considered by this Board. I'd like you to sleep on it a little while -

Commissioner Christensen: I'd like to point out one thing that perhaps you have forgotten about. As you and I both well know, as long as the County Commission controls the Metropolitan Police Department's budget, we are on very dangerous ground in giving them any more space to conduct Police functions, because once you do, it's theirs. You don't get it back. Now, do you want to turn the Naval Reserve building over to the County Commission? That's what you just suggested

Commissioner Lurie: My suggestion is the need for a Police Academy. If that means turning over the Naval Reserve building to the Metro, then that is my suggestion to this Board. They have money available to renovate that building - to refurbish it - to make it into an Academy. The City does not have the money.

Mayor Briare: Mr. Adams, you know there is going to be a substantial amount of coordination and activity that we

COMMENDATION
Approved

HONORABLE MORGAN J. SWEENEY

Mayor Briare: Would you like to move for the adoption of the Commendation now, Commissioner Leavitt?

Commissioner Leavitt: We have all signed it. But, for the record, the Commendation reads as follows:

See Page 48 of these Minutes (Commendation)

Commissioner Leavitt: I had the pleasure of serving with Mayor Sweeney on the Health Board for several years and at this time I will move for the adoption of the Commendation.

M o t i o n

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

Mayor Briare: Mayor Gragson is in the audience and in view of the discussion we've had relative to Revenue Sharing Funds, it would be rather difficult to firmly indicate to him at this time a response to his letter.

See Page 49 of these Minutes (Letter)

DOWNTOWN
STREET
LIGHTING
Discussion

However, if it would be encouraging to you, Mayor Gragson, no one, to my knowledge, has objected to designate \$200,000.00 of Revenue Sharing monies for a Street Lighting Project in the overall Downtown area. That has been in all the Plans - "A" thru "Z" and having heard no arguments this morning about this particular item, I think it would be safe to say that you should be encouraged. But to be any more affirmative than that, I think would be improper.

Mayor Gragson: Thank you Mayor and Commissioners. I do want to express our appreciation to you for the consideration you have given our request.

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

COOPERATIVE
AGREEMENT
Approved

COOPERATIVE AGREEMENT No. 11(b) - DECATUR PROJECT

Deputy City Attorney, Janson F. Stewart: This is the Decatur Project which is now finished. It is a Regional Street & Highway's funded project. This Agreement provides for an additional \$11,600.00 for acquisition of right-of-way by the City and an additional \$1,412.49 in Engineering costs. It needs your approval.

M o t i o n

Commissioner Woofter: I move to approve as presented.

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

EASEMENT
AGREEMENT
Abeyance

AGREEMENT TO EXCHANGE EASEMENTS BETWEEN CITY OF LAS VEGAS AND T.P. & K.

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Minutes
Regular Meeting
City Commission
June 2, 1976

Mr. Stewart: This is a partnership. They want to exchange a piece of land for a drainage easement -

Mayor Briare: From time to time it is necessary that a Commissioner, for one reason or another, abstain from voting. Would it serve any purpose to know who "T.P. & K"

Commendation

In regular meeting assembled this Second Day of June, Nineteen Hundred and Seventy-Six, by the official action and vote of the

Las Vegas City Commission

appreciation is hereby expressed to the

Honorable Morgan J. Sweeney

for his long and faithful service to his government and his city.

It is with great personal pleasure that we of Las Vegas join with the citizens of Boulder City in offering to Mayor Sweeney this commendation, and for his long record of community service, we say, most heartily,

WELL DONE, WELL DONE

IN WITNESS WHEREOF, We have set our hands and seal, this 2nd Day of June, 1976.

WILLIAM H. BRIARE

Mayor

PAUL J. CHRISTENSEN

Commissioner

RON LURIE

Commissioner

MYRON E. LEAVITT

Commissioner

ROY WOOFER

Commissioner

Downtown Progress Association
OF LAS VEGAS

120 South Third Street • Las Vegas, Nevada 89101 • Telephone (702) 384-2378 382-6397

Executive Director
Oran Gragson

May 28, 1976

Chairman/Director
Don Ashworth

Co-Chairman/Director
Chic Hecht

Sec./Treas./Director
David Hood

Directors
Jack Binion
Marcie Carney
Sam Diamond
Lloyd Katz
Dick Kruger
Bill McGrew
Joe Mikulich
Andy Tompkins

Honorary Director
Mayor Bill Briare

Honorable Bill Briare, Mayor
City Commissioners
City Hall
400 Stewart
Las Vegas, Nevada

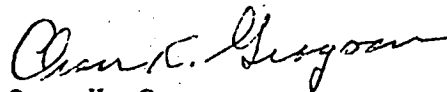
Gentlemen:

The existing lighting in the proposed downtown lighting district was paid for through assessment district by the adjacent property owners and since the additional lighting is deemed necessary for the protection of the citizens and to prevent and reduce crime in the area, this becomes an obligation of the City.

Therefore, I would respectfully request of the Mayor and City Commissioners to approve a contribution of the \$200,000 towards the total estimated cost of \$575,000. The remainder of the cost to be paid by an assessment district on a benefit basis by the property owners within the area.

I feel confident that the property owners in the area will support an assessment district for the balance of the funds necessary to accomplish this much needed project.

Respectfully submitted,



Oran K. Gragson
Executive Director

OKG:a

5/28/76

Copies to:
Mayor & Commissioners
City Manager
City Attorney
Larry Hampton, Dir. of Public Services
Don Saylor, Dir. of Comm. Planning & Development

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Minutes
Regular Meeting
City Commission
June 2, 1976

CITY CLERK

MAY 28 3 09 PM '76

RECEIVED

T.P. & K.
(continued)

are other than a Mr. Powell?

Mr. Stewart: I don't have the principals of that partnership -

Mayor Briare: Mr. Powell is a signator to one of the documents we have before us, but I suppose nobody is aware of who "T" and "K" are -

Commissioner Lurie: I think we should have those names -

Mayor Briare: Would any of the Commissioners feel akward about voting on this matter? Mr. Stewart, maybe you had better find out.

Mr. Stewart: Very well -

TRAFFIC CODE
Resolution
Adopted

Mr. Stewart: This is a Resolution providing for additions and corrections of schedules pertaining to Title X of the Traffic Code. It includes adding stop signs at Commerce and Oakey, amending parking in certain areas of the Downtown area between 3:00 A.M. and 5:30 A.M., limited time parking on Commerce Street and a commercial loading zone on Lewis.

M o t i o n

Commissioner Lurie: I move for approval.

See Pages 51 and 52 of these Minutes (Resolution)

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

SPECIAL
IMPROVEMENT
DISTRICT
No. 414 -
VALLEY VIEW
PROJECT
Resolutions
Adopted

RESOLUTION DETERMINING THE COSTS TO BE ASSESSED IN LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT No. 414, 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. 414; 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.

M o t i o n

Commissioner Lurie: I move for adoption of the Resolutions.

See Pages 53 thru 63 of these Minutes (Resolutions)

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

CONDEMNATION
CASES
Approved

PROPOSED SETTLEMENT IN THE CONDEMNATION CASE OF CITY v. BARSKY AND STARKER - CASE No. A 127060 for \$30,000.00

a n d

PROPOSED SETTLEMENT IN THE CONDEMNATION CASE OF CITY v. SCHWARTZ - CASE No. A 128244

Mr. Stewart: In the matter of the City v. Barsky, Starker, this is on the West Charleston Project and is Regional Street & Highway funded.

In the matter of the City v. Schwartz, this also is Regional Street & Highway funded - it is the Stewart Avenue Project and the settlement is in the amount of \$11,500.00.

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See Pages 64 and 65 of these Minutes (Annotated Agenda)

R E S O L U T I O N

WHEREAS, Ordinance No. 1589 allows for the additions and corrections of schedules pertaining to Title X of the City Code to be done by Resolution; and

WHEREAS, it has been determined and recommended by the Traffic and Parking Commission and the Traffic Engineer that the following additions and corrections be made in said schedules; and

WHEREAS, the City Commission deems it to be for the betterment of traffic and parking conditions to adopt said recommendations of the Traffic and Parking Commission and the Traffic Engineer.

NOW, THEREFORE, be it resolved by the Board of City Commissioners of the City of Las Vegas, Nevada, that the following schedules pertaining to Title X of the City Code be amended as follows:

Schedule 14-II, Page 9, be amended to include the following as a required stop:

Commerce Street at Oakey Boulevard

Schedule 17-IV, Page 25, be amended to include the following as parking prohibited during certain hours on certain streets:

1st, 3rd, 4th, 6th, 7th Streets - both sides of 1st through 7th Streets between Carson Avenue and Ogden Avenue (3:00 A.M. to 5:30 A.M.)

Carson Avenue - both sides - from Main Street to 7th Street (3:00 A.M. to 5:30 A.M.)

Casino Center Boulevard - both sides - from Carson Avenue to Ogden Avenue (3:00 A.M. to 5:30 A.M.)

Fremont Street - north side - from Las Vegas Boulevard to Seventh Street (3:00 A.M. to 5:30 A.M.)

Fremont Street - south side - from Casino Center Boulevard to 7th Street (3:00 A.M. to 5:30 A.M.)

Las Vegas Boulevard - both sides - from Carson Avenue to Ogden Avenue (3:00 A.M. to 5:30 A.M.)

Main Street - east side - from Fremont Street to Ogden Avenue (3:00 A.M. to 5:30 A.M.)

Ogden Avenue - both sides - from Main Street to 7th Street (3:00 A.M. to 5:30 A.M.)

TRAFFIC CODE
(continued)

Schedule 17-VI, Page 29, be amended to include the following
as parking time limited on certain streets:

Commerce Street - from Charleston Boulevard to Colorado
Avenue - west side

Schedule 18-V, Page 42, be amended to include the following
as a commercial loading zone:

Lewis Avenue - north side - west of South Fourth Street

PASSED, ADOPTED, AND APPROVED this _____ day of May, 1976.

W.H.B.

