

MINUTES

Las Vegas, Nevada
July 7, 1976

A Regular Meeting of the Board of City Commissioners of the City of Las Vegas, Nevada, held this 7th day of July, 1976, was called to order by His Honor, Mayor William H. Briare, at the house 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

ABSENT (excused)

Commissioner	Ron Lurie
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STAFF
PRESENT

City Manager	William E. Adams
City Attorney	Carl E. Lovell, Jr.
Director, Department of Business Activity	Ila M. Britt
Director, Department of Community Planning & Development	Donald J. Saylor
Director, Department of Cultural Services	Harold Foster
Director, Department of Financial Management	Marvin A. Leavitt
Director, Department of Fire Services	Chief J. D. Miller
Director, Department of Funds Coordination & Projects	Bruce Spaulding
Director, Department of Municipal Services	J. C. Cathcart
Director, Department of Personnel & Employee Relations	J. Robt McPherson
Director, Department of Public Services	Laurence Hampton
City Clerk	Edwina M. Cole

INVOCATION

The Invocation was given by Rev. Joel Rivers, Pastor, Vegas Valley Christian Church:

"May we bow together. Our Heavenly Father, we Thank You for the United States of America and the fact that we have achieved the ripe old age of two hundred years. Father, we know there are many danger signs on the horizon, because sometimes age brings along arthritis. We Pray, Father, that our Country would not develop those creeping ailments. We Pray that You would be with our leaders today as they lead our City, our Nation. We Pray, Our Father, that in all things we might strive to seek the Blessings that only You can give, for it is in Thy Name that we Pray. Amen."

SPECIAL
PRESENTATION

Mayor Briare: Ladies and Gentlemen and Members of the Commission, we are delighted to have the presence of Denise Villandry who is going to make a presentation on PATRIOTISM AND THE AMERICAN FLAG.

PLEDGE OF
ALLEGIANCE

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

SERVICE & MATERIAL
WARRANTS/PAYROLL
WARRANTS
Approved

DEPARTMENT OF FINANCIAL MANAGEMENT
MARVIN A. LEAVITT, DIRECTOR

See Page 3 of these Minutes (Annotated Agenda)

DEPARTMENT OF CULTURAL SERVICES
HAROLD FOSTER, DIRECTOR

SENIOR CITIZENS
GOLF FEES
Resolution
Adopted

Mr. Adams: This Resolution comes to you with a recommendation for approval. It will extend the time during which Senior Citizens may play golf at the existing green fee of \$1.00.

M o t i o n

Commissioner Woofter: I move we accept the recommendation for approval.

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

See Page 4 of these Minutes (Resolution)

WAIVING
GOLF FEES
Approved

PGA JR. LEAGUE TOURNAMENT

Mr. Adams: The Golf Board has recommended that the City Commission waive the green fees for the PGR Jr. League Tournament at the Municipal Golf Course on July 29 and August 3, 1976.

This Tournament will have approximately sixty (60) golfers and it is within the purview of the City Commission to waive these fees, and the City Manager so recommends.

Commissioner Woofter: I move to approve the request.

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

RESOLUTION

WHEREAS, the City of Las Vegas maintains a municipal golf course; and

WHEREAS, there are many persons over the age of 65 years presently residing in the City of Las Vegas; and

WHEREAS, in many instances special privileges are accorded to elderly people; and

WHEREAS, the Las Vegas Golf Association presently allows persons over the age of 65 years to utilize facilities at the Municipal Golf Course for a \$1.00 green fee during several week days for a limited time period.

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 7th day of July, 1976, that the Board hereby approves the recommendation of the Las Vegas Golf Board that the Las Vegas Golf Association allow persons 65 years of age or over the privilege of using the Golf Course all day on Mondays and from 6:00 a.m. to 10:00 a.m. each day on Wednesdays, Thursdays, and Fridays at a cost of \$1.00 for green fees.

PASSED, ADOPTED AND APPROVED this 7th day of July, 1976.

BILL BRIARE
MAYOR

ATTEST:

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Edwinà M. Cole, City clerk

DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS

J. ROBT McPHERSON, DIRECTOR

TEMPORARY
POSITIONS
AND/OR
REPLACEMENTS
Approved

See Page 6 of these Minutes (Annotated Agenda)

DEPARTMENT OF MUNICIPAL SERVICES

J. C. CATHCART, DIRECTOR

PERMISSION
TO ADVERTISE
FOR BIDS;
AWARD OF
CONTRACTS;
PURCHASE
ORDERS AND
CONTRACT
CHANGE ORDER
Approved

See Pages 7, 8 and 9 of these Minutes (Annotated
Agenda)

DEPARTMENT OF FUNDS COORDINATION AND PROJECTS

BRUCE W. SPAULDING, DIRECTOR

BLOCK GRANT
PROGRAM
Resolution
Adopted

RESOLUTION OF THE CITY OF LAS VEGAS, NEVADA, DESIGNATING
A RESPONSIBLE OFFICIAL FOR THE COMMUNITY DEVELOPMENT
BLOCK GRANT ENVIRONMENTAL REVIEW PROCESS

Mr. Spaulding: The first Resolution before you is a Resolution prepared on an annual basis designating the responsible official for environmental review process in connection with the Community Development Block Grant Program.

M o t i o n

Commissioner Christensen: I move for adoption of the Resolution as presented.

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

See Pages 10 and 11 of these Minutes (Resolution)

312 LOAN
PROGRAM FUNDS
Resolution
Adopted

RESOLUTION OF THE CITY OF LAS VEGAS, NEVADA, AUTHORIZING
THE APPLICATION FOR 312 LOAN PROGRAM FUNDS

Mr. Spaulding: This is a Resolution authorizing the submission for the Federal Department of Housing and Urban Development's 312 Loan Program.

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The Community Development Block Grant Program has within it a new previously approved Housing Rehabilitation Loan Program in the amount of \$75,000.00.

ITEM	Commission Action	Department Action						
I-e DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS								
<u>BOB McPHERSON, DIRECTOR</u>								
AUTHORIZATION FOR TEMPORARY POSITIONS AND/OR REPLACEMENTS								
A. Federally funded (No City Cost)	Approved as submitted W - unanimous	Director authorized to proceed						
<table border="0"> <thead> <tr> <th data-bbox="71 612 237 647"><u>Dept/Class</u></th> <th data-bbox="440 580 557 647"><u>Monthly Salary</u></th> <th data-bbox="586 612 797 647"><u>Justification</u></th> </tr> </thead> </table>			<u>Dept/Class</u>	<u>Monthly Salary</u>	<u>Justification</u>			
<u>Dept/Class</u>			<u>Monthly Salary</u>	<u>Justification</u>				
(1) Senior Citizens Senior Citizen's Aide - 2 Title III			470	To assist in the operation of the Senior Citizens' Center.				
(2) Funds Coordination & Projects Senior Planner 701 Funds - Until 6/30/77			1241	To begin implementation of the precise neighborhood planning process.				
(3) Funds Coordination & Projects Planning Analyst 701 Funds - Until 6/30/77			1019	To assist in the above.				
(4) Municipal Court Intermediate Clerk Title VI - (replacement hire) Until 11/15/76	637	To handle overall workload, particularly counter work.						
(5) PS/Animal Shelter Intermediate Clerk Title VI - (replacement hire) Until 11/15/76	637	To handle the workload at counter in order to relieve officers for field duty.						
B. Federally funded (Some City Cost)	Approved as submitted	Same as above						
<table border="0"> <tr> <td data-bbox="71 1768 334 1803">MS/Bldg Services</td> <td data-bbox="440 1768 557 1795">Fed-666</td> <td data-bbox="586 1768 1036 1956" rowspan="2">To meet increased workload within City Hall and outside facilities, such as the Animal Shelter, Senior Citizens' Center and summer recreational sites.</td> </tr> <tr> <td data-bbox="71 1803 334 1838">Custodian</td> <td data-bbox="440 1803 557 1830">City- 20</td> </tr> <tr> <td data-bbox="71 1838 334 1929">Title VI - (replacement hire) Until 11/15/76</td> <td data-bbox="415 1838 557 1865">Total-686</td> <td></td> </tr> </table>			MS/Bldg Services	Fed-666	To meet increased workload within City Hall and outside facilities, such as the Animal Shelter, Senior Citizens' Center and summer recreational sites.	Custodian	City- 20	Title VI - (replacement hire) Until 11/15/76
MS/Bldg Services	Fed-666	To meet increased workload within City Hall and outside facilities, such as the Animal Shelter, Senior Citizens' Center and summer recreational sites.						
Custodian	City- 20							
Title VI - (replacement hire) Until 11/15/76	Total-686							
C. City funded (Replacement Hires)	Approved as submitted	Same as above						
(1) PS/Maintenance Air-Conditioning Mechanic			946	The complex air-conditioning system must be monitored and maintained on a 7-day, 24-hour basis. The cost of this position is less than the overtime currently being paid.				
(2) CS/Recreation Recreation Leader			796	To supervise the Red Rock Community Center year round recreational program.				
(3) Business Activity Parking Enforcement Officer	758	This is a revenue generating position.						

ITEM	COMMISSION ACTION	DEPARTMENT ACTION
<p>I-f. <u>DEPARTMENT OF MUNICIPAL SERVICES</u></p> <p><u>J. C. CATHCART, DIRECTOR</u></p> <p>1. <u>PURCHASING AND CONTRACTS DIVISION</u></p> <p>J. E. Park, Supervisor</p> <p>* <u>CONSENT AGENDA</u></p> <p>All matters listed under Items A, B, and C, are considered to be routine by the City Commission and may be discussed if a Commission member or citizen so requests.</p>		
<p>*A. <u>PERMISSION TO RECEIVE BIDS</u></p> <ol style="list-style-type: none"> 1. Intersection Controlling Equipment for emergency response equipment (Public Works) 2. Signal Controller Replacement - Sahara & Maryland Parkway - STATE OF NEVADA FUNDED (Public Works) 3. Eight (8) Each Double Door Compartments (Scott Air Pak Protection) (Fire Dept.) 4. Office Furniture - New and Replacements Fire Services Division (Fire Dept.) 5. Thirty-Three (33) Each Street Light Standards - Replacement (Public Works) 6. Picnic Tables & Miscellaneous Equipment for I-15 Mini Park (Cultural Services) 7. One (1) Each Passenger Station Wagon (Funds Coordination and Projects) 8. Traffic Signal Installation - Cheyenne & Rancho Road; Commerce & Wyoming Wyoming & Industrial; Fremont & Maryland Parkway; 13th Street & Fremont; 15th Street & Fremont 50% STATE OF NEVADA FUNDED 50% REGIONAL STREETS & HIGHWAYS FUNDED (Public Works) 9. Fire Station #6 Drainage (Public Works) 	<p>Approved Items 1 thru 9 - unanimous</p>	<p>Director authorized to proceed</p>

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

*B. AWARD OF BIDS

1. Bid #76.46 - Annual Tire and Tube Contract, Fiscal Year July 1, 1976, through June 30, 1977 (Automotive Serv.)
2. Bid #76.48 - Annual Type I Asphaltic Concrete Material, Fiscal Year from date of Notice to Proceed, through June 30, 1977. (Public Works)
3. Bid #76.49 - Annual Paper Contract, Fiscal Year, July 1, 1976, through June 30, 1977 (Purchasing & Contracts)
4. Bid #76.56 - Air Conditioning Fire Station #5 (Public Works)
5. Bid #76.64 - Nature Park Irrigation Well Pipe Extension (Public Works)
6. Request for Quotation #184-17 - two (2) Each Pool Tables with Accessory Pack (Senior Citizens Center)
7. Request for Quotation #180-903 - Sprinkler System for Tot Lot - Park Division (Public Works)
8. Request for Quotation #351-4499 - Steam Cleaner, Replacement (Automotive Serv.)

Approved
 Items 1 thru 8
 as recommended
 Leavitt - unanimous

Director
 authorized
 to proceed

*C. PURCHASE ORDER APPROVAL

1. Request purchase order approval to Automatic Signal Division, Torrance California, in the amount of \$2,294.70, for replacement parts for signal control.
2. Request purchase order approval to Robert Widen Company, Prescott, Arizona in the amount of \$1,760.00, for basketball backboards and tennis nets at I-15 courts. (Cultural Services)
3. Request purchase order approval to Indicator Controls Corp., Gardena, California, in the amount of \$3,350.00 for Fifty (50) Each Detectors (Public Works)
4. Request purchase order approval to Computer Hardware, Sacramento, California in the amount of \$10,488, for Additional Disk Drive and Installation (Financial Management)

Approved
 Items 1 thru 4
 as recommended
 C - unanimous

Same as above

ITEM	COMMISSION ACTION	DEPARTMENT ACTION
I-f. <u>DEPARTMENT OF MUNICIPAL SERVICES, CONTD.</u>		
D. <u>CONTRACT CHANGE ORDER</u>		
1. Bid #76.19 - Sewer Diversion - Rancho Drive to Vegas Drive, VIA Washington and Robin (Public Works)	Approved as submitted W - unanimous	Staff to proceed
Recommend approval of Contract Modification No. 1 to Burdick Contractors, Las Vegas, Nevada in the amount of \$584.87. This modification is necessary due to additional works to comply with City of Las Vegas Right of Way Agreement.		

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RESOLUTION OF THE CITY OF LAS VEGAS,
NEVADA, DESIGNATING A RESPONSIBLE
OFFICIAL FOR THE COMMUNITY DEVELOPMENT
BLOCK GRANT ENVIRONMENTAL REVIEW PROCESS

WHEREAS, the City of Las Vegas has entered into a contract with the Department of Housing and Urban Development for the City's second year Block Grant entitlement under Title I of the Housing and Community Development Act of 1974; and

WHEREAS, the City of Las Vegas has consented to assume the status of a responsible Federal official under the National Environmental Policy Act of 1969, insofar as the provisions of such Act apply to the Community Development Block Grant Program; and

WHEREAS, the City of Las Vegas as an applicant for assistance under Title I of the Housing and Community Development Act of 1974 is required to assume the responsibility for carrying out all the provisions of the National Environmental Policy Act relating to particular projects which are included as part of the City's second year Community Development Program; and

WHEREAS, the Department of Housing and Urban Development has approved the practice of designating an official of the City to carry out the responsibilities of the "responsible Federal official" as that term is used in the National Environmental Policy Act and applicable regulations thereof; and

WHEREAS, such responsibilities include the conduct of environmental reviews; decision making and action as to environmental issues; preparation and circulation of Draft and Final Environmental Impact Statements; and assumption of "lead agency" responsibilities for preparation of such statements in behalf of Federal agencies including the Department of Housing and Urban Development, when such agencies consent to such assumption; and

WHEREAS, the official designated as "the responsible Federal official", approved by the Department of Housing and Urban Development, is subject to the jurisdiction of the federal courts in these responsibilities and will not be represented by the Department of Justice in court but reasonable defense costs, including the fees of attorneys and experts, incurred in environmental litigation, may be funded from the applicant's grant amounts, and

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ACTION TAKEN
[Signature]
by City
[Signature]
Date 7/7/76

312 LOAN
PROGRAM
(continued)

These funds would require no local City share and would supplement, and perhaps reduce the previous City cost for that Rehabilitation Loan Program.

We are requesting permission to submit the application.

M o t i o n

Commissioner Woofter: I move to adopt the Resolution as presented.

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

See Pages 13 and 14 of these Minutes (Resolution)

WEST SIDE
COMMUNITY
DEVELOPMENT
COMMISSION

REQUEST FOR \$93,540.00 FOR COMMISSION OPERATION

This is not a request for Block Grant funding. Any funds available by the City will be accepted.

Mr. Spaulding: I have reviewed this proposal as submitted and as currently formulated, it would not be eligible for any of the Federal funding we have available. It could perhaps be worked on and perhaps be able to become eligible for some of the Federal funding we presently have.

I believe that the West Side Community Development Commission has a representative here to speak to you briefly on this.

Catherine Joseph: I am Chairman of the Community Development Commission. I was under the impression that Rev. Bennett, the acting Chairman of the West Side Community Development Commission, would be here this morning. I am going to attempt to go ahead and present this on my own.

We are asking for funding for the First Phase to set up our office and get our project in motion with this proposal that I have submitted for everything we plan to do in the First Phase. Certainly we would not like to come back to the City each time and ask for funding - then we would look for other ways for this Project to keep it going.

Our First Phase certainly would be to set up our office and to get community involvement to identify the needs of the community; identify the impacted areas that is outlined in this proposal and to set up a planning stage to work with other Agencies that are going to be working in the Black Community. We certainly cannot function unless we do work with all Agencies that are going to be planning for that area. That is why we ask for planning money to be set aside so that we can put our part in with the other Agencies to be on the planning.

Our Project is mainly a Beautification Program. We have to beautify that community in order for economics and other developments to come in. Ours would be a "Face-lift Program" to get the community ready for economics.

I'm a little nervous, so ask me some questions and I may be able to give you some further needed details -

Mayor Briare: I don't have any questions, but I would make a couple of observations at this point. First of all, the procedures that you are suggesting here are procedures that are being used in other parts of the country and have been extremely successful, I might add, on the basis of a Self-help Program, but it is understandable in order to begin a Self-help Program, you must have the ability to start it.