WILLIAM H. BRIARE, MAYOR

ATTEST:

Edwina M. Cole

Edwina M. Cole, City Clerk

RESOLUTION DETERMINING THE COSTS TO BE ASSESSED
IN LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT
NO. 414 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. 414 consisting of:

ASSESSMENT UNIT NO. I

The improvements shall include the installation of street paving approximately 8 feet wide along the East side of Valley View Boulevard from a point approximately 230 feet North of the centerline of Sirius Avenue to a point approximately 330 feet North of the centerline of Meade Avenue, from a point approximately 1355 feet South of the centerline of Sahara Avenue to a point approximately 490 feet South of the centerline of Sahara Avenue, from Sahara Avenue to a point approximately 2099 feet North of the centerline of Sahara Avenue, from a point approximately 701 feet North of the centerline of Mountain View Boulevard to a point approximately 202 feet South of the centerline of Charleston Boulevard; along the West side of Valley View Boulevard from the extension of the centerline of Sirius Avenue to Pennwood Avenue, from Tara Avenue to a point approximately 133 feet South of the centerline of San Joaquin Avenue, and from Oakey Boulevard to a point approximately 202 feet South of the Centerline of Charleston Boulevard, 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 plan of the work and the locality to be improved now on file in the Office of the City Clerk.

ASSESSMENT UNIT NO. II

The improvements shall include the installation of concrete curbs and gutters, with commercial driveway openings, and street lighting, consisting of mercury vapor luminaires and steel lighting standards, with concrete bases and underground wiring along the East side of Valley View Boulevard from Desert Inn Road to a point approximately 330 feet North of the centerline of Meade Avenue, from a point approximately 1355 feet South of the centerline of Sahara Avenue to a point approximately 490 feet South of the centerline of Sahara Avenue, from Sahara Avenue to a point approximately 2099 feet North of the centerline of Sahara Avenue, from a point approximately 701 feet North of the centerline of Mountain View Boulevard to a point approximately

202 feet South of the centerline of Charleston Boulevard; along the West side of Valley View Boulevard from the extension of the centerline of Sirius Avenue to Pennwood Avenue, from Tara Avenue to a point approximately 133 feet South of the centerline of San Joaquin Avenue, and from Oakey Boulevard to a point approximately 202 feet South of the centerline of Charleston Boulevard, 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.

All of the plats, diagrams and plans on file in the Office of the City Clerk are deemed by the City Engineer and the City to be essential to the construction of said improvements.

and to defray the entire costs and expense thereof by special improvements, according to benefits, against the taxable lots and premises in each assessment unit of said District; and

WHEREAS, pursuant to law, the said City has entered into the following contracts, to-wit:

WELLS CARGO, INC., for the improvements to be installed in Assessment Unit I

BONDBERG-WHITNEY, INC., and WELLS CARGO, INC., for the improvements to be installed in Assessment Unit No. II

WHEREAS, the costs, including administrative costs, for installing the improvements in each Assessment Unit of said District are as follows:

Assessment Unit No. I	\$37,630.48
Assessment Unit No. II	\$83,642.29

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 2nd day of June, 1976, that the following amounts shall be assessed against and paid by the assessable property in each assessment unit of said District, to-wit:

Assessment Unit No. I	\$37,630.48
Assessment Unit No. II	\$83,642.29

all as designated in Ordinance No. 1699 passed, adopted and approved on the 17th day of April, 1974.

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. 1699.

BE IT FURTHER RESOLVED that the City Clerk shall furnish a copy of this Resolution to the City Engineer.

PASSED, ADOPTED AND APPROVED this 2nd day of June, 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. 414; 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. 414 consisting of:

ASSESSMENT UNIT NO. I

The improvements shall include the installation of street paving approximately 8 feet wide along the East side of Valley View Boulevard from a point approximately 230 feet North of the centerline of Sirius Avenue to a point approximately 330 feet North of the centerline of Meade Avenue, from a point approximately 1355 feet South of the centerline of Sahara Avenue to a point approximately 490 feet South of the centerline of Sahara Avenue, from Sahara Avenue to a point approximately 2099 feet North of the centerline of Sahara Avenue, from a point approximately 701 feet North of the centerline of Mountain View Boulevard to a point approximately 202 feet South of the centerline of Charleston Boulevard; along the West side of Valley View Boulevard from the extension of the centerline of Sirius Avenue to Pennwood Avenue, from Tara Avenue to a point approximately 133 feet South of the centerline of San Joaquin Avenue, and from Oakey Boulevard to a point approximately 202 feet South of the Centerline of Charleston Boulevard, 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 plan of the work and the locality to be improved now on file in the Office of the City Clerk.

ASSESSMENT UNIT NO. II

The improvements shall include the installation of concrete curbs and gutters, with commercial driveway openings, and street lighting, consisting of mercury vapor luminaires and steel lighting standards, with concrete bases and underground wiring along the East side of Valley View Boulevard from Desert Inn Road to a point approximately 330 feet North of the centerline of Meade Avenue, from a point approximately 1355 feet South of the centerline of Sahara Avenue to a point approximately 490 feet South of the centerline of Sahara Avenue, from Sahara Avenue to a point approximately 2099 feet North of the centerline of Sahara Avenue, from a point approximately

IV-D-2 6/2/76

701 feet North of the centerline of Mountain View Boulevard to a point approximately 202 feet South of the centerline of Charleston Boulevard; along the West side of Valley View Boulevard from the extension of the centerline of Sirius Avenue to Pennwood Avenue, from Tara Avenue to a point approximately 133 feet South of the centerline of San Joaquin Avenue, and from Oakley Boulevard to a point approximately 202 feet South of the centerline of Charleston Boulevard, 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 each assessment unit of said District; and

WHEREAS, by Ordinance No. 1699 duly passed, adopted and approved on the 17th day of April, 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 3rd day of July, 1974, received bids for the doing of the work therefor, and formally entered into the following contracts, to-wit:

Wells Cargo, Inc., for the improvements to be installed in Assessment Unit No. I

Bondberg - Whitney, Inc. and Wells Cargo, Inc., for the improvements to be installed in Assessment Unit No. II

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 each unit of said Improvement District, to-wit:

Assessment Unit No. I	\$37,630.48
Assessment Unit No. II	\$83,642.29

and

WHEREAS, the City Engineer, pursuant to directions contained in the resolution of said Board of Commissioners, duly passed, adopted and approved on the 2nd

day of June, 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. 1699; 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 each unit of 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 2nd day of June, 1976, as follows:

SECTION 1. That the assessment roll on Las Vegas, Nevada, Special Improvement District No. 414 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 3-1976

SECTION 2. That Wednesday, the 7th day of July, 1976, at 10:00 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 each assessment unit in "Las Vegas, Nevada, Special Improvement District No. 414" 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 each assessment unit of 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 benefited by the improvements in each assessment unit of "Las Vegas, Nevada, Special Improvement District No. 414," 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. 414, OF THE
OPPORTUNITY TO FILE WRITTEN OBJECTIONS TO THE ASSESS-
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. 414 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 June 2, 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:

ASSESSMENT UNIT NO. I

The improvements shall include the installation of street paving approxi-
mately 8 feet wide along the East side of Valley View Boulevard from a point approxi-
mately 230 feet North of the centerline of Sirius Avenue to a point approximately 330
feet North of the centerline of Meade Avenue, from a point approximately 1355 feet South
of the centerline of Sahara Avenue to a point approximately 490 feet South of the center-
line of Sahara Avenue, from Sahara Avenue to a point approximately 2099 feet North of
the centerline of Sahara Avenue, from a point approximately 701 feet North of the center-
line of Mountain View Boulevard to a point approximately 202 feet South of the centerline
of Charleston Boulevard; along the West side of Valley View Boulevard from the exten-
sion of the centerline of Sirius Avenue to Pennwood Avenue, from Tara Avenue to a point
approximately 133 feet South of the centerline of San Joaquin Avenue, and from Oakey
Boulevard to a point approximately 202 feet South of the Centerline of Charleston Boule-
vard, to include the necessary installation, removal and relocation of any and all util-
ities and appurtenances that are deemed necessary to complete same, as more particularly
shown on the plats, diagrams, and plan of the work and the locality to be improved now
on file in the Office of the City Clerk.

ASSESSMENT UNIT NO. II

The improvements shall include the installation of concrete curbs and gut-
ters, with commercial driveway openings, and street lighting, consisting of mercury
vapor luminaires and steel lighting standards, with concrete bases and underground
wiring along the East side of Valley View Boulevard from Desert Inn Road to a point
approximately 330 feet North of the centerline of Meade Avenue, from a point approxi-
mately 1355 feet South of the centerline of Sahara Avenue to a point approximately 490

feet South of the centerline of Sahara Avenue, from Sahara Avenue to a point approximately 2099 feet North of the centerline of Sahara Avenue, from a point approximately 701 feet North of the centerline of Mountain View Boulevard to a point approximately 202 feet South of the centerline of Charleston Boulevard; along the West side of Valley View Boulevard from the extension of the centerline of Sirius Avenue to Pennwood Avenue, from Tara Avenue to a point approximately 133 feet South of the centerline of San Joaquin Avenue, and from Oakey Boulevard to a point approximately 202 feet South of the centerline of Charleston Boulevard, 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.

Such areas include all property abutting said improvements in each assessment unit and situate within those boundaries designated in Section 3 of Ordinance No. 1699 for the respective assessment units.

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 each assessment unit of 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, July 7, 1976, at at 10:00 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 pre-paid.

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 2nd day of June, 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 2nd day of June, 1976.