However, as Mr. Spaulding has indicated, that in order to put this into its proper form and in order to perhaps assist in a redesign of the Program in such a manner that it would be eligible for Federal funding, that it would be very much to the benefit of the West Side Community Development Commission, and also to the City of Las Vegas, if Federal

1 A RESOLUTION OF THE CITY OF LAS VEGAS,
2 NEVADA AUTHORIZING THE APPLICATION FOR
3 312 LOAN PROGRAM FUNDS

4 WHEREAS, the City of Las Vegas through its
5 Community Development Block Grant Program has funded a
6 Housing Code Enforcement Program and a Rehabilitation Loan
7 Program; and

8 WHEREAS, the City of Las Vegas wishes to secure
9 available Federal funds to implement its Housing Assistance
10 Plan to include the City's second year Community Development
11 Block Grant application and program; and

12 WHEREAS, the City of Las Vegas recognizes the
13 importance of making application for additional funds to
14 support the City's housing programs; and

15 WHEREAS, the City of Las Vegas has been informed
16 by the Department of Housing and Urban Development that 312
17 loan program funds are available from Region IX;

18 NOW, THEREFORE, BE IT RESOLVED, by the Mayor and
19 Board of City Commissioners:

20 1. That the Department of Funds Coordination and
21 Projects is hereby authorized to make application for 312
22 loan program funds from the Department of Housing and Urban
23 Development, Region IX.

24 2. That the Department of Funds Coordination and
25 Projects is hereby authorized to develop and implement a
26 program for the utilization of 312 loan program funds.

27 3. That the Department of Funds Coordination and
28 Projects is hereby authorized to complete and file such
29 application and supportive documents as may be necessary to
30 support this request for funds.

31
32 ACTION TAKEN

Adopted
by City
Commissioners
Date 7/5/76

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4. That the Department of Funds Coordination and Projects is assigned the responsibility for the administration of this program.

5. That the Mayor is hereby authorized to execute such contracts, documents and amendments as may be necessary for the implementation of this program and that the City Clerk is hereby authorized and directed to attest the same.

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

WILLIAM H. BRIARE, MAYOR

ATTEST:

Edwina M. Cole, City Clerk

(SEAL)

funds were to be allocated to this particular type of Project.

My own recommendation to this Commission would be to refer this request to Mr. Spaulding, with whom I have already had the opportunity to discuss this particular item. I have also discussed it with the CETA Office to determine whether a certain number of slots could be made available for a Project of this nature.

Everything seems to point to the qualifications of this as a Federally-funded Project, except its format.

Those are my observations. I would ask the Commission if they have any questions, with the hopes this matter could be referred to Mr. Spaulding so that he can work with you and with Rev. Bennett on this item to refine it somewhat to the point where we can obtain the necessary monies on a Federally-funded basis.

You, yourself, know, having gone up to Berkeley to sit in on two seminars . . . It would appear that the Rev. Bennett has arrived . . . they attended meetings in the San Francisco Area on matters that relate to this and I gather they were very successful conferences -

Miss Joseph: Yes, they were -

Commissioner Woofter: Is this inter-related now with Delmonico, too?

Miss Joseph: No, it is not. This is a separate Commission. It has nothing to do with Delmonico.

Commissioner Woofter: I know you are associated with Delmonico. I attended a meeting last night where they said they were supposed to be on the agenda this morning . . . it is somewhat confusing -

Miss Joseph: OK - I am no longer a part of Delmonico. I resigned from that position - as President of Delmonico.

M o t i o n

Commissioner Woofter: Mr. Mayor, in view of what Mr. Spaulding has said and in view of what has been represented here this morning, I would move to table this request until they can get with Mr. Spaulding, as well as other members of the organization, to work out the details and put it in final form insofar as the application is concerned, and then place it back on the agenda.

Mayor Briare: Rev. Bennett, do you have anything you would like to add? When Catherine came up, at our request, to make some comments on this, you had not arrived as yet.

Rev. Bennett: I apologize for being late, Mayor. I never assumed we would be so near the top of the agenda. I'm just hoping we can get this thing going as time is of the essence.

My understanding is that we have already talked with Bruce Spaulding with reference to putting it into the proper language or proper format, and I was lead to believe that everything was ready to move because, as the Mayor has indicated, we have been to several seminars and things are becoming available. It does take some time to lay a foundation and we do not wish to continue to be put off and postponed. I think the community is ready - the Commission is ready to go and if there had been some specific format, we could have done that previously. The insight we've had has come from Bruce Spaulding's office with reference to procedure - as to how to get this thing into the proper language and what-have-you. This does take a lot of time and we were hoping that we could move

WEST SIDE
COMMUNITY
DEVELOPMENT
COMMISSION
(continued)

without any further delay in terms of setting up an office and trying to get the wheels in motion so that when the Federal funds are available we will be able to move. We've had several meetings and I know the members of the Commission are ready - Catherine has done a lot of work and she is ready to go. I think it's a beautiful idea for this Commission to be ahead like that, as it were, in terms of laying the foundation so that we can start now.

I'm sorry that I didn't hear Mr. Spaulding's remarks -

Mayor Briare: I didn't see you come in, so I'm not sure where in our conversation you came in, but I indicated to the Commission that I was familiar with the intent of your Program which, incidentally, is time-stamped into my office on June 28th and in view of the fact that we've had the holiday, I think this probably is the first time that we have officially had something before us.

The advice we have from Mr. Spaulding is that as it stands right now, it would not be eligible for Federal funding and we know because of the work that can be done on something like this, that we have to have the time in order to put it into a position where it could be eligible for Federal funding.

We also indicated - and if I'm repeating myself, I think it is important that you as Chairman of this organization, that these types of Programs, although they are not done in every City in the country, those cities where they have taken place, have been very successful and there is every reason to believe that this will be a success too, but if we don't get off to a proper start in the funding, then I think our ship might get a little shaky in trying to accomplish what we are trying to accomplish.

Rev. Bennett: I was surprised because we have been working with Mr. Spaulding's office and we merely followed their format and their leadership in this area, because I know in our bureaucratic system if the "t" isn't crossed, you have a problem. We wanted to cover all our bases so we came immediately to Mr. Spaulding's office. I'm sorry that we were not given the proper enlightenment that we should have had.

Mayor Briare: Mr. Spaulding, Commissioner Woofter has moved that this be laid on the table. Do you think by the time of our next meeting that your office, with Catherine Joseph and Rev. Bennett, could get us some strong suggestions as to how we might proceed with a Federal application?

Mr. Spaulding: Yes, Sir.

Mayor Briare: Are there any comments from any of the Commissioners?

Commissioner Christensen: I would like to get this thing on the road, so I would like to see it proceed as expeditiously as possible.

Mayor Briare: Then let's plan for something to be in a final form by our next meeting.

Miss Joseph: After we meet with Mr. Spaulding and we talk about the funding, what kind of time are we talking about? For the funding?

Mayor Briare: You know how these Federally-funded Project go. I am very confident because we are looking forward to the type of Project this will be, we will do everything we can to expedite it for you - but to try to suggest what the Federal Government is going to do . . .

WEST SIDE
COMMUNITY
DEVELOPMENT
COMMISSION
(continued)

Commissioner Christensen: Are we, Mayor, talking about qualifying this for some of the funds that are available to us so they can start this right away, with the rest of the funding coming so that we can get them on their way, or do we have to have the total dollars up front?

Miss Joseph: What we are applying for is money that you might have available - money that you might find here already -

Commissioner Christensen: I understand that. I think that's part of the problem - in order for you to qualify for those funds, you would have to meet a certain criteria and we can't spend funds for that. Isn't that what we are talking about, Mr. Spaulding?

Mr. Spaulding: Yes. The issue is that the format is in the correct format for just a presentation to the City for regular General Funds from General Revenue Sharing. We do not have the \$93,540.00 in any Federal Program available so it will have to be re-formatted to be compatible with any of the Programs we do have.

Miss Joseph: And what kind of time are we talking about?

Mayor Briare: On the supposition and the hope that it will be ready in two weeks for action by this Board, then you are wondering how long from that moment until we could expect some money? Mr. Spaulding?

Mr. Spaulding: Ninety (90) days.

Mayor Briare: That long - would there be any indication that there is a possibility of favorable action by a Federal office?

Mr. Spaulding: I could have the indication on the action within seven (7) days . . .

Mayor Briare: Well, in that case, as Commissioner Christensen said, if we have some assurance that it would be Federally funded, then it would be possible to advance funds so that a Program could be started, with the recognition and expectation that Federal funds would become available within the bureaucratic time.

Miss Joseph: This is what we were asking - to use any existing funds now -

Mayor Briare: Pending approval -

Miss Joseph: Right -

Mayor Briare: That has been tentatively, or strongly, given. I like to see the money in the Bank . . .

Miss Joseph: If we wait ninety more days, we're just . . . this has been going on, and on, and on and we want to get going.

Rev. Bennett: I guess we have been furnished with the wrong information, because we were told there was some money left over that this Commission could use for the purpose of cranking up. The second question is - if this format was wrong, why did they let us go so far on something that is not prepared properly, when we consulted the office prior to this . . .

Mr. Spaulding: Perhaps at the conclusion of my portion of the agenda we can sit down and talk about this further -

Rev. Bennett: OK -

DEPARTMENT OF BUSINESS ACTIVITY

ILA M. BRITT, DIRECTOR

See Pages 19 thru 26 of these Minutes (Annotated
Agenda)

CHARITABLE
SOLICITATIONS
PERMIT

Approved

5. NICHIREN SHOSHU ACADEMY
General Solicitations

Mayor Briare: I am curious about Item 5 - what is this Mrs. Britt?

Ila M. Britt: This is a Japanese Buddha Religious organization.

Mayor Briare: I have noticed on the street, right out in front of the Lady Luck Casino, that there are some apparent - you can't tell by their looks - but they appear to be the "Hair" Krishnas. Do you know anything about these "Hair" Krishnas walking up and down our streets?

Mrs. Britt: I haven't had any recent reports, but we'll keep an eye out in case they are because they don't have a permit -

Mayor Briare: What kind of ordinances does the City have relating to people going up and down the streets soliciting funds on the street?

Mrs. Britt: If they don't have the proper Permit, it is a misdemeanor -

Mayor Briare: In other words - all they have to do is get a Permit and they can go up and down the streets soliciting -

Mrs. Britt: Well, they have to meet the Solicitations Review Board's requirements and then it would come to this Board for final approval.

City Attorney, Carl E. Lovell, Jr.: You can correct me if I'm wrong, but I believe there are several members of this organization previously attempted to do this - even here in City Hall - and they were arrested - were they not?

Mrs. Britt: That is correct - No - that wasn't the "Hair" Krishna group -

Mr. Lovell: In any event, they do have to get their Charitable Solicitations Permit in order to do their solicitations.

Mayor Briare: As I recall, during the time when there was so much embarrassment being caused at McCarran Airport relative to the Tourists coming into town and being all but physically grabbed and asked to make contributions, that suggestions were made to the City Attorney's office - would that possibility exist on downtown Fremont Street? Perhaps now would be the time to try to take steps to avoid that type of thing happening -

Commissioner Christensen: That situation does now exist with those Jam Auctions on Fremont Street -

ITEM

Commission Action

Department Action

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. ST. JUDE'S WOMEN'S AUXILIARY raffle tickets
2. CHURCH OF GOD -- tickets to a spaghetti dinner
3. WEST CHARLESTON LIONS CLUB tickets to the 6th annual Lions All-Star High School Football game; advertising in the program booklet
4. THE SALVATION ARMY -- general solicitations by mail
5. NICHIREN SHOSHU ACADEMY -- general solicitations
6. ST. PAUL CHURCH OF GOD IN CHRIST -- general solicitations; dinners; car washes
7. LAS VEGAS SUN SUMMER CAMP FUND -- tickets to the movie premiere "That's Entertainment"
8. FLETCHER JONES BENEFIT HORSE SHOW FOR THE MENTALLY RETARDED -- sale of advertising space in conjunction with the 3rd annual horse show
9. BOULDER CITY HIGH SCHOOL YEARBOOK "AQUILA" -- sale of advertising
10. NATIONAL JEWISH HOSPITAL AND RESEARCH CENTER -- general solicitations by mail
11. THE CHURCH OF TRUTH, INC. -- a rummage sale
12. RUDY MOSES STUDIO OF CULTURAL ARTS, INC. -- tickets to a variety show

Approved
 Items 1 thru 13
 as recommended
 W - unanimous

Director
 authorized
 to issue

(Re International Society for KRISHNA CONSCIOUSNESS - possibility of soliciting in City Limits - consideration to be given to restricting solicitations to specific areas and hours)

SEE PAGE 18

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 City Commission
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ITEM	Commission Action	Department Action
<p>I-g. <u>DEPARTMENT OF BUSINESS ACTIVITY</u> (cont'd)</p>		
<p>*C. <u>GAMING -- Additional</u> (cont'd)</p>	<p>See Page 11</p>	<p>See Page 11</p>
<p>3. BALLY DISTRIBUTING CO. Four Queens Hotel/Casino 202 East Fremont Street 1 slot Golden Nugget 129 East Fremont Street 1 slot</p> <p>4. UNITED COIN MACHINE CO. Las Vegas Club 18 East Fremont Street 1 slot 7-Eleven Food Store #18382 1101 East Charleston Blvd 2 slots</p>		
<p>*D. <u>RETAIL TOBACCO -- Additional</u></p>	<p>Approved Items 1, 2 and 3 as submitted W - unanimous</p>	<p>Director authorized to proceed</p>
<p>1. SKY TOP VENDING Desert Star Motel 1210 Las Vegas Blvd South Em Le Motel 1731 Las Vegas Blvd South Las Vegas Coins & Souvenirs 1236 Las Vegas Blvd. South</p> <p>2. VILLAGE CATERING Bonanza Post Office 901 West Bonanza Road Garside Post Office 1319 Decatur Blvd Gibbons Co. 401 South 3rd Street</p> <p>3. W. W. VENDING CO. AAA Auto Center 1433 South Main Street Centerfold Casino 2440 Las Vegas Blvd South Friendly Liquor 1602 North "H" Street The Getaway 1111 South Decatur Blvd</p>	<p>Page 21 Minutes Regular Meeting City Commission July 7, 1976</p>	

ITEM	Commission Action	Department Action
<p><u>I-g. DEPARTMENT OF BUSINESS ACTIVITY</u> (cont'd)</p>		
<p>*D. <u>RETAIL TOBACCO -- Additional</u> (cont'd)</p> <p>3. W. W. VENDING CO. (cont'd)</p> <p>Great Wall Chinese Restaurant 2202 West Charleston Blvd</p> <p>Kung Fu West Restaurant 2211-A Las Vegas Blvd South</p> <p>Prestige Motors 2333 South Decatur Blvd</p> <p>Twenty Grand 1311 West Owens</p>	<p>See Page 12</p>	<p>See Page 12</p>
<p>E. <u>SPECIAL EVENT LIQUOR LICENSE</u></p> <p>1. DE LUCA IMPORTING CO., INC.</p> <p>Responsible Licensee: R. S. Keyser</p> <p>Beer and Wine Only</p> <p><u>July 3rd, 1976</u></p> <p>Skagway's Discount Liquors 1006 East Charleston Blvd</p>	<p>Ratified C - unanimous</p>	<p>None required</p>
<p>F. <u>LIQUOR -- New</u></p> <p>1. FREMONT HOTEL/CASINO 200 East Fremont Street Package Liquor</p> <p>Fremont Hotel, Inc. Allen R. Glick, Pres/Director et al</p>	<p>Approved as submitted C - unanimous</p> <p><u>SEE PAGE 27</u></p>	<p>Director authorized to issue</p>
<p>G. <u>LIQUOR & GAMING -- Change of Ownership</u></p> <p>1. *PEYTON PLACE COCKTAIL LOUNGE 124 South 11th Street Tavern</p> <p>Gaming: United Coin: 8 slots J. J. Parker Co: 1 slot</p> <p>From: Eleanor A. Griggs, administratrix of the estate of Vincent Giantasio</p> <p>To: Jesse K. Davis, 100%</p> <p>*Subject to the provisions of the Planning, Building and Fire codes and Health Department regulations</p>	<p>Approved subject to conditions W - unanimous</p> <p>Page 22 Minutes Regular Meeting City Commission <u>July 7, 1976</u></p>	<p>Director authorized to proceed</p>

ITEM

Commission Action

Department Action

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

H. LIQUOR & GAMING -- Change in Partnership Structure

1. *PLAZA LOUNGE
 1764 East Charleston Blvd
 General Liquor

Gaming:

Business Owned: 6 slots
 J. J. Parker Co.: 1 slot
 United Coin: 2 slots

From: Frank Dzielak, 50%
 Maureen Lehman, 50%

To: Maureen Lehman, 50%
 Robert Edwards, 25%
 Ardella Edwards, 25%

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

Approved
 subject to
 conditions
 W - unanimous

Director
 authorized
 to proceed

I. LIQUOR, GAMING & RETAIL TOBACCO - Additional Corporate Officer

1. FREMONT HOTEL/CASINO
 200 East Fremont Street

Argent Corp. -
 Allen Glick et al

Additional Officer:
 Carl W. Thomas, Exec. Dir/
 Exec. V.P.

Approved
 as submitted
 W - unanimous

Same as above

J. LIQUOR & RETAIL TOBACCO -- Approval of Store Manager

1. LUCKY STORE # 731
 1501 North Decatur Blvd
 Beverage Off-Sale
 Package Liquor Ltd.

Lucky Stores, Inc.
 W. H. Fisher, Pres et al

Store Manager:
 Clarence Bruce Jones

Approved
 as submitted
 W - unanimous

Same as above

K. RETAIL TOBACCO -- New

1. S. BAWDEN

Wittwer Motel
 700 North Main Street

Approved
 as submitted
 W - unanimous

Same as above

ITEM	Commission Action	Department Action
<p>I-g. <u>DEPARTMENT OF BUSINESS ACTIVITY</u> (cont'd)</p>		
<p>L. <u>BURGLAR ALARM LICENSE -- New</u></p> <p>1. VALLEY ALARM SERVICE 507 East McWilliams</p> <p>Thomas A. Martinet, 50% Robert D. Verhagen, 50%</p>	<p>Approved as submitted W - unanimous</p>	<p>Director authorized to issue</p>
<p>M. <u>PRIVATE DETECTIVE LICENSE -- New</u></p> <p>1. R. L. NOLEN & ASSOCIATES 723 South 3rd Street # 201</p> <p>Robert L. Nolen, 100%</p>	<p>Approved as submitted W - unanimous</p> <p><u>SEE PAGE 28</u></p>	<p>Same as above</p>
<p>N. <u>M-7 BUSINESS LICENSE APPLICATIONS</u></p>		
<p>1. A TO Z REMAILING 716 North "C" Street</p> <p>Janet C. Baliotis</p> <p>Remailing service.</p>	<p>Approved as submitted W - unanimous</p>	<p>Same as above</p>
<p>2. CY BUSINESS OPPORTUNITIES 1500 East Sahara Avenue</p> <p>Cy Yehros</p> <p>Bringing buyers and sellers together for a finder's fee.</p>	<p>Approved as submitted W - unanimous</p>	<p>Same as above</p>
<p>3. HOLLANDUS, BACARDI & ASSOCIATES 320 East Charleston Blvd #208</p> <p>Beverly J. Bunch</p> <p>Graphic arts, management and financial consulting.</p>	<p>Approved as submitted W - unanimous</p>	<p>Same as above</p>
<p>4. INTERNATIONAL SCHOOLS, INC. 1721 East Charleston Blvd #3</p> <p>James J. Mitterlehner, Pres Patrick L. Haley, V.P. Diana Keller, Secy Catherine Smith, Treas</p> <p>Casino management and gaming consultation.</p>	<p>Tabled (Applicants not present)</p> <p><u>SEE PAGE 29</u></p>	<p>(Commissioner Leavitt requested investigation by Metro)</p>

ITEM

Commission Action

Department Action

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

Q. FIREWORKS PERMITS - For Ratification of City Manager's Approval

1. BETHEL BAPTIST CHURCH
Location: 1218 N. "D" St.
2. BOY SCOUTS OF AMERICA -
TROOP 78
Location: Decatur at Alta
3. DESERT SPORTSMAN RIFLE AND
PISTOL CLUB
Location: 4400 E Charleston
4. LOYAL ORDER OF MOOSE -
LAS VEGAS LODGE # 1763
Location: 1600 Gragson Dr
5. NEVADA STATE BANK CHARGERS
Location: Westland Mall
6. ST. LUKE - ST. THOMAS
EPISCOPAL CHURCH
Location: 832 N Eastern
7. UNLV SUNDANCERS
Location: 320 N Eastern

Ratified
Items 1 thru 7
W - unanimous

None required

R. ABEYANCE ITEM - Held in Abeyance from June 16, 1976 meeting

1. RON'S LOCK & KEY SERVICE
1042 N. Rancho Road

Ronald R. Moppert - 100 %

Locksmith License

Tabled
W

(Commissioner
Christensen
abstained;
Commissioner
Leavitt voted
"no")

CHARITABLE
SOLICITATIONS
PERMIT
(continued)

Mayor Briare: I believe that the Federal Court ruled that the County had certain prerogatives to insist that this type of solicitation be done only in certain areas of the Airport. I have noticed there are no more, so apparently whatever they did was a pretty effective job.

Mr. Lovell: There are some around. I came back from Washington, D. C. and they got in my way -

Mayor Briare: At the Terminal?

Mr. Lovell: Yes - they are there in certain particular areas but they aren't as obnoxious as they were.

What the Charitable Solicitations Review Board should do - once they become aware of it, and Licensing also as well as perhaps other departments of the Metropolitan Police Department - is to find out just exactly what their activity is, where and when, and perhaps make reasonable regulations as to hours, places, locations, etc. Then have it policed similar to the Jam Auctions are supposed to be.

Mayor Briare: Mrs. Britt, would you look into that possibility so that we can be prepared.

Mrs. Britt: I certainly will.

Mayor Briare: I issue my apology to the Nichiren Shoshu Academy for getting them confused with an organization that is troublesome to communities throughout the country, because they are not a non-profit organization. Conversely, they have quite a thing going at the expense of the image of the City of Las Vegas, and we don't appreciate it.

LIQUOR - NEW
Approved

FREMONT HOTEL/CASINO
200 E. Fremont Street
Package Liquor

Fremont Hotel, Inc.
Allen R. Glick, Pres/Dir. et al

Attorney Terry Jones: I am Terry Jones from Hilbrecht, Jones, Schreck & Bybee. One of my associates, Mr. Bybee, filed this application on behalf of the Fremont but he was called out of town and asked me to come down on his behalf this morning to make sure it is explained that the intent of this application is merely to be allowed to sell Miniatures and Souvenir Decanters in the Gift Shop.

The Gift Shop, I should also point out, as I understand it, is wholly owned by The Fremont Hotel. It is not a leased out situation.

I understand it is the policy to restrict new Package Liquor Licenses in the Downtown area because of the heavy concentration. That is the reason for my remarks - to point out that this would be merely for Miniatures and Souvenir Decanters - the kind that have figurines - Bicentennial Decanters and that sort of thing.

Commissioner Leavitt: Will it appear on the License that way, or will it be just a regular Package License?

Mrs. Britt: It requires a regular Package Liquor License -

Commissioner Leavitt: And there are no limitations on it -

Mrs. Britt: There are no limitations or restrictions -

Mr. Jones: We would stipulate to that. I suppose if they could get an unconditional License, they would like that

too -

Commissioner Christensen: What kind of a License would he have to get?

Mrs. Britt: We don't have a conditional or a restricted License - it is just a straight License to sell package goods, unless you wish to place restrictions on it's issuance. You could do that, but it is a straight Package Liquor License - it is not a License to sell just miniatures.

Commissioner Christensen: Who else has such a License downtown?

Mrs. Britt: The Horseshoe has a Package License - the Mint has a Package License - the California Hotel has. Any Hotel can carry package goods to provide room service for guests.

Mr. Jones: Mr. Mayor, may I point out that Mr. Fazzio is here from The Fremont Hotel, who is in charge of this sort of thing. I take it the position the Hotel is in is that the other Hotels in the area have unrestricted Licenses for this purpose and we feel we should be granted one as well. However, if for any reason you feel that is inappropriate, then we would be willing to accept the restriction on the License and have it conditioned to Miniatures and Souvenir Decanters.

M o t i o n

Commissioner Christensen: I move we approve the License.

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

PRIVATE
DETECTIVE
LICENSE - NEW
Approved

R. L. NOLEN & ASSOCIATES
723 S. 3rd Street, No. 201 Robert L. Nolen 100%

Mr. Nolen: I am Bob Nolen and I have up before you this application for a Private Detective License. I would like to make a couple of comments regarding your procedure: No. 1, when I applied I was told that I could not apply until I had posted a Bond with the City. At the time I did not anticipate any problem in obtaining a License, and I still do not, however, I feel that is a little premature. I had to go out and purchase a Bond - an expense to me - made out to the City, that is not revocable. Once I purchase it I'm stuck with it for that year and then, if I were denied the License, I would still have the Bond. I feel the License Department is a little premature in requiring me to have that Bond first. I think the Bond should be required after the Board has voted on approval of the License - then you must show your Bond to get your License issued. This causes a little bit of confusion when you apply and it causes unnecessary delay.

Mayor Briare: Mr. Nolen, I don't know what your "beef" is, but we've had a good number of these applications and you are the first to bring that question up. Did you want us to hold this until . . .

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Mr. Nolen: No - I'm saying this in regards to the License and my complaint is the fact that you have to put the Bond there before you can apply for the License, and I feel that is premature. At the same time I have Bonds in the amount of \$14,000.00 with the State - I understand you are in the process to eliminate the requirement for Contractors to post Bond with the City of Las Vegas - I have a Bond posted with the County - now with the City and with the State - in the amount of \$18,000.00. I think this is a

PRIVATE
DETECTIVE
LICENSE
(continued)

little bit of an unnecessary expense to a businessman trying to get started.

In addition to that I've got problems . . .

Mayor Briare: Mr. Nolen Is this relative to the approval or disapproval of your License?

Mr. Nolen: Relative to my License -

Mayor Briare: Would you like to come up on the agenda when it is the time for citizens' participation to bring up matters the Commission does not have on its agenda?

Commissioner Woofter: To get the show rolling, maybe Mr. Nolen could come back later and give us some constructive criticism. Before we get involved too much, I will make a motion to approve this License right now.

M o t i o n

Mr. Nolen: That is fine with me.

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

M-7 BUSINESS
LICENSE
APPLICATIONS

1. A TO Z REMAILING
716 North "C" Street Janet C. Baliotis
REMAILING SERVICE

Mr. Adams: Next before you are the M-7 Business License Applications. The applicants are to appear before this Commission. The persons have been notified to be here.

M o t i o n

Commissioner Woofter: I move for approval of the application for the A to Z Remailing service.

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

2. CY BUSINESS OPPORTUNITIES
1500 E. Sahara Avenue
BRINGING BUYERS AND SELLERS
TOGETHER FOR A FINDER'S FEE

Cy Yehros

Commissioner Leavitt: Is a representative here on this application?

Answer: Yes -

Commissioner Leavitt: I am a little confused on this matter. You say you are going to bring buyers and sellers together for a Finder's Fee. Is this real property?

Cy Yehros: No Sir -

Commissioner Leavitt: You are not dealing in real estate?

Mr. Yehros: I am a realtor too -

Commissioner Leavitt: You have a Real Estate License?

Mr. Yehros: Yes -

Commissioner Leavitt: What are you going to be selling that will bring buyers and sellers together?

Mr. Yehros: It's negotiating a sale for a business -

M-7 BUSINESS
LICENSE
APPLICATIONS
(continued)

Commissioner Leavitt: Including Leases and that sort of thing?

Mr. Yehros: No - no real estate or lease - this was very clear by the Division - the Real Estate Division -

Commissioner Leavitt: Are you going to do it under your Real Estate Broker's License?

Mr. Yehros: No Sir - a separate License -

Commissioner Leavitt: Well, usually when you sell a business it involves the sale of a Lease too -

Mr. Yehros: If it should involve real estate or a lease, it would go through CyRealty - this will just be strictly business. I have already a License under Cy Realty.

Commissioner Leavitt: What kind of a finder's fee do you intend to charge?

Mr. Yehros: This is a commission - plain commission.

Commissioner Leavitt: What percentage?

Mr. Yehros: Usually 10% -

Commissioner Leavitt: It is higher than a Real Estate Broker's fee then?

Mr. Yehros: No Sir - comparable.

Commissioner Leavitt: I'm just curious as to whether it is necessary to have a Real Estate Broker's License - maybe the City Attorney can answer . . .

Mr. Richardson: May I comment regarding the subject? I am Al Richardson and I will be managing the business known as Cy Business Opportunities -

Commissioner Leavitt: I'm just wondering if there is some kind of a State License required for this type of business. Maybe Mr. Lovell can tell us.

Mr. Lovell: I have the same question of concern that Commissioner Leavitt has. If you already have your License, is this just another aspect you can give under that License, or why do you need a local M-7 Business License as well?

Mr. Yehros: We are going to be employing non-real estate licensees and we sent a letter to the State to this extent. We got an answer and they approved it.

Commissioner Leavitt: Is this a possible way of getting around not having a Real Estate Broker's License - that's the question I have.

Mr. Richardson: Maybe if I could explain, I could answer your question. There is a little bit of conflict of interest here - there is no License required by the Department of Real Estate to sell businesses only. There is no Law that says you can't sell just businesses only. Here, in the past, there have been several different companies coming into Las Vegas selling just business opportunities - advertising in the papers and collecting an advance fee. One of the reasons I want to do this - to participate in the Cy Business Opportunities - is to more better regulate these regulations regarding business opportunities. The other companies that have been coming in, they are not allowed to collect any kind of an advance fee of any kind, and I feel that through the process of having a Real Estate License also, and also being a specialist in business opportunities, I can better regulate other companies and help the Real Estate Commission in more

M-7 BUSINESS
LICENSE
APPLICATIONS
(continued)

or less controlling these type of operations that are coming into Las Vegas. We have already gone to the State about this.

Mr. Lovell: Did you file the approval, or anything like that, with the License Director here as to what happened at the State level?

Mr. Yehros: No - we have a letter from the State Division and we would be more than happy to submit it to you -

Commissioner Leavitt: It may be something that requires administrative action - this is the first time I've seen this type of application -

Mr. Yehros: The State said it is better to do it this way. We didn't think we needed it, but the Division recommended that we go ahead and do it the right way - but I do have a Broker's Real Estate License, and Mr. Richardson also . . .

Mr. Richardson: It would be a seperate company altogether -

Mayor Briare: Do you, Mr. Richardson, have a Real Estate Broker's License also?

Mr. Richardson: Yes Sir -

Commissioner Woofter: Your Honor, I know the two gentlemen personally and they have been in the community for some time business-wise.

Commissioner Leavitt: If they have a Real Estate Broker's License, I'm satisfied.

M o t i o n

Commissioner Woofter: I'll make the motion to approve the application for Cy Business Opportunities.

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

Mayor Briare: Please file a copy of that letter from the State with the Director of Licensing.

M-7 BUSINESS
APPLICATION
Approved

3. HOLLANDUS, MACARDI & ASSOCIATES
320 E. Charleston Blvd., No. 208
GRAPHIC ARTS, MANAGEMENT AND
FINANCIAL COUNSULTING Beverly J. Bunch

Mayor Briare: Is the applicant present?

Answer: I am George Simpson representing Miss Bunch as she couldn't be here this morning and I will be managing this business for her. If you have any questions, I'll be glad to answer them.

Commissioner Woofter: You are not in the Arts, per se - you are going to be doing the business of consultation - is that right?

Mr. Simpson: Management and Financial Consulting. To give you an example: Like the problem the West Side Community Development Commission had. My service is to prevent those types of problems. People who need FDA Loans, or whatever, I will package them and have all the necessary data in it for approval, if it is to be approved. Or I find monies for new companies - and existing companies - and also work out any management problems.

Commissioner Christensen: Where does the "Graphic Arts" come in?

Mr. Simpson: That phase covers the design of post cards and posters. Also as a Graphic Arts consultant where they

M-7 BUSINESS
LICENSE
APPLICATIONS
(continued)
M o t i o n

are having a drop in business, or whatever, we train the salesmen - try to help them out.

Commissioner Woofter: I move to approve the application for Hollandus, Bacardi & Associates.

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

4. INTERNATIONAL SCHOOLS, INC.
1721 E. Charleston Blvd., No. 3
CASINO MANAGEMENT AND
GAMING CONSULTATION

James J. Mitterlehner, Pres.
Patrick L. Haley, V.P.
Diana Keller, Secy
Catherine Smith, Treas

Mayor Briare: Is the applicant present for International Schools, Inc.?

(No response)

Commissioner Leavitt: Does this require a License by the State Gaming Board?

Mrs. Britt: No.

Mayor Briare: Do we know they have been approved by the State Gaming Board, or is there approval required by the State. Do they have to have certain qualifications to operate a School?

Mrs. Britt: Yes, they must be licensed by the State to operate a School. They have been and they have a School License, which is a separate license. It is on the agenda only for the consultation phase of the business.

Mayor Briare: Gaming Consultation - does that teach you how to win?

Mrs. Britt: It's more of a Management Consultation concept, I believe, and to my knowledge it does not require any particular type of License for that -

Mayor Briare: Did they know this was to be on this agenda?

Mrs. Britt: They were notified to be in attendance. Due to the long holiday weekend it is possible that some of these people didn't receive their letter, although it went out last Thursday, so they should have.

Commissioner Leavitt: Do we run a Metropolitan Police Department check on these people?

Mrs. Britt: No, we do not

Commissioner Woofter: As the applicant is not represented here, I move we hold it.

Commissioner Leavitt: And in the meantime, I would like to request that the Metropolitan Police Department check on this - on the Officers of the Corporation.

Mrs. Britt: On just this particular one, or all the M-7's?

Commissioner Leavitt: Just this one.