WILLIAM H. BRIARE, MAYOR

ATTEST:

Edwina M. Cole, City Clerk

ITEM	Commission Action	Department Action
IV CITY ATTORNEY		
A. COOPERATIVE AGREEMENT NO. 11b- for Approval - (Decatur Project)	Approved W - unanimous	Mayor & Clerk to sign
B. AGREEMENT TO EXCHANGE EASEMENTS BETWEEN CITY OF LAS VEGAS AND T. P. & K	Abeyance (to ascertain individuals designated as "T.P.&K.)	C/A to proceed 6/16/76 Agenda
C. RESOLUTION PROVIDING FOR ADDITIONS AND CORRECTIONS OF SCHEDULES PER- TAINING TO TITLE X.	Adopted Resolution Lurie - unanimous	Staff to proceed
D. RESOLUTION DIRECTING ENGINEER TO PREPARE AND FILE SPECIAL IMPROVEMENT DISTRICT NO. 414 (Valley View) 1. RESOLUTION AUTHORIZING PUBLIC HEARING ON ROLL, (SID 414), and 2. NOTICE OF PUBLIC HEARING ON ROLL, (SID 414)	Adopted Resolutions (2) Lurie - unanimous	Staff to proceed
E. PROPOSED SETTLEMENT IN THE CONDEMNATION CASE OF CITY v. BARSKY, STARKER Case No. A127060 for \$30,000	Approved as recommended (RSHC Funds) Lurie - unanimous	C/A to proceed
F. PROPOSED SETTLEMENT IN THE CONDEMNATION CASE OF CITY v. SCHWARTZ, Case No. A128244	Approved as recommended (RSHC Funds) Woofter - unanimous	C/A to proceed
G. RESOLUTION AUTHORIZING ISSUANCE OF INTERIM WARRANTS (SPECIAL IMPROVE- MENT DISTRICT NO. 417 - Vegas Heights)	Approved Woofter - unanimous	C/A and Dir. of Finance authorized to proceed
H. SHOW CAUSE HEARINGS REQUESTED FOR THE FOLLOWING: A. PLEASURE SEEKERS (Anthony L. Washington dba Pleasure Seekers) B. SUZY WONG (Betty Jane Langa dba SUZY WONG'S ESCORT SERVICE C. SWINGING ESCORTS (Doubles Ltd. Bonnie Sue Washington, Pres. - dba Swinging Escorts	Items A thru E set for Public Hearing June 21, 1976 2:00 P.M.	C/A to proceed

ITEM

Commission Action

Department Action

IV CITY ATTORNEY (continued)

D. VELVET TOUCH (Howard Senor
dba Velvet Touch

See Page 25

See Page 25

E. SULTAN'S PALACE MASSAGE (Baxter
J. Boulet dba Sultan's
Palace)

ADDITIONAL ITEMS

1. RESOLUTION OF COMMENDATION
MORGAN J. SWEENEY

Adopted
Resolution
Leavitt - unanimous

Clerk to transmit
Resolution to
Mr. Sweeney

2. JOINT AGREEMENT - CITY OF LAS VEGAS,
COUNTY OF CLARK, CETA
(Combines Titles I, II, III and VI)

Approved
Lurie - unanimous

Staff to proceed

SPECIAL
IMPROVEMENT
DISTRICT
No. 417 -
VEGAS HEIGHTS
Resolution
Adopted

RESOLUTION AUTHORIZING ISSUANCE OF INTERIM WARRANTS -
SPECIAL IMPROVEMENT DISTRICT, No. 417 - VEGAS HEIGHTS
PROJECT

M o t i o n

Mr. Stewart: The Resolution before you provides for the issuance of Warrant No. 1 in the amount of \$400,000.00.

Commissioner Woofter: I move for approval.

66-a
See Page of these Minutes (Resolution)

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

SHOW CAUSE
HEARINGS

REQUESTED FOR THE FOLLOWING:

- A. PLEASURE SEEKERS - Anthony L. Washington d/b/a/
Pleasure Seekers
- B. SUZY WONG - Betty Jane Langa d/b/a/ Suzy Wong's
Escort Service
- C. SWINGING ESCORTS - Doubles Ltd., Bonnie Sue
Washington, Pres. d/b/a/ Swinging Escorts
- D. VELVET TOUCH - Howard Senior d/b/a/ Velvet Touch
- E. SULTAN'S PALACE MASSAGE - Baxter J. Boulet d/b/a/

Mr. Stewart: The next items are the Show Cause Hearings. Prior to taking up that item I would request that action be taken on Bill No. 76-20 which deals with Administrative Procedures. The reason I am asking for action on the Bill first is because it involves the Administrative Procedures we would be proceeding under for these Show Cause Hearings.

Mayor Briare: If there are no objections, we will then proceed with the remaining items on our agenda.

BILL No. 76-20
Adopted
Ordinance
No. 1822

BILL No. 76-20 - AMENDING TITLE V, CHAPTER 27, re
ADMINISTRATIVE PROCEDURES IN DISCIPLINARY HEARINGS
BEFORE THE BOARD OF COMMISSIONERS
Committee: Commissioners Woofter and Lurie

Bill No. 76-20 moved out of Committee favorably

Published by Title 5/22/76 in L.V. REVIEW-JOURNAL

A Bill entitled: "Bill No. 76-20 - ORDINANCE No. 1822 - AN ORDINANCE TO AMEND TITLE V, CHAPTER 27 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, 1960 EDITION, BY REPEALING SECTIONS 1, 2 AND 3 AND ADDING THERETO NEW SECTIONS 1 THROUGH 4 PROVIDING FOR ADMINISTRATIVE PROCEEDURES IN DISCIPLINARY HEARINGS BEFORE THE BOARD OF COMMISSIONERS AND PROVIDING OTHER MATTERS PERTAINING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH" was read by Title by the City Attorney. (2nd Reading)

Commissioner Woofter moved that Bill No. 76.20 - Ordinance No. 1822, be ADOPTED, and the Clerk authorized to proceed with the 2nd publication, by Title, of said Bill No. 76.20 - Ordinance No. 1822.

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

Commissioner Leavitt temporarily absent.

A RESOLUTION AUTHORIZING ISSUANCE OF INTERIM WARRANT
NO. 1 FOR LAS VEGAS SPECIAL ASSESSMENT DISTRICT NO. 417

WHEREAS, the City Engineer of the City of Las Vegas, Clark County, Nevada, has certified that he estimates that the various contractors installing the improvements in connection with Las Vegas, Nevada, Special Assessment District No. 417, to-wit:

Unit I:

Bongberg & Whitney, Inc.	\$138,488.10
Frehner Construction Co.	\$265,231.37

have completed work and furnished material to date in connection with said District, pursuant to the contracts by the said City and said contractors, of the value of \$403,719.47.

WHEREAS, said City Engineer has further certified that he estimates that the administrative costs allocable to said work heretofore completed in connection with said Special Assessment District are in the sum of \$95,186.69; and

WHEREAS, the Board of Commissioners of said City, pursuant to Ordinance No. _____ passed, adopted and approved on the 2nd day of June, 1976, authorized the issuance of an interim warrant or warrants to the Bank of Nevada in an aggregate principal amount not exceeding the value of the work already completed for said Special Assessment District on the date of issuance of said warrant or warrants, together with administrative costs in respect thereof, in accordance with the terms and conditions set forth in said Ordinance.

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 2nd day of June, 1976, that interim warrant no. 1 for Las Vegas, Nevada, Special Assessment District No. 417 in the amount of \$400,000.00 be duly executed and issued to the Bank of Nevada in accordance with the terms and conditions specified in Ordinance No.

PASSED, ADOPTED AND APPROVED this 2nd day of June, 1976.

WILLIAM H. BRIARE, MAYOR

ATTEST:

Edwina M. Cole, City Clerk

RECEIVED
MAY 27 4 23 PM '76
CITY CLERK

BILL
No. 76-42
Adopted
Ordinance
No. 1819

Mayor Briare: If the Board has no objection we will proceed to consider Bill No. 76-42, which Mr. Chisolm is here for?

BILL No. 76-42 - ANNEXATION ORDINANCE - ANNEXATION A-1-76
Committee: Commissioners Lurie and Christensen

Bill No. 76-42 moved out of Committee favorably

Published by Title 5/22/76 in L.V. REVIEW-JOURNAL

Commissioner Lurie: I have one question on the Ordinance: Section 3 of the Ordinance states that the City of Las Vegas will provide police protection, fire protection, street maintenance, Street sweeping and street lighting maintenance in the territory proposed to be annexed on the effective date of such annexation . . .

What I would like is an opinion from the City Attorney on how the City can specify in this Annexation Ordinance that it will provide police protection when we don't have the jurisdiction where the Police Department is to go. We have no representation on the Police Commission.

Mr. Stewart: We provide the police protection by our contribution to Metro -

Commissioner Lurie: Until we can get representation back on that Police Commission we should amend this so that we are not obligated to provide that police protection, because we really can't provide it.

Mr. Stewart: I understand what you are saying, but in order to annex property, we have to provide it. For instance - it is true that we do not directly provide it - we provide it indirectly through the Metropolitan Police Department.

Commissioner Christensen: Didn't the Legislature indicate that the Police Services in this County are not Municipal any more - that they are now County? So that's a municipal service we can no longer provide.

What would be our posture if somebody sued the City for failure to provide Police Service? Would we then be forced to go out and hire another segment of the Police to police that particular area?

Commissioner Lurie: That's my question, Commissioner Christensen - we can be forced into providing that protection. We're already paying 50-1/2% and we can't provide it, and by adopting this Ordinance we are saying that we will provide it. I would hate to hold these people up, but . . .

Commissioner Christensen: Or can we strike the words "police protection"?

Mr. Stewart: No, I don't think so - we provide the service indirectly. It is a requirement in the Annexation Ordinance - that you have something in reference to that in annexing any territory - indicating that you are going to provide municipal services, and if you don't have that in the Ordinance, you are likely to have a defective Annexation Ordinance. I understand your problem, but we do provide Police Service, indirectly.

Commissioner Lurie: Then it should say "indirectly" in the Ordinance.

Commissioner Christensen: Then let's amend it to read: "Provide Police protection through our contribution to the Metropolitan Police Department" so that we can't be hung out to dry because we don't provide Police services because we don't have a Police Force.

Mr. Stewart: That's alright.

M o t i o n

Commissioner Christensen: I would move for adoption of the Ordinance with that amendment.

A Bill entitled: "BILL No. 76-42 - ANNEXATION ORDINANCE - FIRST AMENDMENT - AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX AND TO MAKE A PART OF SAID CITY, CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES AND REGULATIONS IN FORCE IN SAID CITY; ORDERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO (ANNEXATION A-1-75). was read by Title by the City Attorney. (2nd reading)

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

Commissioner Woofter: This in no way violates S. B. 601?

Mr. Stewart: We do have the approval of the County.

Mr. Saylor: It is completely in accord with annexation procedures either way.

S. B. 601
Discussion

Commissioner Christensen: I have a question: It is a question that has been asked several times and I've really never gotten a super-clear answer - S.B. 601 has been declared unconstitutional, so now is the status of S.B. 601 declared unconstitutional until such time as the Supreme Court would declare it constitutional? Or, is the fact it was declared unconstitutional by District Court meaningless until such time as we hear from the Supreme Court, which could be held meaningless until such time as we hear from the United States Supreme Court?

In other words - is it constitutional, or is it not; legally speaking, today?

Mr. Stewart: The status is that the District Court has ruled that it is unconstitutional and it is, in fact, unconstitutional at this point with a word of caution - that another Body is now looking at it and could give another decision.