Mayor Briare: If there are no objections we will proceed to hold the matter. You might perhaps contact them and tell them why the matter was held and determine whether they are going to be here at the next meeting. If they are going to be here, place it on the agenda. If they are

M o t i o n

Mayor Briare: Then you are aware of what their report is to us -

Mr. Bray: I am not aware of the Report. I would like to make a brief comment to that, if I may - which is - basically, since on or about June 30, 1976, I have made a total of twelve (12) telephone calls to respective individuals at the Metropolitan Police Department in an effort to illuminate the Board in connection with the undercover activities of Mr. Moppert. I think it should be pointed out that Sgt. Ashenfelter, who is with the SID Unit, has his function, which is separate and apart from the function of the Narcotics Division for which the undercover activities had been performed.

I think what has happened is that there has not been a communication between these two respective Departments. I have personally talked to Commander John McCarthy as late as a quarter to four o'clock yesterday, who advised me that his Department did not intend to augment or supplement, or contradict, in any way the findings of the S.I.D. Unit. I also had occasion to talk to Lt. Tom Biggs of the Narcotics Division, as well as Ken Westfell . .

I think the problem is, and I'd be glad to point these things out, when we are talking about undercover activities and having spent some time as an FBI Agent, I know you do not develop a Baptist Preacher or a Jewish Rabbi or a Mormon Bishop as a Undercover Agent because, obviously, they are not the type of individuals who have the "street savvy" to become involved in that type of activity. For this reason Mr. Moppert's past background, while encompassing many arrests, but only two convictions over those many years, is a likely candidate and makes an ideal choice to develop as an individual who can be of useful service to the Police Department. He can travel in areas that you and I would not be able to go into - and this is the area we are talking about. This is the area where the undercover activities have been performed.

I have prepared a letter which lists the undercover activities in specificity. There are two areas right now that Mr. Moppert is currently engaged in, which involve some people, if I were to mention their names they would be readily apparent to everyone sitting here. I do not like to place his life in jeopardy - I do not like to place the investigations that are being conducted in jeopardy by revealing that information. I am in a quandry because I really have not received the cooperation nor the Report from the Narcotics Division that I expected to receive, and there are individuals, as I have mentioned, who do have the knowledge of the activities Mr. Moppert has performed, and is currently performing. So this is where we are right now.

I would be glad to try to answer any questions you have. I would point out also that prior to enlisting the services of Mr. Moppert in performing this Police work, I am given to understand that approximately from seven to eight months was spent in sending individuals into his present business to ascertain whether, in fact, there were any illegal activities going on there, because they did not want to use him if there were. Apparently he came out "clean" - he had nothing illegal going on there, so they wanted to use him, and have been using him, very effectively.

I feel he is entitled to this License. I realize it is a privileged License. I think Commissioner Christensen had a question the last time about revocation of privileged licenses. As I recall from my days with the City Commission we had a rather lengthy hearing revoking the License of the Cosmopolitan Lounge, which was a privileged license. I also recall the revocation of a theatre license, which was also a privileged license.

Mr. Bray: I would implore you to examine Mr. Moppert's past record. There are avenues to grant him a License and there are avenues to revoke it if he does not perform in the way he should. He does have the background to do a job and the activities he has performed for the Metropolitan Police Department, I think, are worthy of note.

Mayor Briare: Counselor, if I interpret the mood of the Commission from its last meeting - and I don't know what the mood might be at this meeting - various factors were presented to the Board, notwithstanding, on paper, a very poor record.

You are in a quandry! I would like to suggest that we are in a quandry also because it would appear to me that this Board has taken over a normal amount of time to try to be compassionate and say to a man who has had a bad record - and nobody argues about it - that it would be good for him to be able to get into a business that would provide him with a livelihood without having him go out and commit crime. But of all businesses he wants to go into - having a record of burglaries and other matters - is the Lock & Key Business. Why doesn't he go into the Shoe Store business? Then all of this wouldn't have come about.

There are items that apparently you have in your files there - according to the records we have here from the SID, there are also items that probably coincide with a lot of the things you have here, and we normally don't get into all of this -

Mr. Bray: I understand that -

Mayor Briare: It is not expected and it is the nature of the business coming before us with all of this knowledge that has been presented to this Board, and I suppose we are supposed to make a judgment based on the knowledge that has been presented to us and, Mr. Bray, it is very, very difficult for me in view of all the information that has been put together for this particular type of business - it is very, very difficult for you to convince me that in good conscience you want to gamble on this type of business, unless it were to be on the basis of a six (6) month trial - at the end of the six months the License is automatically returned so we don't have to go through a constitutional hassle . . .

We were advised at our last meeting that we cannot entertain a "conditioned" License in that regard.

Mr. Bray: I think Mr. Lovell is correct in that area.

Mayor Briare: So I am just presenting my personal viewpoint -

Mr. Bray: Could I make an additional comment? I realize your time is important and I hate to take too much of your time, but, as is your desire, I have no real need, or desire, to take this matter into District Court. I think it is the kind of thing that can be examined and you do have a lot of prerogatives in this area. I would point out that the many, many arrests that Mr. Moppert has had, he has had only two convictions; one was for petty larceny; the second one was for grand larceny. He spent four years on probation - completed that satisfactorily. In fact, he has been pardoned from that particular crime. He has had no arrests whatsoever in the past four years and it is during the last 4-year period that he has been engaged in this Police work which has assisted the Metropolitan Police Department.

As to why he wants to get into that area - he has the background of working in that area; practical experience

through a firm in Boulder City. He also has a Diploma; he has studied in that area and he is knowledgeable in that area.

Mayor Briare: I believe all of those areas have been challenged - all three of those have been challenged. His diploma, his background in Boulder City, and whatever the third one was -

Mr. Bray: I don't believe any information was presented in connection with his Diploma before -

Commissioner Leavitt: Do you want to have your client come up - I'd like to go into it - I'd like to know about the Locksmith Institute in Little Falls, New Jersey. I understand that's a Mail Order diploma.

Mr. Bray: It is my understanding that it is also -

Commissioner Leavitt: So what we have is a Mail Order business that costs between three to four hundred dollars that teaches you through a work book and other Locksmiths in the area indicate they wouldn't hire anybody just based on that alone.

Mr. Bray: Well, I haven't talked with any other Locksmiths in the area -

Commissioner Leavitt: Based on that type of diploma -

Mr. Bray: It is probably very similar to the question of whether you accept a Law Degree from the La Salle Institute. I don't think a lot of Mail Order businesses, but at the same time there are some states that allow it.

Commissioner Leavitt: He indicated he had worked for Mr. Thompson - is that correct?

Mr. Bray: I believe he did some work for him in Boulder City - yes.

Commissioner Leavitt: It is OK if I ask him some questions regardint this? Do you want to waive any privileges he may have in the Report that has been submitted to us in regards to his employment with Mr. Thompson?

Mr. Bray: I would waive any right to that, but I would also like to have a copy of the Report. I am at kind of a disadvantage, Commissioner Leavitt.

Commissioner Leavitt: Mr. Thompson was interviewed and made a statement and I just want to know if you want to hear his voluntary statement as to his association with Mr. Moppert.

Mr. Bray: Yes, I will call him - Mr. Moppert is here.

Commissioner Leavitt: Would you rather review this Report before we get into it?

Mr. Bray: It would be helpful. I, personally, have not seen it -

Mayor Briare: Relating to this one question though, Commissioner, I think if you just want to state as it relates to his employment in Boulder City -

Commissioner Leavitt: According to our Report, it says that Mr. Thompson indicated that he taught Mr. Moppert how to use a Curtis Clipper, which is a tool used by Locksmiths to cut keys for automobiles, and that Mr. Moppert asked him to teach him something of the Locksmith business but that he never came back for the training.

This is a voluntary statement by Mr. Thompson - that he

only saw Mr. Moppert approximately only four or five times.

Mr. Moppert: That's correct, Commissioner. He showed me how to operate the machinery and he also showed me how to operate this Clipper.

Commissioner Leavitt: My understanding was that you made a statement that you had had a year's training under him, or something to that effect -

Mr. Moppert: No - I believe it was my schooling - it took me from six months to a year to complete the course, Commissioner -

Commissioner Leavitt: I don't know - according to the last meeting, you indicated to us that you trained for a year - trained for one year by a Locksmith in Boulder City, by a man by the name of Mr. Thompson and Mr. Thompson was interviewed and gave a voluntary statement that he had only seen you about four or five times.

Mr. Moppert: Commissioner, I did work there for a short time - I didn't receive any pay - maybe that is what he was saying - he was in the hospital and asked me to come out there and help him out and I did do some work for him while he was . . .

Commissioner Leavitt: I'm not concerned about that - I'm concerned about the statement you made to us that you had a year's training in this type of business by a Locksmith in Boulder City . . .

Mr. Moppert: My time with him was approximately a year - with these four or five meetings, but by the time I worked there, it was a period of a year.

Commissioner Leavitt: He says it wasn't a year - that the only contact was to show you how to use the Curtis Clipper and he had seen you only four or five times and he further states that you are not qualified to be a Locksmith . . .

Mr. Bray: Commissioner, I think there is a conflict in this area between what is obviously and . . .

Commissioner Leavitt: According to our Report, Mr. Thompson has made a voluntary statement to that effect -

Mr. Bray: From what Mr. Moppert is telling me - the individual has a Locksmith Shop in Boulder City and was, in fact, hospitalized during a period of time, during which time Mr. Moppert was running the business. Possibly this individual is concerned about the implication of his not changing the License from himself to another individual during the time he was in the hospital. This is what Mr. Moppert is telling me.

Commissioner Leavitt: I appreciate that you were not here at the last meeting, but at that time Mr. Moppert's attorney indicated that Mr. Thompson had trained his client, Mr. Moppert, to be a Locksmith and this training took place over a period of one year.

We indicated in the meeting that we wanted to have a statement from Mr. Thompson to verify this. The statement has come back to the effect that he saw Mr. Moppert only four or five times. Now, somebody is not telling the truth.

Mr. Bray: I understand why you have some concern about that. I think that Mr. Moppert has demonstrated an ability to function in the area of Locksmithing. I don't know of any requirement under City ordinances or

State statutes that requires an individual to have any particular training - any particular degree in that area. I think he has amply demonstrated that he has certain qualifications in that area. I don't know of anything that requires him to take a test and score 80 or above to qualify as a Locksmith, Commissioner Leavitt. He has the training - whether or not a Mail Order business is the best - it might be like trying to go to Law School in the State of Nevada - there isn't one. So where does one go to obtain their training? They go out of State. Maybe this is the only way he could have obtained the training.

Commissioner Christensen: Well, there is one difference - if he used that illustration - if he goes out of State and receives the training and comes back and tells you where he did get the training - that's one thing. But when he comes back and says - I've been trained as an Attorney and you check with the School and the School says - no, he didn't get any training at the School - then there is a conflict. That's the situation we find ourselves with now.

Mr. Bray: He did have the training at this Locksmith Institute. He did have some training at Boulder City - whether it was sufficient to satisfy this Board that it was enough training - I don't know what the standards are -

Commissioner Christensen: You misunderstand - we're not worrying about the caliber of the training - we're worried about the fact on the one hand it was stated there was a year's training, and the person who was supposed to have given the year's training, says it wasn't a year's training. What we're worried about is the conflict in testimony - not necessarily the training.

Mr. Bray: I don't think there's a conflict in testimony between Mr. Moppert and the gentleman in Boulder City. There might be the possibility of a conflict between an allegation or statement made by his prior attorney as to his previous experience and what Mr. Moppert is saying now. I think that is what Commissioner Leavitt is referring to from the transcript.

Commissioner Christensen: Doesn't the attorney talk to the client, normally?

Mr. Bray: I can't speak for other attorneys, Commissioner Christensen - I try to myself.

Commissioner Leavitt: Well, maybe we'd better ask Mr. Moppert just how much training he had in Boulder City.

Mr. Moppert: I had, approximately, with the four or five meetings, or more - I had approximately a year's training - if you call it training. I had gone through the School course and I knew the jobs I was doing . . .

Commissioner Leavitt: This was training in Boulder City - you say -

Mr. Moppert: No, I was not trained in Boulder City, Sir -

Commissioner Leavitt: You had four or five meetings with Mr. Thompson -

Mr. Moppert: I probably had several, or more, meetings with the person - I did whatever I was called on to do out there - a Locksmith was called on a job and I'm with him and I done that work -

Commissioner Leavitt: Over what period of time?

Mr. Moppert: It was probably over a period of a year -

I don't know the exact dates - it might have been nine months, but I think it was probably a year.

Commissioner Leavitt: How many times did you go out there?

Mr. Moppert: Several times a month, Commissioner.

Commissioner Leavitt: Were you a regular employee?

Mr. Moppert: No - I never received any pay - no. He wanted me to buy the business, Commissioner. I didn't have the money to buy the business and we had kind of a conflict. He is an elderly gentleman and he wanted to get out of the business - he wanted to sell it but I didn't have the money to buy it with.

Commissioner Woofter: How long did it take you to complete the course for which you got the diploma?

Mr. Moppert: Probably about seven months, Commissioner.

Commissioner Leavitt: Were you given any tests?

Mr. Moppert: Yes - after each lesson there test -

Commissioner Leavitt: Was it given by another Locksmith?

Mr. Moppert: Through the Institute - Yes Sir.

Commissioner Leavitt: But nobody came out and gave you a test?

Mr. Moppert: Not personally - No Sir.

Commissioner Woofter: I believe it was brought out at the last meeting that most of these arrests that resulted in dismissals, were mostly because of undercover work for Metro?

Mr. Bray: Some of them were. I believe Mr. Angione testified last time as to a couple he recalled. At this time I couldn't tell you which specific arrests were the result of undercover activities. I would point out that of the 23 arrests, there were only two convictions. We're not maintaining that all of these arrests were the result of undercover activities, Commissioner Woofter - what we are alleging is that in the last four (4) years there have been no arrests at all and all of the work that has been done in the undercover area has been performed within the last four (4) years.

Commissioner Woofter: I think this is of concern, naturally, to the Commission - these numerous arrests. During the time I was District Attorney I do know that Mr. Moppert was undercover for Metro in certain areas in which certain Officers of Metro advised me personally . . .

Mr. Bray: I would point out once again that there were numerous arrests and only two convictions. I would also point out that - I give you examples, and this is set forth in a letter that I prepared - whereas there was a robbery in Inyo County, California from Fred Harvey's Furnace Creek Inn, where there was a theft of \$90,000.00 worth of turquoise. This individual presented himself at Mr. Moppert's place of business and Mr. Moppert immediately contacted George Kraft, Kenny West and Lt. Tom Biggs, all of the Metropolitan Police Department, and worked with them in setting up the arrest of two individuals - one by the name of Bobby Lang and the other who is known to Mr. Moppert, as Wade. Mr. Moppert was involved in this at possibly his own physical detriment - \$90,000.00 worth of turquoise - 95% of the turquoise was recovered, was returned to the Inyo County

California Sheriff's Department. A John Little, who is with the Sheriff's Department down there has talked with Mr. Moppert and said - we will not call you as a witness in Inyo County, California, because we don't want to blow your cover in Las Vegas. And here we are talking about naming places, naming arrests, naming robberies of an individual - and I'm sure Commissioner will recall - that he did, in fact, work undercover. This is not the type of thing you want to walk around with a sign on your back about. I am very reluctant to mention more of these details than I really have to.

For example, in November of 1975, an unidentified individual - I'm not going to mention names, but this is easy to be checked through the Narcotics Division - came into Mr. Moppert's store with approximately \$10,000.00 worth of narcotics. Mr. Moppert didn't sell it. He notified George Craft, Sgt. Ed Burns and Lt. Tom Biggs. These are people who work in the Metropolitan Police Department who have used his services - who have given Mr. Moppert money - to make illegal drug buys to set up other individuals. When the arrest is made, you have to arrest the Undercover Agent, or else he's sitting there and all of a sudden he's gone . . . this is not something we are conjuring up here. These are the facts that are involved. These are arrests that were made in connection with a lot of these activities.

Commissioner Woofter: May I make a suggestion? These are Officers who have been with the Metropolitan Police for some time and have one hell of a good reputation in their field -

Mr. Bray: That's true -

Commissioner Woofter: Would you gamble on asking them to come down here and make a personal recommendation - that they recommend to this Commission that Mr. Moppert be licensed as a Locksmith?

Mr. Bray: I would be happy, if the Commission would request such a meeting. I personally talked to Commander McCarthy and I talked to other individuals over there - I don't feel that they wanted to do it on my say-so. I have no subpoena power to get them down here and I would prefer if we can do it here rather than drag the matter into District Court, which becomes a ridiculous farce.

Mayor Briare: What are you suggesting by that?

Mr. Bray: If the Commission would direct these individuals - if they so desire - to present themselves and tell what they know about this situation -

Mayor Briare: What are you saying about District Court?

Mr. Bray: Well, I don't want to go in there - that would give me the subpoena power to bring these individuals in - these Police Officers. I don't want to do that. That's why I have been talking to the Metro P.D. over the last five or six days, trying to get them to . . . and I understand their problem - I'm not maligning them - they do a tremendous job and I understand what their problem is.

Commissioner Leavitt: They don't have to talk to us - just make the details available to the people in our Special Investigations Division -

Mr. Bray: That would be fine - if they would make themselves available to furnish that information - because it is factual - it really is. It is not an intent to throw a smoke screen up in front of the Board.

Mayor Briare: I would just like to ask the question:

In the event convincing arguments could be given by these gentlemen who apparently are vouching for Mr. Moppert - if they could give convincing arguments to the investigators for this License, to the point where they would change their recommendation, I would be impressed. I just have the feeling that is not going to happen - based on the information that has already been given to us.

Furthermore - and the record is going to reflect it whether I want to or not, because the record is rolling, we've spent a great deal of time with your client because I think we recognize that . . . we don't want to hit him over the head and kick him and shove him out in the street. Of course, we didn't have anything to do with all this past business here.

I'm going to ask one question of Mr. Moppert - and I would appreciate you answering it because apparently you are pretty well experienced. I recall, back some time ago - I don't know whether it was you or some other person, wanted to open up a shop, similar to the one you have, and I voted against it. I voted against it and my suspicions then are kind of confirmed now.

Explain to me, just briefly, why is it that somebody would walk into Patches West and offer to sell you \$10,000.00 worth of pot? Do they just walk up and down the street and all of a sudden say - I think I'll just walk into this little store here and see if they want to buy some pot -

Mr. Moppert: Because of the background I've previously had, Mayor - that's the only reason.

Mayor Briare: They knew you, personally -

Mr. Moppert: A shop which I had run, which was a Head Shop - and everyone knows what that is - would bring that element. If I was granted this License, the Head Shop would no longer exist -

Mayor Briare: Unfortunately if you want to sell tobacco papers, you have to come before this Board and I do recall now that you mention it. Was that your's over here across the street?

Mr. Moppert: Yes, it was -

Mayor Briare: You will remember that I voted against it - and you couldn't have papers.

Mr. Bray: One brief comment - I know we've taken a lot of time and I certainly appreciate it - I would like to point out also that when an individual does change his colors, so to speak, and tries to live a different kind of a life, I think it is important to give him a consideration for that, aside from his past record. I would point out at this time that I've known Mr. Moppert over the past three years and he has been involved in Optomist Club activities which work with youth throughout the County - he is presently President of the North Las Vegas Optomist Club and I worked with him when I was President of the East Charleston Optomist Club. I think this man deserves a chance - I really do. I think he has done some good work for the community in many activities over the last four or five years.

Mayor Briare: Unless the Commissioners have anything further, I would like to make one comment about what my vote is going to be on this, unless some Commissioner brings up something that might perhaps change my thinking.

If there was a possible way that some kind of an agreement could be reached, which would be able to withstand the courts - in fact, not even get into court - if this man could be given a chance for a 6-month period, and every

six months thereafter - if such a thing could be done where there would be no hassle - and, Allan, you are very familiar with the types of hassles we get into all the time - if there could be no hassle and the man could be given an opportunity to do what he apparently wants to do - for six months - and then it is just turned back over to the Licensing Department, and forget it. If that could be done, I would be inclined to go along and give the guy a chance - But, apparently it can't be done, so I'm going to vote "no" on any motion to approve this.

Mr. Bary: Mayor, I don't think there is any statute or ordinance that would provide for a conditional type of a License - as Mr. Lovell has mentioned. However, I would be willing to discuss it with Mr. Lovell. I think there is no problem whatsoever if both sides - and I'm referring to myself and Mr. Lovell - were to stipulate to whatever conditions the City Commissioners would think would be necessary to grant that type of a License, with no commitment whatsoever and no possibility of going into Court - I would be willing to explore that possibility, because I think that is an area that the City can agree to it if we agree to it, which would allow this man for six months to operate a business - check him out, and if he doesn't do it, take away the License. I would be willing to do it on that basis if the Commission would consider that possibility. As Mr. Lovell well knows, parties can stipulate to anything - if two attorneys stipulate to an agreement, then -

Mayor Briare: We would have to get expressions from the other members of the Board - I am only expressing my own feelings -

Mr. Bray: I just wanted to point out that we are amenable to exploring that area.

Mayor Briare: In the event, Mr. Lovell - and again, not knowing what the feelings of the Board are - is such an agreement feasible without having to go into Court with all the expense and all?

Mr. Lovell: It may be unusual but it is conceivable so long as both sides live up to their verbal promises or written stipulations. The problem you get into is if for some reason there is some questionable conduct and the City wants to jerk his License and all of a sudden he decides he wants to keep it, he is going to say - I was coerced - I couldn't do anything else - it looked like you were going to vote against me so I was compelled to do this and coerced into it. Then we're going to be in Court anyway, testing whether we did it properly. There are two different methods of - extraordinary methods of getting into Court on a controversy to have the Judge decide whether you can do one thing or another - perhaps we can try that. We can look into it, certainly.

If the Commission wants our office to look into it, we will do that. I should also think that during the interim period, if that is going to be the case, it might even solve itself without having to do that if, in fact, the Officers from Metro would give some time of recommendation to SID - or something. I thought that was going to be at this meeting today anyway - that's why it was continued to give you some more input into the situation.

Mayor Briare: We did have substantially more input -

Mr. Lovell: I can't give you a real answer on it - I'm not sure the Judges will listen in view of the existence of ordinances under which we are supposed to operate, but we could try it -

Mayor Briare: That, perhaps, should be the burden of Mr. Bray to make the suggestion. It is not the burden for us

PUBLIC HEARINGS 10:00 A.M.

Mayor Briare: This is the time set for the Public Hearing on Special Improvement District No. 414.

Before you begin your presentation, Mr. Hampton, I would like to ask if there is anyone in the audience here for the purpose of a Public Hearing on Special Improvement District No. 414:

S.I.D.
No. 414
Approved

SPECIAL IMPROVEMENT DISTRICT No. 414

Valley View Blvd. from Desert Inn Road to Charleston Blvd.

UNIT I. Parking Lane

UNIT II. Street lights,
Curb & Gutter

(No response)

Mayor Briare: Apparently there is no one present to speak on this Special Improvement District matter so the record will indicate there was no one to speak in favor of or in opposition to this Project.

Director of Public Services, Laurence Hampton: I have no comments other than to say that we feel that the costs as presented are in order and we would recommend adoption of the Resolution and the Ordinance appearing on a future part of your agenda.

Mayor Briare: Are there any comments by any of the Commissioners?

(No response)

Mayor Briare: I will close the Public Hearing and ask what the pleasure of the Board is.

M o t i o n Commissioner Woofter: I move to approve as presented.

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

V-25-76
Appeal
Granted

APPEAL FILED BY ALCA ENGINEERING, INC. on Application of Applewhite Mortgage Company - V-25-76
to action of the Board of Zoning Adjustment in denying a VARIANCE to allow rear yard setback deviations for thirteen (13) single family homes as follows:

1. Allow a 27 ft. rear yard setback where 30 ft. is required.

Lots 41, 43, 45, 49 and 51

2. Allow a 25 ft. rear yard setback where 28 ft. is required.

Lots 40, 42, 46 and 48.

3. Allow a 27 ft. rear yard setback where 28 ft. is required.

Lots 44 and 50

4. Allow a 29 ft. rear yard setback where 30 ft. is required.

Lots 39 and 47.

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Minutes
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City Commission
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(continued)

All of the above are on properly legally described as Lots 39 thru 51, Block 2, Charleston Gardens No. 1.

All lots are generally located on the north side of Ash Avenue between Hancock Street and Page Street, and on the west side of Page Street between Stewart Avenue and Ash Avenue, in Zoning District R-1 (Single Family Residence).

Mayor Briare: I have declared the Public Hearing open. Mr. Saylor, will you present the Appeal?

Director of Community Development & Planning, Donald J. Saylor: This involves an appeal from a denial action by the Board of Zoning Adjustment involving the construction of new homes in the eastern end of the City - east of Lamb Blvd. It is part of an existing subdivision - they are finishing it out, so to speak. The lots are all the standard depth - 100 ft. They are asking to put a little larger house on the lots than that which could be permitted under the Ordinance. All of the lots will have at least 25 ft. in the rear, extending on up to 29 ft. and, in essence, they are asking for an adjustment in the front yard area.

There were no protests at the BZA Meeting.

Mr. Small: My name is Steve Small representing Alca Engineering and the Developer.

Mayor Briare: I have one question - Mr. Saylor, during the course of discussion of this matter by members of the BZA, were they following the letter of the Law, right to the letter, or were there some comments made by the members who opposed this particular application?

Mr. Saylor: I think essentially the situation was with the Board was that they felt the Developer should have been aware of what the setback requirements were for new construction, and they felt it should have been conformed to.

What it amounts to - they want to build a slightly deeper house on the lot than permitted -

Mayor Briare: Are they under construction now?

Mr. Saylor: Not on these particular houses - they are building other houses in the area, though.

Commissioner Leavitt: But we're not in a situation where they have to tear down anything?

Mr. Saylor: No.

Commissioner Christensen: We're talking about taking 3 ft. off the back lot area -

Mr. Saylor: Under our Ordinance if you provide a 30 ft. rear yard, you can reduce the front yard setback to 20 ft. They want to have a 20 ft. front yard setback, but not provide the full 30 ft. in the rear. In some cases it would be 29 ft., in some cases 25 ft., and in some cases 27 ft. 25 ft. is our normal rear yard setback if you have 25 ft. in the front.

Commissioner Leavitt: What is the reason for it?

Mr. Saylor: The house design is such that - Mr. Small has a diagram here that might show it - actually, I think the end result is shown on the chart (wall map) that under

their proposal - which is on the lefthand side - they will still have a substantial rear yard area, as opposed to if they wanted to build a wider house, but not quite as deep.

Commissioner Christensen: In other words - what you're saying is that this Variance will extend only part of that house into that setback and the other part of the house is substantially more than the setback requires -

Mr. Saylor: Right - and the end result is -

Commissioner Christensen: They will end up with as much, or more, yard space -

Mr. Saylor: More -

Mr. Small: You've got 1800 sq ft. of rear yard area. On these (wall map) this shows 2202 sq. ft. - this is with the 27 ft. setback -

Commissioner Leavitt: You will have a bigger back yard -

Mr. Small: Yes - it also has a side patio toward the larger area and in the five years they have developed in Bonanza Park -

Commissioner Christensen: Do these homes all face north?

Mr. Saylor: No - south -

Commissioner Christensen: They face on Ash then?

Mr. Saylor: Right -

Mayor Briare: Mr. Saylor, was Notice sent to all the adjoining neighbors?

Mr. Saylor: Yes, and there were no protests.

Mayor Briare: Is there anyone in the audience here to protest this application?

(No response)

Mayor Briare: Are there any comments from the Commissioners before I declare the Public Hearing closed?

(No response)

Mayor Briare: I will now declare this Public Hearing closed and ask what the pleasure of the Board is.

M o t i o n

Commissioner Woofter: I move to approve the appeal under V-25-76.

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

DEPARTMENT OF PUBLIC SERVICES

LAURENCE HAMPTON, DIRECTOR

See Pages 48 and 49 of these Minutes
(Annotated Agenda)

DOWNTOWN
LIGHTING
Report

DOWNTOWN LIGHTING SURVEY OF PROPERTY OWNERS

Mr. Hampton: Mayor, this is a report on the Downtown Lighting Project. We have had a number of meetings with The Downtown Progress Association and, I might add, all have been very fruitful.

Letters were sent out to all the property owners in the approximately thirty-six (36) block area. The result of our poll has shown on the map that Mr. Gist is holding; the red indicating Disapproval; the green Approval and the yellow are those areas owned by the City, the County or other Public Agencies. The School District has a small piece. The Federal Government has a couple of pieces.

Mayor Briare: The white areas indicate "No Response"?

Mr. Hampton: The white areas do indicate a "No Response" - that's right. As you are aware, in the letter we sent out we broke the area into three (3) distinct categories: The Casinos and Hotels would be paying three (3) times the standard amount; the Primary Commercial area would be paying two (2) times the standard amount and the Secondary Commercial and/or Residential would be paying the standard amount, which would be \$550.00 for an average lot 50 ft. in width and 140 ft. in depth.

The overall percentage of approval vs. disapproval was

Yes	47%
No	13%
No Answer	39%

If we assume that the City and County would approve, this would raise the "Yesses" to 52.8%.

Mayor Briare: I think under our statutes, the "non response" go with the - no objection, therefore affirmative.

Mr. Hampton: This is our usual procedure. However, in this particular letter we sent it, this was not stated: However, it is general practice.

Mayor Briare: So it would appear to be overwhelmingly approved -

Mr. Hampton: That's right - possibly as much as 88% in favor.

Mayor Briare: What is the time schedule on this project? What is the next step?

Mr. Hampton: The next step would be for this Body to give us approval to initiate the Improvement District and start preparation of the design.

I do have a small chart here that shows what is actually being proposed. To answer your question - we estimate approximately four (4) months before construction could

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 PLATS

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

1. Woodland Hills Unit No. 1. (The Crestmont Corp., Harold Shydler, Pres.)
2. Lewis Homes-Charleston No. 10-B. (Lewis Homes of Nevada, a partnership, Earl Monson, Agent)

*B. RELEASE OF SUBDIVISION BONDS

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

1. Charleston Heights No. 52. (Becker and Sons, E. A. Becker, Jr., Agent)

*C. RIGHT OF WAY ITEMS

1. Grant Deed
 From: Leonard L. Haynes and Mavoureen Haynes, husband and wife as joint tenants as to an undivided 1/2 interest; and S. Robert Leaver and Mary J. Leaver, husband and wife as joint tenants as to an undivided 1/2 interest
 To: City of Las Vegas
 For: Portion of Block 1 of McNeil Tract No. 2 Alley. Dedication Building Permit

Item 1 withdrawn
 (at request of Dir. of Public Services)

Item 2 approved
 as recommended
 W - unanimous

Approved
 as recommended
 W - unanimous

Approved
 Items 1 thru 4
 W - unanimous

Director authorized to proceed

Clerk and P&C to proceed

Director authorized to proceed

ITEM Commission Action Department Action

I. (h) DEPARTMENT OF PUBLIC SERVICES (Continued)

*C. RIGHT OF WAY ITEMS (Continued)

2. Grant Deed

From: Keith Arlo Hafen
 To: City of Las Vegas
 For: Portion Lot 9, Block 1,
 Happy Valley Ranchos
 Owens Avenue. Regional
 Street & Highway Project,
 \$250.00
 Recorded as Instrument
 No. 584036 in Official
 Book 625 in the office
 of the County Recorder,
 Clark County, Nevada on
 May 25, 1976

See Page 18

See Page 18

3. Quit Claim Deed

From: Ernest A. Becker, a
 married man
 To: City of Las Vegas
 For: Portion NW-1/4, Sec. 31,
 T20S, R61E
 1 foot strip adjacent to
 Charleston Heights Tract
 No. 14C

4. Grant Deed

From: Allen Stewart, a married
 man, Luther Kutcher, a
 married man, and Gary
 Edward Fike, an unmarried
 man, each as to an un-
 divided 1/3 interest
 To: City of Las Vegas
 For: Portion NE-1/4, Sec. 26,
 T20S, R61E
 Pastel St. Dedication
 Building Permit
 Recorded as Instrument
 No. 586370 in Official
 Book 627 in the office
 of the County Recorder,
 Clark County, Nevada on
 June 2, 1976

D. REPORTS

1. Downtown Lighting survey of Property
 Owners.

City Eng. directed
 to prepare Plans
 & Specs
 C - unanimous

Staff to proceed

E. PROJECT APPROVAL

1. Annual overlay program.

Authorized
 permission
 to advertise for
 Bids

Staff to proceed

ADDITIONAL ITEM

1. REQUEST APPROVAL OF LETTER ADDRESSED
 TO EPA

Approved
 C - unanimous

Director of
 Public Services
 authorized
 to proceed

DOWNTOWN
LIGHTING
(continued)

begin. The major portion of that time is required to set up the Special Improvement District.

If you can imagine - between blocks we have approximately two (2) street lights existing - this Project would double that. We would have twice as many mid-block lights. In some areas we would add new lights to the intersections and, in total, we would be adding some 250 plus lights to this 36-block area.

We would receive an average illumination of 6.8 ft. candles on the north/south streets and 6.43 ft. candles on the east/west streets. They have referred to the new parking lot at the Silver Nugget as being an extremely well lighted area. We did take readings on that area and the average out there is 6 ft. candles so we are designing would provide more illumination than they have at the Silver Nugget parking lot.

Commissioner Christensen: Are you going to put these on Fremont Street too?

Mr. Hampton: Not in the first three blocks. The average cost of the power bill alone would be \$21,800.00 as compared to the about \$5,000.00 we pay now.

The total cost of the Project is \$575,000.00, which includes \$75,000.00 for alley lighting. There is one very weak part of our estimate, and this is the \$109,000.00 which is shown for the underground conduit wiring repair.

As you can imagine, the wiring in the Downtown area - some of it is very old and we are not sure just exactly what part of that we will be able to salvage. We have estimated the underground portion of the work to be \$109,000.00, although that could increase by \$50,000.00 or it could decrease by \$50,000.00.

Commissioner Christensen: Is there any procedure to remove lights in the Downtown area that are not needed? For instance, you are talking about not putting them on the first three blocks of Fremont Street - I can well remember a time when that was just the first two blocks and it could conceivably become the first four, five or six blocks -

Mr. Hampton: It is a very easy procedure - we have done two in connection with The Four Queens this past year - remove the lights and cap them off. What we would essentially have would be two 150 watt high pressure sodium lights at an 18 ft. level, as shown on this sketch (wall map) and a 400 in some areas - 250 watt high pressure sodium at the very top. This has been approved, unanimously, by those present at the Downtown Improvement Association meeting.