Commissioner Christensen: Theoretically if we adopted an ordinance that conflicted with S.B. 601, there could be no conflict of S.B. 601 at this point. If it is declared constitutional a month from now, this act would have been taken while it was unconstitutional which would be legal then, would it now?

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Regular Meeting
City Commission
June 2, 1976

Mr. Stewart: Well, if the Supreme Court rules it to be constitutional and in effect reverse the lower Court - that is a question that maybe I had better do some research on.

Commissioner Christensen: The reason I asked the question is because it could conceivably be that we have to cease all operation until we determine whether this is constitutional or not which we, obviously, cannot do. So we have to operate under some kind of rule in the meantime - which is the Charter in existence before the advent of S.B. 601.

Commissioner Christensen: We have to operate under all the rules of that Charter, rather than just some of them, it would seem to me.

Commissioner Woofter brought up an interesting point because there are some decisions we can't make until we determine whether S.B. 601 is constitutional or not, and yet we have to make decisions based on the fact it is unconstitutional, because that's all we've got.

Mr. Stewart: The Charter remains in effect until January of 1977, even under S.B. 601, so we are still operating under the Charter even if the Supreme Court should rule S.B. 601 to be valid.

Commissioner Christensen: Then we don't have any problem with this annexation -

Mr. Saylor: It is legal, either way.

BILL No. 76-32
Tabled

BILL No. 76-32 - AMENDING TITLE V, CHAPTER 29, SECTION 27 - PROHIBITING MASSAGE BY A PERSON OF THE OPPOSITE SEX

Committee: Commissioners Leavitt and Lurie

Published by Title 5/6/76 L.V. REVIEW-JOURNAL

Mayor Briare: Commissioner Leavitt, do you have anything to report on this?

Commissioner Leavitt: We have to either adopt this today or forget it and it was my understanding that the City Attorney was going to answer the questions that Commissioner Woofter and Commissioner Christensen brought up at the last meeting. I don't know if Mr. Lovell informed you of those or not.

Mr. Stewart: I don't know what those specific questions were and I don't have a written response.

Mayor Briare: Commissioner Leavitt, then do I take it that you have no recommendation on this Bill?

Commissioner Leavitt: No, I don't have a recommendation if we don't have a report from the City Attorney, because there were some very serious questions raised by both Commissioner Woofter and Commissioner Christensen regarding the consequences of adopting this Ordinance. For example: What effect would this Ordinance have - if I recall Commissioner Christensen's question - what effect would this Ordinance have on the nurse who rubs a man down while he is in the hospital? Will it affect them? I don't remember what Commissioner Woofter's questions were, but he is here and he can speak for himself.

Commissioner Woofter: Mr. Lovell wrote down all the questions we posed -

Commissioner Leavitt: There were a number of questions concerning the legality and the enforcing of this Ordinance. As Commissioner Woofter has indicated, we all know why we are considering the Ordinance, but by adopting it are we creating a situation we can't live with -

Commissioner Christensen: Will it do what we want it to do without stepping on a lot of toes we don't want to step on?

Commissioner Lurie: I believe it does do what we want it to do, because nurses and people in hospitals do not fall within the categories for a massage establishment. It specifically says here: "It shall further be unlawful for any masseur or masseuse as defined in Section 1 hereof to massage a person of the opposite sex." It explains what this ordinance is meant to do.

Mayor Briare: Commissioner Lurie, are you filing a contrary report to Commissioner Leavitt's?

Commissioner Leavitt: I made a motion for its passage at the last meeting and then these questions came up. I asked that the matter then be held so the City Attorney could give us some answers to the questions raised by Commissioners Woofter and Christensen. Evidently we don't have that report.

Mayor Briare: The Recommending Committee consists of Commissioner Leavitt and Commissioner Lurie. Does the Committee have any recommendation?

Commissioner Leavitt: We have no recommendation at this time due to the fact that we have not received the answers to the other Commissioners' questions, that were raised at the last meeting. So I guess what we will have to do is let it die at this point and re-establish it later.

Mayor Briare: You are the Chairman of that Committee, Commissioner Leavitt, and apparently your committee member may have a contrary report.

Commissioner Leavitt: I know that I didn't have any question on it. I was ready to vote, but there were some questions raised. I do not have a recommendation at this point. Commissioner Lurie may have.

Commissioner Lurie: My recommendation is that it be read and adopted. If there are any questions carried over from the last meeting, the ordinance can always be amended. I believe the reason this Ordinance should be adopted at this time is obvious, and any questions can be resolved at a later date.

Commissioner Leavitt: The only thing that I would point out to the Commission is this: This is the same ordinance that the District Court has previously ruled unconstitutional. Is that correct, Mr. Stewart?

Mr. Stewart: Yes.

Commissioner Leavitt: And we're doing this with the idea that there have been some recent decisions in Federal Courts, specifically in the State of Pennsylvania, that have indicated that this is a justifiable exercise by the Police power. As a matter of fact, it was my request that the ordinance be drawn up. What we are going to do, of course, is create a Court test of this ordinance - so the questions may be answered in Court rather than here.

Commissioner Lurie: Let's let the City Attorney get it into Court -

Commissioner Woofter: I know Mr. Lovell mentioned that he certainly wanted to do some research on this subject before he would recommend that we take any action on it.

Commissioner Leavitt: Let me ask Mr. Stewart this - maybe it will solve the whole thing: If this is adopted today, we can always amend it later - right?

Mr. Stewart: That's correct.

Commissioner Leavitt: Then we're not going to lose anything by passing it today - the expense of advertising it so far - we can always amend it at a later date.

Commissioner Lurie: I move that Bill No. 76-32 be adopted.

A Bill entitled: BILL No. 76-32 - ORDINANCE No. _____
AN ORDINANCE TO AMEND TITLE V, CHAPTER 29, SECTION 27 OF
THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, ENTITLED
'UNLAWFUL ACTIVITIES' BY ADDING THERETO A NEW SUB-
PARAGRAPH PROHIBITING MASSAGE BY PERSONS OF THE OPPOSITE
SEX; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO
AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN
CONFLICT THEREWITH" was read by Title by the Deputy City
Attorney. (2nd reading)

Mayor Briare: There is a question on the motion to adopt
the Ordinance. Mr. Stewart, do you have any legal advice
to give this Board in view of the comments that were just
made?

Mr. Stewart: I am curious as to all the questions - I am
not aware of the nature of the questions that were asked
at the last meeting. I do feel that I should apologize
to the Board for not having the answers for you. I really
would like to have the opportunity to answer those questions
prior to the adoption of the Ordinance. It is an ordinance
we know is going to Court. There are some Courts that have
upheld this kind of a provision and other have knocked
it down.

Mayor Briare: I am vitally concerned. I've called the
Board's attention to the fact that each of us have been
sued, individually as well as collectively, from time to
time for taking actions based on the opinion of the suing
attorney suggest that we might be acting in manners other
than those perfectly proper. Certain matters have been
brought to my attention by members of this Board which, in
order to avoid trouble down the road, I have to do one of
two things. I have to either vote in opposition to this
motion, which hurts me in conscience to do, because of
the intent, but in view of the legal problems that are
pointed out, I would have to do that unless I would have a
motion to refer this matter to the City Attorney for
further consideration.

Commissioner Leavitt: I think if that happened, it will
kill it. According to the way I figure it, action has to
be taken before June 5th.

Commissioner Christensen: You could do exactly that by
defeating it because then it would automatically be
returned - referred back to the City Attorney. Of course,
I have to echo the Mayor's feelings because this is the
problem I have with this ordinance: I am sued individually
and I have to sign disclaimers now every time a suit is
filed against the City. I have to sign the disclaimer that
the City Attorney's office sends down, disclaiming any
responsibility, unless I am willing to let him represent me
in any manner he sees fit and have almost no input in the
way my defense is arranged. I just think that when the
City Attorney is going to give us further information - and
we don't have that further information - there is no way in
the world I can act on this ordinance.

Mayor Briare: I indicated two ways that I would have to
go, either against it because of the circumstances we
have discussed, or that I would vote in favor of a
motion to hold it, if anybody wants to make that motion.

Commissioner Christensen: You can't hold it. It has to be
acted upon by the 5th of this month, or it dies automa-
tically. So, if you do nothing, it dies; if you vote
it down, it dies and if you hold it, it dies, unless you
want to hold a special meeting before the 5th.

Mayor Briare: Does anyone have a motion to make other than
the one before us. We have a motion to adopt.

Commissioner Leavitt: Mr. Mayor, I would at this time

BILL No. 76-32
(continued)

M o t i o n

make a motion that this Ordinance be held for further study by the City Attorney. I believe my motion will take precedence over the motion previously made.

Mayor Briare: That is correct - you are laying it on the table. Are there any comments on Commissioner Leavitt's motion to hold?

(No response)

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

Mayor Briare: The motion is approved. The matter will be held for the City Attorney.

BILL No. 76-13
Abeyance

BILL No. 76-13 - PROVIDING FOR IMMOBILIZATION OF VEHICLES ON CITY-OWNED AND CITY-LEASED PARKING LOTS
Committee: Commissioners Lurie and Woofter

Published by Title 5/22/76 L. V. REVIEW-JOURNAL

Mayor Briare: Do you have a recommendation, Commissioner Lurie?

Commissioner Lurie: Move it out of Committee.

A Bill entitled: "BILL No. 76-13 - ORDINANCE No. _____ - AN ORDINANCE TO AMEND TITLE X, CHAPTER 17, SECTION 33, SUBSECTION (C) OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY PROVIDING FOR IMMOBILIZATION OF VEHICLES ON CITY-OWNED OR CITY-LEASED PARKING LOTS; 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)

Mayor Briare: This is only after notice has been given? It requires a Notice. In other words, if a person on purpose or inadvertantly parked in a City parking lot, they don't immediately become imobilized.

Commissioner Lurie: Not without the proper Notice. I move for the adoption of Bill No. 76-13.

M o t i o n

Mr. Stewart: I don't have the provisions of that ordinance. I know the previous Immobilization Ordinance requires Notice, and I assume that the notice would still be required. I don't have that new Ordinance in front of me.

Mayor Briare: I would certainly hate to see a person park in a City parking lot, for one reason or another - for the first time, be ticketed and then come back and find his car imobile. Action is not required until June 21st. Commissioner Lurie, would you be agreeable to considering this on the 16th of June at our next regular meeting?

Commissioner Leavitt: Are there any other parking lots we are talking about, other than the one across the street?

Commissioner Christensen: Yes, in the basement of this City Hall.

Commissioner Lurie: Since we seem to have some questions on this ordinance, I withdraw my motion.

M o t i o n
Withdrawn
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Minutes

Regular Meeting - City Commission - June 2, 1976

Mayor Briare: Bill No. 76-13 will be brought up again at our meeting of June 16th.

BILL No. 76-23
Adopted
Ordinance
No. 1820

BILL No. 76-23 - re MASSAGE PARLORS - PROVIDING FOR THE PAYMENT OF LICENSE AND PERMIT FEES

Committee: Mayor Briare and Commissioner Leavitt.

Mayor Briare: The Committee consisting of Mayor Briare and Commissioner Leavitt would like to have this Ordinance read.

A Bill entitled: "BILL No. 76-23 - ORDINANCE No. 1820 - THIRD AMENDMENT - AN ORDINANCE TO AMEND TITLE V, CHAPTER 29 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, RELATING TO MASSAGE ESTABLISHMENTS, BY AMENDING SECTION 12 THEREOF, TO PROVIDE THE PAYMENT OF LICENSE AND PERMIT FEES; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH" was read by Title by the Deputy City Attorney (2nd reading)

M o t i o n

Commissioner Leavitt: I move for adoption of Bill No. 76-23.

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

BILL No. 76-33
Adopted
Ordinance
No. 1821

BILL No. 76-33 - re ESCORT BUREAUS, ESCORTS AND RUNNERS - PROVIDING FOR THE PAYMENT OF LICENSE AND PERMIT FEES

Committee: Mayor Briare and Commissioner Leavitt

Published by Title 5/29/76 L. V. REVIEW-JOURNAL

Bill No. 76-33 moved out of Committee favorably

A Bill entitled" BILL No. 76-33 - ORDINANCE No. 1821 - AN ORDINANCE TO AMEND TITLE V, CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, RELATING TO ESCORT BUREAUS, ESCORTS AND ESCORT BUREAU RUNNERS, BY AMENDING SECTION 8 THEREOF TO PROVIDE FOR THE FEE REQUIRED TO BE PAID FOR INVESTIGATION; BY AMENDING SECTION 12 THEREOF TO PROVIDE FOR THE PAYMENT OF LICENSE AND PERMIT FEES AND BY AMENDING SECTION 21 THEREOF TO PROVIDE FOR LICENSE FEES FOR ADDITIONAL BRANCHES OR LOCATIONS; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH" was read by Title by the Deputy City Attorney. (2nd reading)

Commissioner Leavitt: I move for adoption of Bill No. 76-33.

Commissioner Lurie: I have a question: On Page 2, Item B, where it says: "APPLICATION FOR LICENSE: . . . (b) Escort Bureaus: All applications for an Escort Bureau License shall (8) Payment of an investigation fee in the sum of \$250.00" - and you are lowering it to \$175.00 when everything else has been raised. Why is that lower? Is that a typographical error?

Mr. Stewart: I think that is a typographical error -

Commissioner Lurie: It should read \$250.00 then - we originally had it at \$50.00 and then we rased the fee \$175.00?

Mr. Stewart: That is correct.

Mayor Briare: The original fee of \$50.00 didn't anywhere near cover the actual cost - now it is uniform with others. Are there any other comments?

(No response)

BILL No. 76-33
(continued)

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

BILL No. 76-41
Adopted
Ordinance
No. 1823

BILL No. 76-41 - TO ALLOW THE PROJECTION OF A FIREPLACE
OR CHIMNEY INTO THE REQUIRED SETBACK FOR YARD AREAS
Committee: Commissioners Woofter and Leavitt.

Published by Title 5/22/76 L.V. REVIEW-JOURNAL

Bill No. 76-41 moved out of Committee favorably

A Bill entitled" BILL No. 76-41 - ORDINANCE No. 1823 -
AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, SECTION 6 (D)
OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA,
1960 EDITION, BY ADDING THERETO A NEW SUBSECTION 6 TO
ALLOW THE PROJECTION OF A FIREPLACE OR CHIMNEY INTO THE
REQUIRED SETBACK FOR YARD AREA; PROVIDING OTHER MATTERS
PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES
AND PARTS OF ORDINANCES IN CONFLICT THEREWITH" was read
by Title by the Deputy City Attorney. (2nd reading)

Commissioner Woofter: I move for adoption of Bill No.
76-41.

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

BILL No. 76-43
Adopted as
Amended
Ordinance
No. 1824

BILL No. 76-43 - AMENDING TITLE X, CHAPTER 30 ENTITLED
"TRAFFIC CONTROL" AND ADOPTING BY REFERENCE THE "NEVADA
TRAFFIC CONTROL MANUAL, 1976 EDITION"
Committee: Commissioner Christensen and Mayor Briare

Commissioner Christensen: We have to have an amendment
to that -

Mayor Briare: Is it your recommendation that it be
adopted as amended?

Mr. Hampton: Gentlemen, the amendment would be essentially
to make it a condition to approval of the Manual that
copies that are passed out by the City, a sheet be
placed in the back of the Manual stating that:

Maintenance activities in arterial streets
within the City of Las Vegas shall be planned
and scheduled to minimize interference with
traffic.

Except for emergency situations, no maintenance
work shall encroach into a moving lane of traffic
between the hours of 7:00 A.M. to 9:00 A.M. and
from 3:00 P.M. to 6:00 P.M.

The arterial streets so designated are depicted
on the map shown below.

See Page 75 of these Minutes (Memo and Map)

This is the same map that has been in effect since 1972.

Mayor Briare: Are there any comments by the Commission?

(No response)

Mayor Briare: It is your recommendation, Commissioner
Christensen, is to adopt this ordinance?

Commissioner Christensen: Yes. I will move for the
adoption of Bill No. 76-43, with the amendment.

A Bill entitled: "BILL No. 76-43 - ORDINANCE 1824 -
FIRST AMENDMENT - AN ORDINANCE TO AMEND TITLE X, CHAPTER

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M o t i o n

CITY OF LAS VEGAS

Date

6/1/76

INTER-OFFICE MEMORANDUM

TO: MAYOR BRIARE
COMMISSIONER CHRISTENSEN

FROM:
DIRECTOR OF PUBLIC SERVICES

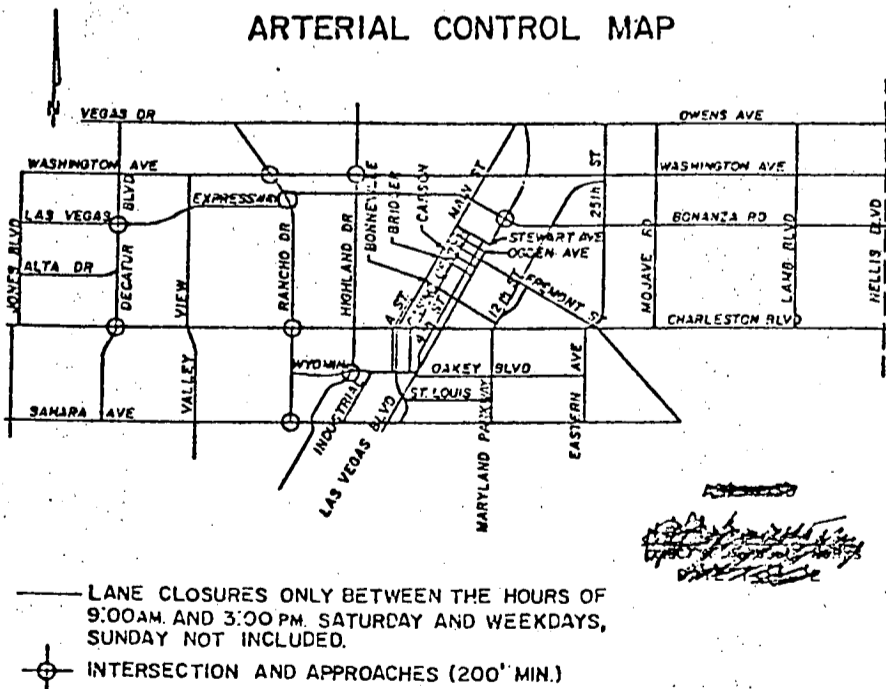
SUBJECT:
ADDITIONS TO BILL #76-43 (Adoption of Nevada
Traffic Control Manual)

COPIES TO:
City Manager
City Attorney

In our discussions with the Nevada Highway Department we have been unable to convince the highway staff to include exceptions to the maintenance work on arterial streets within the City of Las Vegas. This does not pose a major problem however and can be accomplished by adopting the manual with the condition that an amendment be placed in the manual which states:

Maintenance activities in arterial streets within the City of Las Vegas shall be planned and scheduled to minimize interference with traffic. Except for emergency situations no maintenance work shall encroach into a moving lane of traffic between the hours of 7:00 AM to 9:00 AM and from 3:00 PM to 6:00 PM. The arterial streets so designated are depicted on the map shown below.

ARTERIAL CONTROL MAP



LAURENCE HAMPTON, P. E.

IH/jf

CL 1

BILL No. 76-43
(continued)

30 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY DELETING THEREFROM ANY AND ALL REFERENCE PERTAINING TO THE TRAFFIC BARRICADING AND CONTROL DEVICES MANUAL, CITY OF LAS VEGAS, NEVADA, PUBLIC WORKS DEPARTMENT, 1972, AND ADOPTING BY REFERENCE THE NEVADA TRAFFIC CONTROL MANUAL, 1976 EDITION, AND AMENDING SECTION 2 OF CHAPTER 30 OF TITLE X, ENTITLED 'COPIES FURNISHED' BY DELETING THEREFROM ANY CHARGE FOR A COPY OF THE NEVADA TRAFFIC CONTROL MANUAL; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION THEREOF AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH" was read by Title by the Deputy City Attorney. (2nd reading)

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

BILL No. 76-44
Adopted
Ordinance
No. 1825

BILL No. 76-44 - ORDINANCE AUTHORIZING THE ISSUANCE OF INTERIM WARRANTS FOR LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT No. 417

Committee: Commissioners Woofter and Christensen

Mayor Briare: Commissioner Woofter, do you have a recommendation on this Ordinance?

Commissioner Woofter: I haven't had a chance to talk with Commissioner Christensen on it.

Commissioner Christensen: This is a procedural Ordinance. We have to adopt it to make the issuance of the Warrant legal.