Commissioner Leavitt: I have a question: You have indicated we have to establish a Special Assessment District. How long does that procedure take?

Mr. Hampton: Approximately three (3) months after we get the design finished.

Commissioner Leavitt: Then construction would start around the first of the year?

Mr. Hampton: That's right.

Mayor Briare: Mr. Hampton, please repeat once again what the action of the Board should be at this meeting in order to proceed.

Mr. Hampton: Authorize the Public Services Department to proceed with the design and formation of the Special

DOWNTOWN
LIGHTING
(continued)

Improvement District.

Mayor Briare: Mayor Gragson, do you want to make any comments, or speak on this matter?

Oran K. Gragson: No, I don't have any. This has been exactly what I wanted to hear.

Mayor Briare: If there are no further comments or questions, what is the pleasure of the Board?

M o t i o n

Commissioner Christensen: I move we authorize the Department of Public Services to proceed.

Mayor Briare: Before we vote, I would like to throw one little thought into the matter. I am, of course, in favor of it, but aesthetically - and you say you are going to do the design work - have you chosen the shape of the bulb? Are these going to be real good looking poles?

Mr. Hampton: I, personally, feel they are . . . that is essentially the design we're shooting at (wall sketch) -

Mayor Briare: Speaking of "shooting at" - those things are going to be out most of the time -

Mr. Hampton: No, they are made of a non-breakable material -

Mayor Briare: I don't want to get into an argument about the aesthetics - if everybody who is going to be paying for these things are satisfied . . .

Commissioner Christensen: Maybe we ought to put in that kind that are flat -

Mr. Hampton: Let me say, insofar as the aesthetics are concerned - I have two plots here - one you will notice has a top fixture which is our standard fixture. We did investigate the possibility of making the top fixture also round but we are talking about \$70,000.00 more to do that. We felt that the people will be looking at the lower fixtures and will not really look above that.

Mayor Briare: When you look at the Public Works magazines that come into our offices - many times on the cover are the advertisements of companies that are trying to sell light fixtures to cities. They have some very exotic looking fixtures and I would like to see Las Vegas have the most exotic there is, if they are functional and within the ability of the people who are paying for them - that's the important part. Of course, the City of Las Vegas has made a commitment of \$200,000.00 so the City would certainly have something to say about it.

Anyway, the motion is to proceed with the Downtown Lighting Project.

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

ANNUAL
OVERLAY
PROGRAM
Approved

Mr. Hampton: Under the next item of PROJECT APPROVAL, Your Honor, I regret that our Display is not readable from any very great distance.

This is the time of year when we traditionally review the streets in the worst condition and propose an annual maintenance on those. I have listed those streets:

See Page 52 of these Minutes (Overlay Locations)

OVERLAY AREAS

LOCATION

7-7-76 Agenda

SQ. FOOTAGE

1. Thom. Blvd.	Cheyenne to Rickey	35,520
2. Heron	Upland to Evergreen	30,921
3. Easy	Alta to Evergreen	32,208
4. Gypsy	Upland to Easy	47,223
5. Mason	Cahlan to Campbell	47,582
6. Strong	200' So. of Bryant to 200' No. of Mason	33,300
7. Cedar	Bruce to 23rd St.	65,076
8. Mesquite	Bruce to 21st St.	44,220
9. 22nd St.	Bonanza to Walnut	21,780
10. St. Louis	Howard to Boulder Highway	41,236
11. Atlantic	Hoyt to Clifford	122,200
12. 15th St.	Charleston to Oakey	84,414
13. 16th St.	Oakey to St. Louis	41,514
14. Garces	Las Vegas Blvd. to 7th St.	30,691
15. Industrial	Boston to 2452 Industrial	76,494
16. Bonanza Rd.	Mojave to IBEW Building	176,150
17. Bonanza Rd.	Page to Bonanza Bridge	40,560
18. Bonanza Rd.	Bonanza Bridge to Nellis	44,460
19. Baker Park Parking Lot		21,669

1,037,218

AR 8,000	362 Tons @ \$ 84.00	30,408.00
1" A.C. Overlay	6,208 Tons @ 7.50	46,560.00
SSIH	72 Tons @ 84.00	6,048.00
Adj. M.H.	43 Ea. @ 160.00	6,880.00
Adj. W.V.	25 Ea. @ 160.00	4,000.00
Adj. F.H.V.	23 Ea. @ 160.00	<u>3,680.00</u>

97,576.00

OVERLAY
PROGRAM
(continued)

and they are shown on a plat that I have here (wall map) but they are readable only if you are standing right in front of it. If you would be willing to take a short break it could be reviewed at that time. We had a very difficult time in finding a City map that was suitable to show these.

The cost of the Project is \$97,000.00 which approaches the \$100,000.00 that is budgeted for the Project. These have been reviewed by several people in the Department and agreed these are the most needed areas.

Commissioner Christensen: Is Lacey Lane included in this?

Mr. Hampton: Lacey Lane is in another part of the Program and is scheduled for reconstruction.

Mayor Briare: There is no iron-clad order to these?

Mr. Hampton: No - there is no immediate need to approve these today. In fact, if you would like to review them and take action at your next meeting, that would be fine -

Mayor Briare: Had you set up a certain amount of your budget for overlay?

Mr. Hampton: \$100,000.00. The most economical way, of course, would be to do it all under one contract.

Mayor Briare: That doesn't leave much left over for other situations that might come to our attention during the year -

Mr. Hampton: We have other funds for regular maintenance. This is a Capital item of \$100,000.00.

Mayor Briare: What is the pleasure of the Board?

Commissioner Leavitt: You don't need action on this now, do you?

Mr. Hampton: We need your permission to go to bid.

M o t i o n

Commissioner Leavitt: I move that permission be granted to advertise for bids.

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

Mr. Hampton: That's all I have, Your Honor.

Mayor Briare: It is going to be necessary for the Commission to recess. Before we do, we want to take care of a couple of items on which we know there are people in the audience are interested in. I would like a show of hands if there is anyone present to protest the Zone Change for K. L. Keltner for Harley & Ruth Davidson.

(Response in the affirmative)

Mayor Briare: Is there anyone present to protest the application of Susan Bailes?

(No response)

Mayor Briare: Is there anyone present to protest the application for a Zone Change for Ernest Becker? There are two applications involving Mr. Becker - is there anyone present to protest the application under Z-37-76?

(Affirmative response)

Mayor Briare: That was the item on the Shopping Center. Is there anyone present to protest the application of Ernest Becker as an individual?

(No response)

Mayor Briare: Is there anyone present to object to the removal of time limit on an application bh William Hart?

(No response)

Mayor Briare: Is there anyone present to protest an appeal by Ray Morgan?

(No response)

Mayor Briare: The only items on which we have people present, are Items A and D. If it meets with the approval of the Commission we will take up Item A first and then Item D. We will then recess and return to complete the agenda.

DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT

DONALD J. SAYLOR, DIRECTOR

Z-35-76
Denied

ZONE CHANGE Z-35-76 - K. L. KELTNER (IN TRUST) FOR HARLEY & RUTH DAVIDSON

Mr. Saylor: This involves property on the east side of Shadow, just south of the Clark County Health Department and southeast of the Valley Hospital and, of course, north of Southern Nevada Memorial Hospital.

If you will look over here (wall map) you will see the parcel of land in question - it is colored brown. This is the Health Department - the Hospital - these are single family homes in here.

They are requesting an R-4 density to allow 48 units, only providing 69 parking spaces. The property was before you some time ago for R-4 zoning. It was approved. However, the time elapsed on that. It was not developed and now they are making the same request - the same layout.

The Planning Commission has recommended denial. They felt the density simply was too great. They were in sympathy with an R-3 density. The applicants point out they are trying to build units that would cater to the people working at the various facilities in the area. There were protests from some 11 property owners in the area.

Mayor Briare: Is the applicant present?

(No response)

Mayor Briare: Is anyone representing the applicant present?

(No response)

Mayor Briare: Is there anyone present who wishes to be heard in opposition to this?

Elaine Elder: I represent the District Health Department. I believe we had a representative at the Planning hearing to protest the same application.

It is our understanding that this application in its present form calls for access through a dedicated alleyway. The only access to the alleyway is through the Health Department's driveway. In November, we were considering ourselves cutting another entrance to the alleyway and Bob Kennington of the Traffic Engineering Division said that it would be too close - that there is opposition to having two driveways, I think, within 10 ft. of each other, which would be the case on that particular driveway, and it would also be a traffic hazard for pedestrians.

Our driveway is a Bus Route - the City bus line does come through our driveway, using our access and we have over 100,000 cars with visitors coming to the Health Department each year - in addition to which, of course, the Valley Hospital is expanding and there is an extremely heavy traffic problem there.

Therefore we would request denial of this application on the basis of the access using our driveway to the alleyway.

Patricia Allen: I reside at 1608 Beardon and I represent the property owners on Beardon Drive. We have a petition that we presented before the Planning Commission. I don't know if that has been passed on to you, but I can read it.

Mayor Briare: It has been brought to our attention.

Mrs. Allen: That represents 9 of the 11 property owners and it states the most vital reasons for denial of this proposal. Thank you.

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

Attorney George Rudiak: Your Honor and Members of the Commission - my name is George Rudiak and I am the attorney for Valley Hospital.

We would like to join in the opposition to the application in this case, for the reasons already indicated - because we think the traffic density would be greatly intensified by the proposed project because of the inadequacy of the parking space on the ground itself. The area is already heavily congested and we feel this would add to the traffic congestion in the area.

More importantly, however, is the fact that the entire area has been developing as a Health Center, as Your Honors are aware, and in addition to the particular facilities that Mr. Saylor mentioned we, of course, have the N.I.C. facility, which is a little further down the block. We also have the morgue on the next corner. Then, of course, we have the Health Department and the two Hospitals and other health facilities in the area.

This being the case, we think it would be more compatible with the actual development of the area if this application were denied so that if some other health facilities chose to come into the area, the land would be available for their use. Thank you.

Z-35-76
(continued)

Mayor Briare: Mr. Rudiak, while you are here before us - it is on another matter -

Mr. Rudiak: I did write a letter to Mr. Saylor requesting permission to vary from the requirement that was laid down by the Commission - if I may just briefly address myself to it:

Z-27-76
Approved

We would like to have permission to change that particular fence from masonry to a decorative wooden fence, of the same height, and having the same screening effect if that would suit the pleasure of the Commission. The reason being that since the requirement was laid down, the Valley Hospital has acquired the land on both sides of that fence and our preference would be to have just a temporary wooden fence rather than a permanent masonry fence.

Mayor Briare: It would be between your own property and your own property?

Mr. Rudiak: Yes - the only purpose is to effect the screening for the benefit of neighbors across the street.

Mayor Briare: Do you want a motion on that, Mr. Saylor?

Mr. Saylor: Yes, there should be.

Z-35-76

Mayor Briare: If there is nothing further on the application of Harley and Ruth Davidson, what is the pleasure of the Board?

M o t i o n

Commissioner Woofter: I move for denial as recommended by the Planning Commission.

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

Mayor Briare: I will now ask the question with respect to Valley Hospital - what is the pleasure of the Board?

Z-35-76

Commissioner Woofter: I would make a motion to allow the Variance on behalf of the Valley Hospital - to change the fence structure from masonry to wood.

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

Z-38-76

ZONE CHANGE Z-38-72 - CHARLESTON HEIGHTS SHOPPING CENTER

Mayor Briare: Is the applicant present?

Ernest Becker, 4401 W. Washington, Las Vegas: This is the property we had before that we didn't fare very well with. We are back because we have very few uses we are able to put the property to because it faces the Freeway on the north - faces Jones Blvd. with no access on the west - the Fire Station on the east and a little bit of Upland, a major Blvd., on the south.

We submit it for a Shopping Center - a small Shopping Center - and an office - the wide part of the building there (wall map) to be our offices and a convenience store and a couple of small stores alongside of it for related neighborhood businesses.

I think you've heard all the arguments we've had for it - we feel that it can't be residential - it no way can, and I know the neighbors around there feel that it shouldn't be business. We have some covered storage area for our own offices - you can see that in the red (wall map) -

Commissioner Leavitt: That was brought up before - for storage of equipment - I think we rejected that -

Mr. Saylor: You rejected the whole application, which was for Commercial.

Commissioner Leavitt: Now it's for a commercial Shopping Center -

Mr. Becker: Well, part of it is for our offices - this part in here would be the office (wall map) - this would be the covered storage area with parking spaces in here -

Commissioner Leavitt: By "storage" you don't mean one of these storage facilities where people have their own properties stored? What are you going to store there?

Mr. Becker: For example, when our dishwashers come in in lots. We just have too much stuff stolen from out in the yard and on the job sites, and we would put those kinds of items in there. They will all be shut in so you won't be able to see them from that standpoint.

Commissioner Leavitt: You are not talking about construction equipment, though?

Mr. Becker: No -

Commissioner Christensen: This area has only one access, and that is on Upland right alongside of that Fire Station - isn't that correct?

Mr. Becker: Yes - right here (wall map) -

Commissioner Christensen: How wide is Upland? That's not a very big street, is it?

Mr. Becker: It's an 80 ft. street - it is improved only to here - 40 ft. - when the Freeway gets in -

Commissioner Christensen: Then there's only a half a street there now - I knew it wasn't very wide right out there . . . we have a situation here where what you are asking for is Commercial Zoning on that piece, and that's what was asked for before - consequently, if we approve Commercial Zoning this time, regardless of what you have planned there now, it could be Commercial Zoning again. In other words, if we approved Commercial Zoning for this particular Plan, there would be nothing to preclude somebody at a later date, without coming back to this Board, to go ahead and put a construction yard in there, or almost anything.

Mr. Saylor: Your approval could restrict it to this. However, Commissioner, he is proposing - not only the covered storage for his appliances, but also construction equipment he indicated may be stored there. He indicates Commercial Shops in here (wall map) in addition to the office - so it is a Commercial Use that he is proposing.

Mayor Briare: There were some people here who indicated they wanted to speak in protest to this application. Would you come forward, please?

David Rollins: I live at 1116 South Jones Blvd., which is just about four or five houses from this property.

As has already been presented, this has been disapproved by the Planning Commission and it has also been the second time around to you. I am sure to this Commission it is an annoyance to come up a second time. To me, I have been doing this for almost 15 years and I am getting very, very tired of it.

We do not want Commercial property in this area. We have gone against it time and time again. Mr. Saylor has

Z-38-76
(continued)

pointed out several times that when the Fire House property was donated by Mr. Becker, that he could not use this as an excuse, in other words, for isolating this property and turning it into Commercial. The word "Park" has been mentioned. We know that is difficult. However, Mr. Becker has obviously built a great many houses next to a Freeway and there are people living in them.

I see no reason why Mr. Becker couldn't, out of his ingenuity and planning assistance that he has, find a way of putting a very nice house in there and selling it and getting out of here. We are just getting very, very tired of this. We will continue to come down. We had 13 people at the Planning Commission meeting and we will continue to be here as long as he continues to do so. Thank you very much.

Commissioner Christensen: I have a question I would like to ask this gentleman. I agree with you on houses next to the Freeway - but the thing that worries me here is a house next to the Fire Station -

Mr. Rollins: There's a man living next door to the Fire House right now - and there's a woman living right across the street from it. She is bothered with it more than anybody - with the lights . . .

Jean Anderson: I live at 201 Upland Blvd., and I really have nothing to add to what Mr. Rollins has said, but I did want to register my complaint to turning this into Commercial property.

Mayor Briare: Mr. Rollins brought up the last time this was before us - I believe it was almost a year ago. My memory may not be too good, but it seems like there has been some changes insofar as the storage facility is concerned.

Commissioner Christensen: It is covered now - it wasn't before -

Mr. Saylor: It is proposed as a covered storage area, Mayor, and it is conceivable that Mr. Becker is saying that he does not plan to use it to the extent that he indicated before. It is my understanding that it is essentially the same - the storage of all of his appliances for his houses, plus some construction equipment.

Mr. Rollins: To refresh your memory on that . . . the last time that Mr. Becker brought this up, it was denied by the Planning Commission. It came to the City Commission and they felt that perhaps some changes would make it acceptable. It went back to the Planning Commission again, where it was again denied. So that, perhaps, is why it seems there have been some changes.

In essence, as far as I can see, it is the same one that was proposed the last time.

Commissioner Leavitt: I'm concerned about the possibility of zoning it Commercial and having it used for just any Commercial use later. Is this a possible area here where we could have a Professional/Residential Zone? If we had such a Professional Residential zoning, would it allow for outside storage?

Mr. Saylor: To answer your questions in somewhat the order you pose them, I think perhaps some credence could be given to the possibility of of a P-R Zoning, which would restrict it strictly to offices. In answer to the second question, this would not allow any type of storage.

Commissioner Leavitt: It seems to me that was the biggest

objection - the outside storage. I don't think it is practical to use the property for a residential home, so I'm just wondering if a P-R zoning would be the answer for that particular piece of property. He is using it for offices now, isn't he?

Mr. Saylor: No - it is vacant.