Mayor Briare: The Committee would then recommend it?

Commissioner Woofter: Yes - we will move it out favorably.

Published by Title 5/22/76 L.V. REVIEW-JOURNAL

A Bill entitled: "BILL No. 76-44 - First Amendment - ORDINANCE No. 1825 - AN ORDINANCE AUTHORIZING THE ISSUANCE OF INTERIM WARRANTS FOR LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT No. 417, PRESCRIBING THE FORM OF SAID WARRANTS; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL THEREOF AND INTEREST THEREON AND PRESCRIBING DETAILS IN CONNECTION THEREWITH" was read by Title by the Deputy City Attorney. (2nd reading)

M o t i o n

Commissioner Woofter: I would move for the adoption of Bill No. 76-44.

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

Mayor Briare: The remainder of the business this morning will consist of reports from the Study Committees and then back to the Show Cause Hearings request and then to Citizen Participation. Under reports from Study Committees, I would like have referred to a Recommending Committee an Ordinance which Mayor Pro Tem Lurie referred to Mayor Briare and himself relating to the elimination of the requirement for Subcontractors in the City of Las Vegas to post Bond. The Study Committee would like to report it out at this time:

BILL No. 76-36
Referred

BILL No. 76-36 - DELETING THE REQUIREMENT FOR BUILDING CONTRACTORS AND SUBCONTRACTORS TO POST A "LICENSE BOND" WITH THE CITY OF LAS VEGAS

Committee: Mayor Briare and Commissioner Lurie

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A Bill entitled: BILL No. 76-36 - ORDINANCE No. _____ - AN ORDINANCE TO AMEND TITLE V, CHAPTER 1, SECTION 10 (C) 14, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, RELATING TO LICENSE FEES, BY DELETING THE REQUIREMENT FOR BUILDING CONTRACTORS AND SUB-CONTRACTORS TO POST A 'LICENSE BOND' WITH THE CITY OF LAS VEGAS; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH" was read by Title by the Deputy 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. 76-36.

Mayor Briare appointed Mayor Briare and Commissioner Lurie as the Committee for Recommendation on Bill No. 76-36.

Mayor Briare: I did have one other matter that I wanted to include in the items that remain on our agenda, and that is the Joint Exercise of Powers Agreement. Would you like to bring that up at this time, Commissioner Lurie?

Commissioner Lurie: You should have all received a copy of this Joint Exercise of Powers Agreement between the County, the City and CETA.

At this time I would request that the Board approve this Agreement. What it does - it brings Titles I, II, III and VI under the CETA Program, and I would move for approval.

M o t i o n

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

Mayor Briare: The next item for consideration by this Board are the Show Cause Hearings proposed on:

- A. PLEASURE SEEKERS - Anthony L. Washington d/b/a/ Pleasure Seekers
- B. SUZY WONG - Betty Jane Langa d/b/a/ Suzy Wong's Escort Service
- C. SWINGING ESCORTS - Doubles Ltd., Bonnie Sue Washington, Pres., d/b/a/ Swinging Escorts
- D. VELVET TOUCH - Howard Senor d/b/a/ Velvet Touch
- E. SULTAN'S PALACE MASSAGE - Baxter J. Boulet d/b/a/ Sultan's Palace

Mayor Briare: Mr. Stewart, do you have any further comments on that particular item?

Mr. Steart: Only that it is our request that the Show Cause be set for the 21st day of June at ten o'clock A.M. and that our office be instructed to give Notice of the Show Cause Hearing relative to these particular businesses.

Mayor Briare: The date seems to be agreeable, but the hour is not. Would 2:00 P.M. be more in keeping with the desire of the Commission?

Commissioner Leavitt: Would June 16th be an acceptable date?

Mr. Stewart: We have to give a 10-day Notice, but one of the reasons they choose June 21st is because of the expert

SHOW CAUSE
HEARINGS
(continued)

witnesses and I understand this is the one day they could all come.

Mayor Briare: Would two o'clock be acceptable? Make it 2:00 P.M. on June 21st. Do you need a motion on this?

Mr. Stewart: Yes. We need a motion authorizing the City Attorney to proceed with the Show Cause in accordance with the information you have, and changing the time to 2:00 P.M. on June 21, 1976.

M o t i o n

Commissioner Lurie: I would move for the approval of the City Attorney's recommendation.

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

BILL No. 86-46
1st Reading
and Referred

BILL No. 76-46 - Ordinance No. _____ - EMPLOYEE COMPENSATION
ORDINANCE

Mr. Stewart: This Employee Compensation Ordinance should be read in today.

A Bill entitled: "BILL No. 76-46 - ORDINANCE No. _____ - AN ORDINANCE TO REPEAL CHAPTER 7 OF TITLE I OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, AND TO PROVIDE A NEW CHAPTER 7 OF SAID TITLE I AND CONTINUE TO BE DESIGNATED AS THE COMPENSATION PLAN OF JUNE 27, 1976; PROVIDING A COMPENSATION PLAN TO GOVERN AND REGULATE THE SALARIES AND REMUNERATION OF EMPLOYEES OF THE CITY OF LAS VEGAS; PROVIDING PENALTIES RELATING HERETO; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH" was read by title by the Deputy 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. 76-46. (1st reading)

Mayor Briare appointed Commissioners Lurie and Christensen as the Committee for Recommendation on Bill No. 76-46.

VACANCIES - BOARDS & COMMISSIONS

DISTRICT
HEALTH DEPT
MERIT
REVIEW
BOARD

DISTRICT HEALTH DEPARTMENT MERIT REVIEW BOARD

Appointment of one (1) member as City's representative to replace R. N. Beatty.

Commissioner Christensen: I would like to recommend the appointment as the City's representative to replace Mr. Beatty on the District Health Department Merit Review Board, the former City Commissioner, Hank Thornley.

Mayor Briare: Are there any further recommendations?

(No response)

Mayor Briare: Hearing none, I will appoint Hank Thornley as the member to replace R. N. Beatty.

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Mayor Briare: Is there anything else to come before the Commission at this time?

Edward Smith: My name is Edward Smith. I am a Vice President of the Southern Leadership Youth Conference under the leadership of the Rev. Dunn. I have a short piece here I would like to read to the City Commission and to the City Manager.

BLACK
COMMUNITY
(continued)

It says: To the City of Las Vegas Commissioners and the Mayor: The Youth Department of the S.C.S.C. under the leadership of the Rev. Albert Dunn - it says - we are tired of the existing conditions of discrimination and exploitation which we live under. As an organization in the community, some majorcerns are economic development, employment, welfare and the safety of all minorities residing in the Las Vegas area.

Recently a new City Manager has been appointed and we note that the previous attitudes still continued. That is to say, an all white power structure still remains. The question is: Will it always be this way?

The Black Community needs and desires full participation in City Government and City Government monies and opportunities. We need economic development, community development and permanent employment with and in the City of Las Vegas.

The Bicentennial of the Nation is next month. We don't need so much a Bicentennial - we need a livelihood. We need to have a viable opportunity to rights, liberty and pursuit of happiness, and it has been denied too long.

If the City is honest with the people and fulfill the needs of the people instilled in this letter, then we will they have served their purpose well. If not, then a Republic is a mockery, or a joke, with lots of little jokers running around signifying and so far such humor is unjust and illegal.

When we say - yes, there is a Black problem in Las Vegas, and the Black problem is 100% detrimental problems to the City, the State, the Nation and the World. We think the City should go before whoever it takes and let the people know that the Rev. Albert Dunn should be treated with the same respect that the Union was, when our Union members out on the Strip - I'm sure we are all familiar with the way they broke all those laws out there and attempted violence, when you are going to persecute a man for doing less than what they done. Let the whole Union walk off free and put a man in jail because he has no funds and no backing.

I would like to request that the City, along with the Mayor and City Commissioners, come together and more or less propose a statement, or something more or less saying that due to the circumstances of the incident that happened on the Vegas Heights Project, that the City would like to see the Rev. Albert Dunn get the same treatment that the Union members got out there on the Strip, and I hope that you take this letter - that I have just read - in consideration. The Youth Department and the whole S.C.S.C. is serious and we would like to meet with the Mayor. We met with the City Manager. We had a meeting and we didn't get what we wanted out of that meeting. I'm not saying we will get what we want out of a meeting with the Mayor, or the City Commissioners, but we do feel that we are being mistreated, we are being discriminated against and we would like someone who is interested as much as we are to take a stand with us.

All this money is flying around and we can't get anything over there. We can't get nothing and I'm sure everyone in here is listening to what I am saying and I know you know it's the truth. That the Black Community over there - the bottom is going out, and we don't have no money whatsoever.

Commissioner Christensen: I would like to respond to a couple of things you have said: Are you aware of the fact that the violence that took place during the strike at the Strip Hotels, took place in the County and not in the City?

BLACK
COMMUNITY
(continued)

Edgar Smith: I am aware of the fact that the same thing that happened out there, if it's in the County or the City, or however, we are all

Commissioner Christensen: You didn't answer my question - are you aware of that fact?

Edgar Smith: I am aware of that fact -

Commissioner Christensen: OK. Now, number two - are you aware of the fact that - and I don't know how many acts of violence took place during the strike - but I know that at least in two instances, the maximum penalty was imposed upon the persons who were arrested, and very quickly convicted of that crime during the strike on the Strip. Were you aware of that?

Edgar Smith: I am not aware of what you just said, but I am aware of the amount of violence that was put on innocent people out there on the Strip -

Commissioner Christensen: Alright - have you bothered to check and find out as the result of that, how many people were arrested and what was the disposition of those cases?

Edgar Smith: Well, the people that I know . . . nothing happened -

Commissioner Christensen: Did you check that out?

Edgar Smith: No, I didn't check -

Commissioner Christensen: Check it out before you accuse us there.

At one time we had an indication - and, Mr. Adams, perhaps you can refresh my memory - of the percentage of funds that have been spent on the West Side in the last few years. I resent very strongly that comment, because we've just got through spending a fortune over there improving the streets and installing street lights -

Edgar Smith: That was twenty years behind time - do you realize that, Sir? The sidewalks - the street lights should have been put in . . .

Commissioner Christensen: That was the only place in the City of Las Vegas where a Special Improvement District was carried on where the home owner didn't have to pay 100% for the improvements. It was the only place in the City of Las Vegas and I fought against it for that reason. I believe in equality. I believe if I have to pay for my sidewalks and streetlights, you have to pay for yours too.