Commissioner Christensen: This would eliminate any night operations - like a 7-Eleven Store. There is quite a bit of Commercial across the street with small shops . . .

Commissioner Leavitt: Would it be necessary to send it back to the Planning Commission if we should decide to rezone this to P-R - for the office use without the storage?

Mr. Saylor: No - you could by your own action here, if you wanted to, simply deny the request for the Commercial, but amend it to a P-R Zoning, which would mean then that they couldn't put in this storage and the shops. They would have to put in offices.

Commissioner Leavitt: What about the hours of operation?

Mr. Saylor: Those are limited under the P-R conditions to nine o'clock.

Commissioner Christensen: What about the opposition? Would that be more amenable? You wouldn't have to keep making trips up here all the time because if it was zoned P-R you would know it wouldn't be coming back in for Commercial every month.

Mr. Rollins: These are some of the sweetest words we've ever heard. We've said many times that we would be perfectly happy to see a P-R type of zoning in there. It was suggested, in fact, at the Planning Commission meeting the last time - the last two times. However, Mr. Becker just doesn't seem to consider that as a possibility, perhaps. I don't know.

Commissioner Leavitt: Maybe Mr. Becker would not want this to go P-R. Maybe we had better find out what his desires are on it.

Mr. Becker: The problem we have is the fact that sometimes we are in our offices up until about eleven o'clock at night. The office will be quite a ways away - it will be by the Freeway, I think, most likely. The other part of it is that we built a garage and we keep our trucks in the garage - on that basis it is better than having the fellows taking them home at night where they park them out on the street and they lose things out of the back end, and that is basically what we need that covered storage place for, plus when we do get some of the appliances - we sub everything out - we might have skill saws in that part - if we were to build a building and have some garages inside of it, I am sure it would be allowed in P-R - if we parked our things in there. We are talking about storage garages - they are going to have doors on them and on that basis they will be closed at night and there won't be anything you can see out in the yard, unless it happens to be somebody's car that went to a ball game . . . that's the problem we have. If we're going to make it P-R to have our office there, we have to have it where we can put those kinds of things in.

I agree with the people that we've been up here enough times, but there are certain problems that do come up.

(continued)

We do have to use the property for something. We are going to use part of it for our office. We think we can get an Engineer to come in. I'm not quite sure of 100% of uses in there, but I'm assuming that an Insurance Agent can use an office, such as Hyde Park has. I think we could possibly come out with the uses for what we think the value of the land is worth . . . I think we could use P-R if we weren't going to get a Policeman at the door at 9:30 P.M. saying you are working in your office - because there are times when I'm there until around eleven. It is very seldom, but there are occasional times when it happens.

I would have no objection to the P-R to end this situation as long as we can get some of that covered storage where we could put some of these things into it. It is not construction equipment because, basically, we only own three skill saws at this time. Everything we have is subbed out. It is just a question of the trucks - when they come in we would like to park them there so we can get them covered.

Mayor Briare: There is nothing to prevent any of your neighbors from parking a Pickup Truck or a 3/4 Ton Flatbed in their own residential garage, is there?

Mr. Saylor: No -

Mayor Briare: I don't think we have anything to say about what you can park in your own garage.

Mr. Becker: I guess we could park the Pickup trucks out on the street - that's where they are parked now when the fellows take them home. Our neighborhood at home down there in Charleston Estates has lots of Pickups parked out in the street.

Commissioner Christensen: I've got a 2-1/2 Ton Truck parked across the street from me -

Mayor Briare: It would seem that Mr. Rollins, who is more or less speaking for his neighbors, and it would seem they might be happy to see some offices in that area, and as far as allowing a person to park on his property, whether it's a Pickup Truck or a single passenger car, I don't know if we can get into that type of a situation -

Mr. Rollins: No, I don't think that is a problem. However, if Mr. Becker is still considering "covered storage" - No! That is not allowed under a P-R basis, I'm sure -

Mr. Saylor: I think he is discussing now merely garages - isn't that what you were saying, Mr. Becker?

Mr. Becker: Our employees are going to have a covered parking space. It will be just a canopy out there - in where we are going to put the trucks, we can't leave them out like that. We've got to put a garage door on it, so just call it a garage. That's what I'm talking about.

Mr. Rollins: I think we are averting the issue -

Mr. Becker: What I'm trying to say - and I can't argue the fact that when they make up lighting fixtures, we've been storing them in our offices at this time. We would like to put them out in the garage. I would be glad to show these people our office now to show them what we have stored in our office. They are just things that come in - a fellow doesn't get to put in a compactor - it is on his truck - or he picks them up - we will have 10 or 11 delivered at a time. These are the problems we have - we're trying to find a solution.

Z-38-76
(continued)

M o t i o n

Commissioner Christensen: Your Honor, in order to expedite things and to keep this item from coming back and coming back, I would move for denial of this application with the thought in mind that will pass and, if it does, move that we approve this amended to P-R Zoning.

Commissioner Leavitt: You are making this in two motions?

Commissioner Christensen: That is what it would require, wouldn't it, Mr. Saylor?

Mr. Saylor: No - you should not actually take an action to deny the application - just to amend the application.

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

Commissioner Christensen: Then I move to amend the application of Ernest Becker for the Charleston Heights Shopping Center, to P-R Zoning.

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

Mayor Briare: The motion is approved.

We indicated earlier that it was going to be necessary for us to recess, but we also indicated we were going to consider this other application also for Mr. Becker. I had asked if there was anyone in the audience that protested this. No one indicated at that time they were here to protest. I will ask again: Is there anyone present to protest the application under Z-37-76 for Ernest Becker?

Z-37-76

(No response)

Mr. Saylor will then present this. After that it will be necessary for the Commission to go into recess. It will be our intention to come back here at 1:30.

Mr. Saylor: This is located on West Charleston, immediately adjacent to Commercial development. This is Torrey Pines (wall map) - this is all Commercial. It is presently under a Resolution of Intent to R-3. He wants to use this much for Commercial leaving some apartment zoning to the north and to the west.

The Planning Commission has recommended approval in accord with the several conditions set forth on the agenda.

See Page 62 of these Minutes (Annotated Agenda)

M o t i o n

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

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

At the hour of 11:30 a.m., Mayor Briare declared this meeting recessed to the hour of 1:30 p.m.

Meeting reconvened at the hour of 1:30 p.m. with the Commission and Staff in attendance.

ITEM Commission Action Department Action

-(i) DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT
 CONTINUED

C. ZONE CHANGE - Z-37-76 - ERNEST A BECKER

Property located on the north side of West Charleston Boulevard between South Torrey Pines Drive and South Lorenzi Street, beginning 120' west of Torrey Pines Drive and continuing west along Charleston Boulevard 380' and extending north 400'.

From: R-1 (Single Family Residence) and R-3 (Limited Multiple Residence)
 To: C-1 (Limited Commercial)
 Proposed Use: Shopping Center & Parking.

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

1. Minor design changes to the plot plan, specifically concerning the eastern most area and access to the parking lot.
2. The status of the possible extension of Scholl Drive to Charleston Boulevard be determined at a later date. The applicant has indicated a willingness to put the street in if desired by the City.
3. Temporary fencing to be placed at the immediate rear of the initial development.
4. Installation of a 5 ft. wide concrete sidewalk along Charleston Boulevard as required by the Department of Public Services.
5. Resolution of Intent be restricted to a twelve (12) month time limit.
6. Approval of this action rescinds approval of the Resolution of Intent of Z-137-62.
7. 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.
8. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
9. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
10. Conformance to the plot plan as amended to reflect the above conditions.
11. Conformance to the code requirements and design standards of City departments.

Approved as recommended by Planning Commission
 W - unanimous

Clerk to notify Planning to proceed

Z-36-76
Approved

ZONE CHANGE Z-36-76 - SUSAN BAILES

Mr. Saylor: This is a request for P-R Zoning out on Eastern Avenue which, as you know, has been transitioning to P-R.

The application is in order. The Planning Commission has recommended approval subject to the customary conditions set forth on the agenda. There were no protests.

Mayor Briare: Is there anyone in the audience who wishes to make any comments on this application?

(No response)

M o t i o n

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

See Page 64 of these Minutes (Annotated Agenda)

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

VAC-1-76
Set date
for
Public
Hearing

VACATION - VAC-1-76 - GOLDEN NUGGET, INC., ET AL

Vacation of the alley located between South 1st Street and South Casino Center Blvd., extending from Carson Ave. south 400 ft. to Bridger Ave.

Planning Commission unanimously recommends approval, subject to the following conditions:

1. Satisfactory arrangements for access to be worked out if required by the Club Hotel.
2. Satisfaction of the requirements of the various Utility Companies.
3. Conformance to the requirements of the Department of Public Services and the Fire Department.
4. Vacation shall not be recorded until all of the above conditions have been met.

(No Protests)

Mayor Briare: I believe this is just to set a time for a Public Hearing on the Vacation, on the application of the Golden Nugget?

Mr. Saylor: Yes. However, Mayor, they asked me to advise the Commission that they do have an extreme time exigency and would like the Hearing set as soon as possible.

NOTE: To fall within the time frame specified by statute, that the Notice of the proposed Vacation must be posted "at least 30 but not more than 40 days" prior to the Public Hearing, the earliest possible legal date for Commission Action is August 18, 1976.

Z-20-74

REMOVAL OF TIME LIMIT ON RESOLUTION - Z-20-74 - WILLIAM E. HART

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Property located on the west side of North Nellis Blvd. between Stewart Ave. and Bonanza Road, 1300 ft. south of Bonanza Road and extending west from Nellis Blvd. approx. 900 ft. in Zoning District C-2.

Planning Commission unanimously recommends approval that the zoning be effected by Ordinance, subject to the following

ITEM	Commission Action	Department Action
(i) DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT DON J. SAYLOR, AIP, DIRECTOR		
<p>B. <u>ZONE CHANGE - Z-36-76 - SUSAN BAILES</u></p> <p>Property located at 1901 South Eastern Avenue, on the east side of South Eastern Avenue between East Oakey Boulevard and St. Louis Avenue.</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. 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. 3. Submittal of a landscaping plan prior to or at the same time application is made for a building permit. 4. Redesign of the plot plan as required by the Department of Community Planning and Development. 5. Conformance with the amended plot plan, including requirements of the Traffic Engineer. 6. No stock in trade to be kept on the premises for sale. 7. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets. 8. 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 W - unanimous</p>	<p>Clerk to notify Planning to proceed</p>

Z-20-74
(continued)

conditions:

1. All other conditions of approval be applicable.
2. All requirements imposed by Ordinances adopted subsequent to the initial approval of this application shall be adhered to.

Protests: 0

Mr. Saylor: Actually this is not a request for an extension of time. They have a Resolution of Intent and want it put into Ordinance form. They have developed a portion of the property - a Mini Warehouse type of development. The Planning Commission does recommend approval of the request that it be done by Ordinance.

Mayor Briare: Why an Ordinance rather than just allowing an extension of time? We have to go through asking the City Attorney to draft an Ordinance - have a Recommending Committee and a Study Committee -

Mr. Saylor: Right - that is the eventual conclusion of all Resolutions of Intent, Mayor, when they are developed to the extent proposed under the application. We then enact the Zone Change by Ordinance.

Mayor Briare: The same thing applies on the next item?

Z-5-63

Mr. Saylor: On Item "G", however - it's the same thing but there is one small condition that I think should be imposed, which I have discussed with the applicant and which he agreed to - a portion of their property does front on Shadow Lane, which is residential, and the condition I would request in that approval would be:

That there be no access to Shadow Lane and that the west 100 ft. be used for parking only, and

That there be a block wall.

As I have indicated, the applicant - the owners of the property have agreed to that.

Commissioner Leavitt: Two separate Ordinances?

Mr. Saylor: No - they will both be accomplished in one Ordinance. Excuse me - you do have the Ordinance on Mr. Sharp's item (Z-5-63) on Page 28.

Mayor Briare: Then let us proceed on Mr. Hart's application. What is the pleasure of the Board on Z-20-74?

Our action on this item is to instruct the City Attorney to proceed to draw the Ordinance and present it at our next meeting for referral to a Recommending Committee - is that the correct proceeding?

Mr. Saylor: Right.

Z-5-63

REQUEST TO ADOPT BY ORDINANCE THE ZONING CLASSIFICATION APPROVED BY RESOLUTION OF INTENT WITHOUT A TIME LIMIT - Z-5-63

Property generally located on the west side of Highland Drive, south of the Freeway.

Z-5-63
(continued)

Mayor Briare: On the application under Z-5-63 shall we then now refer to the Ordinance which will accomplish this?

Mr. Saylor: You can, if you like. It is on the agenda.

An ordinance entitled: "BILL No. 76-Z-1 - ORDINANCE No. _____ - AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, SECTION 3, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY AMENDING THE LAND USE PLAN MAP ADOPTED BY THE CITY OF LAS VEGAS, AND CHANGING THE ZONING DESIGNATION OF SAID MAP" was read by Title by the City Attorney, who recommended that the Clerk be authorized to proceed with the 1st publication, by Title, of said Bill No. 76-Z-1. (1st Reading)

Mayor Briare appointed Commissioners Leavitt and Christensen as the Recommending Committee on Bill No. 76-Z-1.

V-34-76
and
V-33-76
Set date
for Public
Hearing

Mr. Saylor: The next two items are before you to set the date for Public Hearing under the appeal procedure:

V-34-76 - H. RAY MORGAN - APPEAL

Appeal filed by H. Ray Morgan in the denial action of the Board of Zoning Adjustment to allowing a carport 2 ft. 6 in. from the front property line where 25 ft. is required, on property located at 1901 South 6th Street in Zoning District R-1.

V-33-76 - APPEAL FILED BY KELLY STAINER - APPLICATION OF WILLIAM V. CHRIST AND ALINE CHRIST

to action of the Board of Zoning Adjustment in approving a Variance to allow two (2) dwelling units where only one (1) is allowed and to allow a 16 ft. rear yard setback where 25 ft. is required, and two (2) parking spaces where four (4) are required; on property located at 1601 Hartke Place, on the west side of Hartke Place, 104 ft. north of San Pedro Ave., in Zoning District R-1.

Mayor Briare: I thought the Moran matter was before us once before -

Mr. Saylor: It was - about five months ago it was denied by the BZA; appealed to you and denied and it's been in court ever since. I think it is still in court. This is a new application for the same thing.

He didn't take it to court. The City, after the denial by this Commission, then cited him. Because he had built it illegally, the City took him to court.

Mr. Lovell: It is in the Municipal Court.

Public Hearing set at 10:00 a.m. August 4, 1976
on V-34-76 and V-33-76.

Commissioner Woofter: Mayor, I know what I am about to mention does not appear on the agenda and I have not had an opportunity to discuss it with members of the Commission, but I'm sure everyone is aware that a good friend to most of us passed away this week - William "Bill" Miller. I am sure we are all also aware of how much he contributed to the community - to the youth - to charitable organizations - and I was wondering if the Commission would concur with me in requesting the City Manager to draw up a Resolution to be presented posthumously.

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Mayor Briare: Certainly. Mr. Adams, would you please see that is done in an appropriate manner and presented to Commissioner Woofter for presentation at our next meeting?

OFFICE OF THE CITY ATTORNEY

CARL E. LOVELL, JR., CITY ATTORNEY

See Pages 68 and 69 of these Minutes (Annotated Agenda)

See Pages 70 and 71 of these Minutes (Resolution re S.I.D. No. 414)

COMMISSION MEETINGS
Resolution Adopted

RESOLUTION SETTING TIME FOR THE REGULAR MEETINGS OF THE BOARD OF COMMISSIONERS at 9:00 A.M.

Mr. Lovell: This is a request by this Board to change the time for the 1st and 3rd meetings in each month to 9:00 a.m. instead of in the evening.

Mayor Briare: Would the introducer be inclined to make a motion at this time?

M o t i o n

Commissioner Leavitt: I move for the adoption of the Resolution.

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

See Pages 72, 73 and 74 of these Minutes (Resolution and Commissioner Lurie's opposition to said Resolution)

SECONDARY HIGHWAY
Resolution Adopted

RESOLUTION OF APPROVAL BY THE CITY COMMISSION OF THE CITY OF LAS VEGAS FOR THE LOCATION AND DESIGN OF A FEDERAL-AID SECONDARY HIGHWAY

Mr. Lovell: This is a Resolution for your approval having to do with the location and design of a secondary Highway. It is Rainbow Blvd., from Sahara north to Fremont.

Commissioner Christensen: Do you have a map showing this?

Mr. Hampton: Yes - it is a straight line between those two points (wall map).

Mr. Lovell: This is being designed by the Department of Highways.

M o t i o n

Commissioner Woofter: I would move to approve the Resolution.