Edgar Smith: I would love to pay for mine - I would love to be able to pay for mine - if you hear what I'm saying. I came down here . . .

Mayor Briare: You came here and have made statements - you refer to yourself as the head of the Recreation Department of the S.C.S.C. . . .

Edgar Smith: I say I'm the head of the Youth Department of the S.C.S.C.

Mayor Briare: Can you give us the names of the people in that Department besides yourself?

Edgar Smith: The names of the people? You would have to get that from . . .

Mayor Briare: You don't know?

BLACK
COMMUNITY
(continued)

Edgar Smith: There is lots of people in the Department.

Mayor Briare: Could you give me five names?

Edgar Smith: I could give you one name - you can get the rest from the secretary.

Mayor Briare: You don't know the others?

Edgar Smith: Yes, I know some, but I don't see the point.

Mayor Briare: You are saying that you are representing a Department, and I want to know how large that Department is - to see if it represents the entire West Side, or whether it represents yourself as an individual. You are making statements and we want you to back those statements up, here and now.

Edgar Smith: I can back up the part where I says that we live in the system under the conditions of discrimination and exploitations of white power structure under attitudes that has been in the past - you know - it's true.

Commissioner Lurie: Do you live in Las Vegas?

Edgar Smith: Yes - I live in North Las Vegas - at this point, people being discriminated against - you can take that and you can tear it apart every way you want, but that still don't take away from the true side of what's happening. I see Commissioner Woofter sitting over there - he came to my house campaigning, and I was there and I talked to him. I talked to him a long time, and I'm coming here now to say my side, and I don't get the same treatment as George Franklin. I'm sure everybody here didn't agree with him, but everybody didn't cover him up like a little old rattlesnake.

I'm saying that you, if you want to hear it or not - that's what I'm saying - you know - I'm getting attacked - my color.

Commissioner Woofter: I think you are taking it the wrong way. You made certain statements which Commissioner Christensen has questioned you about - he wanted to know the basis for certain of your allegations -

Edgar Smith: The members of S.C.S.C. under 26 participate in this Department and I could pop off to you 50 names -

Mayor Briare: Would you give me the names of three under the age of 26 who are members of your Youth Department?

Edgar Smith: And if I give you three, would you . . .

Mayor Briare: You are saying - I'll tell you what, and I'm not saying this on behalf of the City of Las Vegas - I am saying this individually, we have been trying in every way possible to do as much as possible and sometimes, in the opinion of some, it is more than other areas of town are getting - to work and cooperate to make the West Side a better place to live in. And it is because of irresponsible remarks made by yourself, and others, that cause the people of Las Vegas to resent some of the work we are trying to do.

Irresponsible statements made by you, Sir, or by anybody else, before Convention Bureaus, before this Board, before the County Commission, the North Las Vegas City Council, or whoever, are not accepted by people in public office if they are irresponsible.

BLACK
COMMUNITY
(continued)

Your approach makes the efforts that we try to make on a continuing basis - not from time to time - I'm talking about a continuing basis, it makes it pretty discouraging to even want to consider it. And I would suggest to you, Sir, that maybe you had better change your attitude and act like anyone else in this community, instead of trying to demonstrate, or indicate, that you have a great preponderance of members and what you are going to do if you don't get your way.

You have made every possible statement here today and you have made general statements that we cannot address ourselves to.

Edgar Smith: When I say the Black Problem in Las Vegas is detrimental to the City, I didn't say we was going to jump off and come running down here and try to blow you up - anything like that. I mean the crime rate over there in our community is detrimental to you - I'm a citizen of Las Vegas - I live in this area and if I'm having a problem and you are the law of the City, and if something is hurting me, it should be hurting you. So therefore it is detrimental to you also.

As for me being down - ignorant - I can't learn - I mean, most of the people I know over there, we can't just take the people off the West Side and compare them to the people in this room, because we be kidding ourselves. The people over there ain't graduated from High School - they are some - don't get me wrong - but I'm talking about the majority of the people over there. They ain't the same as the people across town due to their circumstances. We are caught up in a trick-bag and like I come up here to look at some jobs. I don't think you can find one person over there in the Black Community that could qualify for them jobs that the City was offering. And I'm not saying it's the City's fault, but I'm saying the City ain't doing nothing to train them people.

Mayor Briare: We have an Equal Opportunity Program in the City which exceeds the standards that have been set. Now, would you want us to do less than exceed the standards that have been set?

Edgar Smith: I'm saying we should do all we can - and standards is something we set, and the more we do, the better - the more the merrier. When I come down here I'm not attacking your character, I'm telling you that we need help and this is my way of saying it -

Commissioner Christensen: But you did originally attack our character in your letters. You had better read your letters. Did you write the letter, or did Rev. Dunn write the letter?

Edgar Smith: No, Rev. Dunn didn't write those letters - I wrote the letters.

Commissioner Christensen: Well, you had better check on your statements because you've made some inflammatory accusations as to the character of the City Commission in this City, and I resent it. I've lived in this City probably one heck of a lot longer than you have for probably a larger percentage of my life than you have. When I first lived here, the West Side community was a very small community. As a matter of fact, I married a girl who was raised on the West Side, before any blacks ever moved in there. That's how long I've been around here. And I know what is going on in our Schools, and I know who has had the opportunity for an education and

I know who have been cheated, and perhaps you people have been cheated, but you haven't been cheated to the amount that you claim. You have represented to us that you represent a group, but you can't tell us who that group is -

Edgar Smith: I told you - I told you -

Commissioner Christensen: Other than yourself -

Edgar Smith: I can give you all the names you want -

Commissioner Christensen: Let's hear them -

Edgar Smith: The names have been in the paper - are you familiar with the demonstrations that we had - the one we had in front of . . .

Commissioner Christensen: I am very familiar with the demonstrations you've had, but I don't know yet who you represent - and you can't tell me.

Edgar Smith: I represent the people in my community who are not out here to represent themselves -

Commissioner Christensen: We are here to represent the people -

Edgar Smith: I'm sure you do represent those people and I am here to represent my people -

Commissioner Christensen: Have you been elected by the people in your community to represent them?

Edgar Smith: I have not been elected and I have not been paid and I have not been doing a whole lot of things - I stands up on myself . . .

Commissioner Christensen: Then you've taken it upon yourself - you were not chosen by the people -

Edgar Smith: I had to be chosen to get this job - I was appointed to this position by the Honorable Reverend, Albert Dunn.

Commissioner Christensen: Who does he represent?

Edgar Smith: He represent S.C.S.C.

Commissioner Christensen: Was he elected?

Edgar Smith: He was appointed by the Rev. Abernathy -

Commissioner Christensen: He doesn't even live here -

Edgar Smith: No, he really doesn't even live here.

Commissioner Christensen: Thank you.

Edgar Smith: Now what . . . it sound like you putting me on the witness stand - trying to put me in . . .

Mayor Briare: Alright, now we are going to draw this to a head. Now that we've got that over with, you come forth with your statements which we find objectionable and we have made statements which I am sure you find objectionable.

Now, let's get down to business: What, specifically, can we do for you? Renovation of a gym floor - renotation of a swimming pool - a Police substation - would any of those things be of interest to you?

Edgar Smith: You mentioned the clean-up campaign - they just don't work - you can come back next year and get

another 400 tons -

Commissioner Christensen: Why? Tell us why. Do I dump it there?

Edgar Smith: I'm not saying you do dump it there - I'm saying the problem is there so we can resolve it, and it takes money to resolve anything.

Commissioner Woofter: Do you realize that every point you have mentioned has been approved by this Commission? Everything you have proposed has already been approved.

Edgar Smith: OK, I am familiar that things are being done for the West Side. Now I want some more things done -

Commissioner Christensen: You mean over and above that which has been done in any other area in the community -

Edgar Smith: To me, Las Vegas is the whole City in business and whatever - the only thing is the crime . . .

Mayor Briare: After this meeting today, and you know the feelings of this Board relative to the Metropolitan Police Department - you were sitting here, Sir, because I saw you sitting here and I'm sure you were listening. We recognize we have a problem along those lines. The only possible way we can address it, we are doing -

Edgar Smith: I say we can defeat the crime by giving the people something to do before the crime occurs -

Commissioner Lurie: Have you gone to the Board of County Commissioners, or the Police Commission, and told them of your problem?

Edgar Smith: People like me being discriminated against - things that has been done by black people in that community has been kind of pushed to the side - so a lot of people over there want to do some things - the Programs over there don't fill the needs -

Mayor Briare: What kind of Programs don't fill the needs?

Edgar Smith: OK - you can go through the CETA Program and you can go to that Economic Opportunity Board, and you can find all kinds of jobs that black people is not qualified . . .

Mayor Briare: Alright, I am asking you if you are attacking and you say you don't attack anything - that you are building up - but your letter doesn't reflect in writing what you are saying verbally -

Edgar Smith: I also have another letter that does -

Commissioner Lurie: You are always talking about crime - you want us to fight crime - and if we put Policemen over there to do a job the first thing we get is . . .

Edgar Smith: The Policemen you put over there, they come over there with those attitudes . . .

Commissioner Lurie: To do a job -

Edgar Smith: They comes over there with the attitude - when people get shot up over there on the street, man - we're not going to canter to that. I know about the Black Policemen on the Force - they don't like to work over there - we put those Policemen on the spot too much -

Commissioner Lurie: How do you think a white section feels when a Black Policeman comes over? Do you think they feel any better?

Edgar Smith: Like you say - the job got to be done. What

I'm saying is we have to put some money in that community -

Mayor Briare: We have to draw this discussion to a close. Would you be satisfied - and I am going to caution you before you answer - would you be satisfied for an exact pro-ration of funds and services on the West Side in proportion to the population on the Las Vegas West Side and the other areas? Would you be satisfied with just a pro-ration?

Edgar Smith: I don't want to answer any question that . . .

Mayor Briare: If you want to be treated equally, you will receive less than you are receiving now. If you want to be treated with some favor, this Board has demonstrated with money, services and good will to the extent that the West Side Las Vegas area receives a greater proportion of services and monies than the other areas, according to population.

So it's about time that perhaps this Commission spoke up to indicate the feelings of the community and how you, in fact, are doing a dis-service, rather than a service.

Edgar Smith: I think we done get some people over there in that community to wake up and realize that we have to do for ourselves, because it is certain that you fellows ain't really going out to do all of these things that you make it sound like you do. I live over there too, and I see them things - I see them things - and I know what's happening over there. I see that big Shopping Center and it looks bad. I see that everything over there look bad. All them businesses look bad . . . you say you are helping the people more in that segment than the other segment and without your help it wouldn't be a thing over there. Is that what you're saying?

Mayor Briare: Let's approach this on a rational basis so that we can proceed. Commissioner Woofter and I are direct representatives of the people who live in West Las Vegas. If you would put down some specific items that you would like to give us, in writing - I don't mean in general, I mean specific - then Commissioner Woofter and I will do the best we can to address ourselves to those specific items and give you some background and data on what has been done in the past year or so, and what we are hopeful of what can be done in the future, and maybe with some indication from us as to what we are trying to do to better that community, you will be satisfied.

Edgar Smith: OK - I have written a long time ago . . .

Mayor Briare: But you've been out on the streets, demonstrating -

Edgar Smith: I haven't been out on the streets demonstrating - I met with Senator Howard Cannon - I put all kind of proposals together within the last year trying to get some things on that community, and when I come to this extreme by doing things - demonstrating - is because every other thing I tried has failed. I have went to the proper people - the Senator - the Congressmen - everybody, but there can't nobody do nothing.

Mayor Briare: You are before a City Commission and we have only certain things we can do - there are certain limitations as to what we can do. Don't ask us to do something that is a Federal Program or don't ask us to do something that the Metro Police will have to take care of. Ask us for things that we have the ability to help you with and if you have any charges to make, other than the ones you have made here which I think we very firmly indicated to you are invalid charges, then address them to us within the confines of what the City of Las Vegas can do because you, personally, are not a citizen of the City of Las Vegas, but for those people that

BLACK
COMMUNITY
(continued)

are, we are deeply concerned that they should be treated, ethnically, the same as anyone else in the community.

Could you do that for us?

Edgar Smith: I can do that -

Commissioner Woofter: I suggested to you, along with several other members of the Black Community, to give me the names of unemployed youth -

Edgar Smith: OK - you wanted a job list - I tried to contact you a couple of times, but you was in Washington -

Commissioner Woofter: Everyone else contacted me - I submitted a list and Mr. Adams advised me there were several Black Youth who had been employed for the summer - everyone is making an attempt -

Commissioner Lurie: Through the CETA Program there from 1200 to 1500 youths that are going to be hired for Summer Programs. Are you saying you are not getting your fair share?

Edgar Smith: I talked to Charles Mussa - he's working with CETA down here in North Las Vegas - I talked to the man and he don't want to cooperate either - not to that extreme. I'm saying that everybody is doing it but nobody want to share it. You don't want to share nothing - these people, I think, can do things for theirself, but it takes a start and I'm sure everyone.

Commissioner Woofter: To bring this to a conclusion - do as the Mayor suggests. Bring us a list of specific items. Like you have admitted, there are certain programs you are unaware of. Bring to us exactly what your concerns are and the Mayor and I will be glad to reply to them, each and every point you bring out. But you have to be specific and as the Mayor has said, don't bring up any points that we don't have any control over.

Edgar Smith: The only thing I wanted to do was - when you go to the City, the City can say - we can't do this - the State can do that. And the State will tell you - we can't do this, the Federal Government can do that - I would like all those people to do it at one turn. It is not so impossible for to have a meeting with the State, the City and the Federal Government - we all is human beings - we can't all sit down in the same room and talk?

Mayor Briare: Do you want to keep on having meetings, or do you want to get something done?

Edgar Smith: I want to get some money - that's what it's all about you must admit - I see that chair - and I say this place look a hell of a lot better than the West Side - and somebody built this. That's the way I look at it - however it came about, it happened.

Mayor Briare: Thank you for coming by. Is there anyone else present who wants to address the Commission?

George Stover: Honorable Mayor and Commissioners, I represent the local NOMA organization. That is the National Ornamental Metals Association. We have a Local Chapter. The membership now has about half of the Ornamental Iron Shops operating in the City and County.

We understand there is going to be legislation regarding window guards. We know there is a need for rules. We would like to offer any time we can to help you formulate your legislation, in that it will benefit both the industry and the public.

PROPOSED
ORDINANCE re
WINDOW BARS

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There is one pressing question. I understand that there has been a 90-day moratorium put on the issuing of Permits. There are some companies in the Ornamental Industry who deal only in window guards. If they can't get Permits they can't install them and these people are really going to be damaged.

Commissioner Leavitt: I'm the Chairman of that Committee and I believe I received a phone call from this gentleman. I haven't been able to return it, along with a lot of other phone calls -

Mr. Stover: I believe Mr. Long, from Bonanza - he is our President - called your office -

Commissioner Leavitt: I've received five or six phone calls on this matter but I haven't been able to return them. Actually, all the Ordinance does - as it is before the Commission at this time - is to require that Ornamental Bars that are put on windows have a device whereby a person from inside the house can push the bar and it will break away. It's just a 2-paragraph ordinance and that's what it requires.

Commissioner Lurie: It also requires a smoke detector -

Commissioner Leavitt: What it says: If there is any ornamental iron work around the windows or doors you have to be able to push it from the inside and it will break away. To keep people out - that's fine, but we don't want anybody to be trapped in a house and burn to death because they can't get out of a barred window. And that's the purpose of the Ordinance.

The Ordinance also requires that there be a smoke detector in a room where the bars are on the windows.

Mr. Stover: Is this Ordinance in existence now?

Commissioner Leavitt: It is in Study Committee, of which I am the Chairman, and Commissioner Lurie is the other member. I intend to ask that it be brought out this morning to go to a Recommending Committee, but it is still in Study Committee.

Mr. Stover: Is there any possibility that this moratorium can be lifted if those requirements are met in the interim?

Commissioner Leavitt: I think if they want to, during the time we are studying it, put break-away devices on the ornamental iron, and install the smoke detectors, that's all the Ordinance would require.

Mr. Hampton: Gentlemen, the moratorium - there was no 90-day period put on the moratorium. This Department was put under my control and I was informed that the installations to date were in violation of the Code, and I have instructed my Building Department people not to issue any Permits until this Ordinance is adopted.

Mr. Stover: OK - it was my understanding that it was a 90-day moratorium, and it is vital to these peoples' livelihood.

Commissioner Leavitt: In order to expedite it, I would at this time request that the Ordinance be sent from the Study Committee to a Recommending Committee, so that it can be presented at the next regular meeting of the City Commission on June 16th. At that time it can be voted on.

Mr. Stover: But what about in the interim? Now, this doesn't affect me, personally, but we do have member businesses that will be affected -

Commissioner Leavitt: I think if within this time we are studying the proposed Ordinance, if they would put break-away devices on the window bars, and smoke detectors - that's all the Ordinance would require.

Mr. Hampton: Gentlemen, there was no ninety (90) days put on the moratorium. This department was put under my control and I was informed that the installations to date were in violation of the Code, and I have instructed my Building Department people not to issue any Permits until this Ordinance is adopted.

Mr. Stover: It was my understanding there was a moratorium and it is vital to these peoples' livelihood.

Commissioner Leavitt: In order to expedite it, at this time I would request that the Ordinance be sent to a Recommending Committee from the Study Committee, so that it can be presented at the next regular meeting of the City Commission when it can come out of the Recommending Committee to be voted on. In other words, we could vote on it at the next meeting.

Mr. Stover: What about in the interim? Now, this doesn't affect me, personally, but we do have member businesses -

Commissioner Woofter: Does there actually have to be a moratorium?

Mr. Hampton: I may have to refer that to the City Attorney - actually, the issuing of a Permit would be in violation of our Code which says - no bars shall be allowed. It is very simple.

Commissioner Leavitt: I would like to have the City Manager furnish you with copies of the Ordinance that is being proposed.

Mr. Hampton: May I suggest in regard to the furnishing of copies of the Ordinances, we have the names of four people here, with their telephone numbers as a result of the last meeting, and I would be more than happy to try to coordinate a meeting with all of these people, and Staff, and go over that Ordinance.

A Bill entitled: "BILL No. 76-45 - ORDINANCE No. _____ - AN ORDINANCE TO AMEND TITLE IV, CHAPTER 5, SECTION 8, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY ADDING THERETO A NEW SUBSECTION (B) ENTITLED, 'WINDOW SECURITY BARS', PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH" was read by Title by the Deputy City Attorney, who recommended that it be referred to a Recommending Committee and the Clerk authorized to proceed with the first publication, by Title, of said Bill No. 76-45. (1st reading)

Mayor Briare appointed Commissioners Leavitt and Lurie as the Committee for Recommendation on Bill No. 76-45.

Commissioner Christensen: Is it in order to make a comment at this time on that Ordinance for the benefit of the Committee?

Mayor Briare: Certainly -

Commissioner Christensen: I was approached on this Ordinance and I have some worries about it that I want you to be sure and consider when it is in Recommending Committee. If you can make a bar on a window so that it opens, by opening out, then it is no more difficult, or less difficult, to open than a window that opens out, especially a thermopane window with double glass. So now you are going to require smoke detectors in a room that has these bars, then shouldn't we

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(continued)

in order to keep everything equal, require smoke detectors in all the rooms that have windows that have to be opened from the inside? Where do you draw the line on guaranteeing people personal safety - forcing people to guarantee their own personal safety? I think you are treading on some dangerous ground there because when you create a monopoly for the smoke detector manufacturer, then I think you are really getting a little far afield.

Commissioner Lurie: We don't need the smoke detector. It was just a safety item that was included. We can leave that off - people who want to place themselves behind those window bars . . .

Commissioner Christensen: I can open the windows in my house very easily and if I had bars on them I could open the bars just as easy as I could the window - the windows are high - they are not going to be easy to get out of. I dare say that unless I pushed two of my children out of those windows, there is no way they could get out those windows and there are a good many houses in town built with those kind of windows. Now, I'm in just as much danger from fire as I would be if I had windows with bars. So, I just have a fight with the smoke detectors. I hate to guarantee a largesse for somebody to provide smoke detectors in the community on the basis of safety, when you haven't proven to me that that segment is any more or less safe than the rest of the community.

Mayor Briare: Is there anyone else in the audience wishing to address the Commission?

(No response)

Mayor Briare: This meeting will be in RECESS, subject to the call of the Mayor. (12:30 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 Commissioners held on the 16th day of June, 1976.