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

See Page 75 and 76 of these Minutes (Resolution)

RANDLE & ASSOCIATES
Agreement Approved

AGREEMENT BETWEEN THE CITY OF LAS VEGAS AND RANDLE & ASSOCIATES OF NEVADA, INC., TO HAVE THE SUBGRADE SOILS AND PAVEMENT TESTED - JONES BLVD. FROM CHARLESTON BLVD. TO SMOKE RANCH ROAD

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Mr. Hampton: This is an Engineering firm that was selected after reviewing all proposals by the four (4) local firms. This will be the first time this firm has ever contracted with the City for any Soils Testing. It was also the recommendation of the Regional Street and

ITEM	Commission Action	Department Action
IV CITY ATTORNEY		
A. COOPERATIVE AGREEMENT NOS. 54 and 58 (Construction of Swenson Street from Tropicana Avenue to Desert Inn Road)	Approved as submitted W - unanimous	Mayor & Clerk authorized to sign
B. RESOLUTION CONFIRMING THE ASSESSMENT ROLL FOR LAS VEGAS, SPECIAL IMPROVEMENT DISTRICT NO. 414	Approved as submitted W - unanimous	Staff to proceed
C. RESOLUTION SETTING TIME FOR THE REGULAR MEETINGS OF THE BOARD OF COMMISSIONS AT 9:00 A.M.	Approved Leavitt - unanimous*	Staff to proceed
D. RESOLUTION OF APPROVAL BY THE CITY COMMISSION OF THE CITY OF LAS VEGAS FOR THE LOCATION AND DESIGN OF A FEDERAL-AID SECONDARY HIGHWAY	Adopted Resolution W - unanimous	Mayor & Clerk to sign
E. Agreement between City of Las Vegas and Randle & Associates of Nevada, Inc., to have the subgrade soils and pavement investigated on Jones Blvd. from Charleston Blvd. to Smoke Ranch Road	Approved W - unanimous	Mayor & Clerk to sign
F. RESOLUTION DIRECTING ENGINEER TO PREPARE AND FILE MAPS, PLAN AND COST ESTIMATES--SPECIAL IMPROVEMENT DISTRICT NO. 419	Resolution Adopted W - unanimous	Staff to proceed
G. REQUEST FOR AUTHORIZATION FOR EXPENDITURE OF FUNDS FOR PARTICIPATION IN PSC DOCKET 750 (Nevada Power Company)	Approved W - unanimous	C/A to proceed**
H. REQUEST FOR SHOW CAUSE HEARING for PLEASURE SEEKERS (Anthony L. Washington dba Pleasure Seekers)	Approved Show Cause Hearings (under State Statutes) Items H thru L	
I. REQUEST FOR SHOW CAUSE HEARING for SUZY WONG (Betty Jane Langa dba Suzy Wong's Escorts)	10:00 a.m. August 4, 1976	C/A to proceed
J. REQUEST FOR SHOW CAUSE HEARING for SWINGING ESCORTS (Doubles Ltd. Bonnie Sue Washington, Pres. dba Swinging Escorts)		
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ITEM Commission Action Department Action

IV CITY ATTORNEY

K. REQUEST FOR SHOW CAUSE HEARING for VELVET TOUCH aka SWINGERS MASSAGE (Howard Senor dba Velvet Touch)

See Page 26

See Page 26

L. REQUEST FOR SHOW CAUSE HEARING for SULTAN'S PALACE MASSAGE (Baxter J. Boulet dba Sultan's Palace)

ADDITIONAL ITEMS:

1. RESOLUTION - ANNEXATION A-2-76

Adopted Resolution setting Public Hearing for 10:00 a.m. August 18, 1976. W - unanimous

Clerk to proceed 8/18/76 Agenda

2. REQUEST TO HIRE DEPUTY CITY ATTORNEY (to replace Ron Warren, resigned)

Approved W - unanimous

C/A to proceed

3. REQUEST FOR COUNSEL TO REPRESENT MEMBERS OF CITY COMMISSION IN PENDING LITIGATION

Approved Leavitt - unanimous

7/21/76 Agenda

* Commissioner Lurie (on excused absence from this Meeting) entered for the record his written opposition to this Resolution.

**City Attorney to approach other entities benefiting from past intervention by City of Las Vegas re participation in Special Counsel fees.

RESOLUTION CONFIRMING THE ASSESSMENT ROLL FOR LAS
VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 414

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, 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 said Ordinance No. 1699; and

WHEREAS, said assessment roll was tentatively approved by said Board of Commissioners and filed with the City Clerk on the 2nd day of June, 1976; and

WHEREAS, notice of said filing and the public hearing on said assessment roll was duly published and mailed as required by the Statutes of the State of Nevada; and

WHEREAS, public hearing on the amount of assessments was held on the 7th day of July, 1976, with 0 written protests and 0 oral protests having been received.

NOW, THEREFORE, BE IT RESOLVED by that Board of Commissioners of the City of Las Vegas, Nevada, at a regular meeting thereof, held on the 7th day of July, 1976, that Assessment Roll No. FINAL 3-1976 as tentatively approved and filed with the City Clerk on June 2, 1976, be, and the same hereby is, validated and confirmed, and is hereby ordered to be filed in the office of, and endorsed by, the City Clerk of said City.

BE IT FURTHER RESOLVED that said Board does hereby determine that assessments for any one project contained in said assessment roll as hereby con-

firmed does not exceed the reasonable market value of the particular lot or parcel of land against which the same is levied.

PASSED, ADOPTED AND APPROVED this 7th day of July, 1976.

WILLIAM H. BRIARE, MAYOR

ATTEST:

Edwina M. Cole, City Clerk

RESOLUTION

WHEREAS, Title I, Chapter 5, Section 6 of the Municipal Code, City of Las Vegas, 1960 Edition, provides that the Board of Commissioners of the City of Las Vegas shall meet in regular session two times monthly on the 1st and 3rd Wednesday of each month, and

WHEREAS, the Ordinance provides that such time may be set and changed by Resolution of the Board of Commissioners, and

WHEREAS, the Board of Commissioners desires to set the time for the regular meeting of the Board of Commissioners at the hour of 9:00 a.m. on said days.

NOW, THEREFORE, BE IT RESOLVED, that the regular meeting of the Board of Commissioners of the City of Las Vegas shall be held on the 1st and 3rd Wednesday of each month beginning at the hour of 9:00 a.m. until such time as it is resolved otherwise.

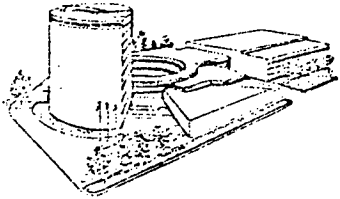
THIS RESOLUTION shall become effective beginning with the regular meeting of the Board of City Commissioners on the _____ day of _____, 1976.

WILLIAM H. BRIARE, MAYOR

ATTEST:

EDWINA M. COLE, CITY CLERK

City
of
Las Vegas



July 2, 1976

COMMISSIONER RON LURIE
MAYOR PRO-TEM

TO: W. E. ADAMS, P.E.
CITY MANAGER

FROM: RON LURIE *R. Lurie*

RE: OBJECTION TO PROPOSED RESOLUTION CHANGING COMMISSION
MEETING TIME

I would like the record to reflect my opposition to the proposed Resolution which would change the meeting time of the second Commission meeting of each month. I feel the Commission has an obligation to provide a convenience to the residents of the City by having a night meeting, thus affording day workers the opportunity to attend for a specific item without losing a day's work. I would hope that the Commission would consider these things when voting on the Resolution.

RL:lw

COPIES:

MAYOR BRIARE
COMMISSIONER CHRISTENSEN
COMMISSIONER LEAVITT
COMMISSIONER WOOFER
CITY CLERK ✓

CITY OF LAS VEGAS

Date

INTER-OFFICE MEMORANDUM

July 2, 1976

TO: EDWINA COLE, CMC
CITY CLERK

FROM: RON LURIE
COMMISSIONER *RL/lw*

SUBJECT:

COPIES TO:

Please read my objections, as attached into the record of the July 7, 1976, Commission meeting, regarding the proposed Resolution to change the meeting time of the second monthly Commission meeting. Thank you.

RL:lw

Attached

ACTION TAKEN
Resolution adopted
by City
Commissioner
Date *7/7/76*

RESOLUTION OF APPROVAL BY THE CITY
COMMISSION OF THE CITY OF LAS VEGAS FOR THE
LOCATION AND DESIGN OF A FEDERAL-AID SECONDARY HIGHWAY

WHEREAS, the provisions of NRS 408.100 declare in general terms the policy of the legislature of the state of Nevada and state that for the preservation of the public safety and the promotion of the general welfare, the improvement and development of transportation facilities in the state is necessary; and

WHEREAS, the provisions of NRS 408.290 provide that the department may supplement the state highway system by establishing new routes into or in the vicinity of municipalities and metropolitan areas with the approval of the board of county commissioners of the county in which such additions may be proposed and with the approval of the city council of any incorporated city directly affected thereby, if the department determines such additions to be necessary; and

WHEREAS, the Department of Highways has proposed a new route in the county of Clark along a general alignment as shown on the map attached hereto, and more particularly described as a portion of a federal-aid secondary highway known as FAS 829 (Rainbow Boulevard), Clark County, from FAS 549 (Sahara Avenue) north to an intersection with U.S. 95 Expressway (Fremont Street), a distance of 2.031 miles; and

WHEREAS, the department has held public hearings pertaining to the location and design of the proposed project; and

WHEREAS, it has been determined that the improvement of a portion of said highway as hereinafter described will be of material benefit to the residents of Clark County and to the public in general by providing a better and safer means of transportation because of such improvement.

NOW THEREFORE, BE IT RESOLVED by the city commission of the city of Las Vegas that pursuant to the said NRS 408.290 here-

inbefore mentioned, approval is hereby given to the location and design of the hereinbefore-described federal-aid secondary highway.

DATED this ___ day of July, 1976.

WILLIAM H. BRIARE, Mayor

ATTEST:

EDWINA M. COLE, City Clerk

Highway Commission that this firm be retained for this project.

Mayor Briare: Is this being done because of further development out there?

Mr. Hampton: The further improvement of Jones Blvd. - right.

Mayor Briare: When you use the term "investigated" - that suggests something ominous. Is this just a standard soils testing procedure? Or is it something we have to look into that is questionable?

Mr. Hampton: We have to take our tests to determine the resistance of the soil - how thick the base has to be - how thick the pavement has to be. We also run a sub-analysis and perform quite a variety of soil tests.

Mr. Adams: The word "investigation" is a common Engineering expression -

Mayor Briare: Will this be reimbursed to the City?

Mr. Hampton: "Study" would be a better word for the work to be performed and, yes, it will be entirely reimbursed by the Regional Street & Highway Commission - part of our 12% engineering fee - we are allowed 12% of the total construction in that total study . . . is part of that 12%.

Jim Singer: I am the Vice President of Randle & Associates, Inc. I am here to answer any questions you might like to ask concerning this proposal to the City of Las Vegas.

Mayor Briare: I don't know - perhaps this might be the first occasion since I've been on this Board to be in on the beginning of a project being funded by the Regional Street & Highway Commission. I do recognize there are certain obligations by the governmental entities which are going to be the recipients of the advantages of the streets and highways within the confine of the area. Consequently, I am at somewhat of a loss. Mr. Hampton, where are we?

Mr. Hampton: This is really a first step in our design work - to get the thickness of the pavement established so that we can set grades and do all the other good things we do.

Mayor Briare: You don't have Staff that can do this?

Mr. Hampton: No - we have a one man Lab who really does nothing but take soil compactions at our construction projects.

Mayor Briare: What will be the total cost of the Project?

Mr. Hampton: It would merely be an estimate at this time -

Mr. Singer: It would be right around \$19,500.00 -

Mayor Briare: I mean the total cost of the Project -

Mr. Hampton: I believe it is in the vicinity of half a Million Dollars.

Mayor Briare: And there are allowances up to \$60,000.00 for Engineering costs?

Mr. Hampton: That's right.

RANDLE &
ASSOCIATES
(continued)

Mayor Briare: Any further comments or questions?

(No response)

M o t i o n

Commissioner Woofter: I move for approval.

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

SPECIAL
IMPROVEMENT
DISTRICT
No. 419
Resolution
Adopted

RESOLUTION DIRECTING ENGINEER TO PREPARE AND FILE MAPS,
PLANS AND COST ESTIMATES - SPECIAL IMPROVEMENT DISTRICT
No. 419

See Pages 79 thru 82 of these Minutes (Resolution)

NEVADA
POWER
COMPANY

REQUEST FOR AUTHORIZATION FOR EXPENDITURE OF FUNDS FOR
PARTICIPATION IN PSC DOCKET 750 - NEVADA POWER COMPANY

Mr. Lovell: The Nevada Power Company is requesting another Rate Increase, this time in the amount of 16.7 Million Dollars and have based their request on the fact that they are going to have a new Plant, supposedly, in operation which will require the increase in rates from the consumers.

We have sent this application to our Experts - have discussed it with them - and it is our belief that the increased rates would result in unnecessarily high rates and would produce a "windfall" for the Nevada Power Co. of several Million Dollars.

A review of the record indicates that under normal circumstances with the increase in consumers each year that add to Nevada Power, the amount of the rate increase is going to be reduced in any event. Under State Law if, in fact, that happens the amount of rate increase they are asking for cannot allowed in detriment to the citizens of Las Vegas.

It also was apparent to our Experts that since the growth rate of sales, as they call it, appears to be slowing, it might even be possible to postpone construction of future new Plants at this stage, for a future time. Our Experts indicate that the rate increase would recover more than simply a fair return on the Rate Base which the Public Service Commission has allowed Nevada Power in the past. Consequently, we ask for your authority to intervene in this particular situation.

Mayor Briare: I believe this is about the first time we've had an item on the agenda where we have actually needed to approve these things - because I know the City has intervened in previous cases, but now that this one has come before us, perhaps it would be worthy to make a couple of comments on it, with the hopefully clear understanding that just because a person might ask some questions about it, it would not be misinterpreted to mean that you are opposing the Power Company.

I have discussed with the City Attorney's office in the past - again, with the hope there would be no suggestion that I am opposed to it, but I do believe, No. 1, this sort of argument should be made by the Public Service Commission because I do believe they are the appointed Body to look after the interests and welfare of the people of the State. Unfortunately they don't have the where-with-all, or the expertise, sufficient to object to these applications that are made, practically by the day, with respect to Nevada Power Company, and a little less frequently by the Southwest Gas Company.

R E S O L U T I O N

A RESOLUTION DIRECTING THE CITY ENGINEER OF THE CITY OF LAS VEGAS, NEVADA TO PREPARE, SUBMIT AND FILE WITH THE CITY CLERK OF SAID CITY CERTAIN PRELIMINARY PLANS, ESTIMATES OF COST, AND ASSESSMENT PLATS SHOWING THE AREAS TO BE ASSESSED AND THE ESTIMATED AMOUNT OF BENEFITS TO EACH LOT OR PARCEL OF PROPERTY TO BE ASSESSED; ALL IN CONNECTION WITH THE PROPOSED IMPROVEMENT OF CERTAIN STREETS AND PARTS THEREOF WITHIN SAID CITY AND PURSUANT TO CHAPTER 271 OF NEVADA REVISED STATUTES AND LAWS SUPPLEMENTAL THERETO.

WHEREAS, the Board of Commissioners of the City of Las Vegas in the County of Clark and State of Nevada is of the opinion that the interests of said City require the installation of certain street improvements within that certain area of said City hereinafter described; and

WHEREAS, said Board of Commissioners considers it necessary, desirable and for the best interests of said City to take steps pursuant to Chapter 271 of Nevada Revised Statutes for the organization of an improvement district and the construction therein of said improvements; and

WHEREAS for the purpose of designation and identification, it is desirable that said proposed improvement district be known and identified as "Las Vegas, Nevada Improvement District No. 419."

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 7th day of July, 1976, as follows:

SECTION 1. That the City Engineer of the City of Las Vegas in the County of Clark and State of Nevada be, and he hereby is, directed to prepare, submit and file with the City Clerk of said City preliminary plans, showing typical sections, the type or types of material, and the preliminary estimates of the cost of the installation of street improvements for said district, all as designated below:

A ASSESSMENT UNIT NO. 3

The improvements shall include the installation of street paving approximately 23 feet wide, consisting of 2 inches of AC pavement and fog seal over 4 inches Type II gravel and 4 inches Type I gravel, and standard 24 inch "L" type Curb and Gutters, with residential driveway openings, along the East side of Cashman Drive from Oakey Boulevard to Bryant Avenue and from a point approximately 20 feet South of the South Right of Way line of Charleston Boulevard southerly 278 feet, more or less, to meet existing improvements, 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,

Adopted by City Commission
Date 7/7/76

diagrams, and plans of the work and the locality to be improved, now on file in the Office of the City Clerk.

ASSESSMENT UNIT NO. 4

The improvements shall include the installation of standard five foot sidewalks, with residential driveway openings, along the East side of Cashman Drive from Oakey Boulevard to Bryant Avenue, 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.

ASSESSMENT UNIT NO. 5

The improvements shall include the installation of street pavement consisting of three inches of AC pavement and fog seal over 4 inches Type II gravel and 12 inches of Type I gravel, and standard 24 inch "L" type Curb and Gutter on the South side of Sunrise Avenue from a point approximately 103 feet East of the centerline of 29th Street to Mojave Road and on the North side of Sunrise Avenue from a point approximately 203 feet east of the centerline of 29th Street to a point 465 feet easterly of the centerline of 29th Street, 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.

ASSESSMENT UNIT NO. 6

The improvements shall include the installation of street paving consisting of two inches of AC pavement and fog seal over four inches TYPE II gravel and four inches Type I gravel, and standard 24 inch "L" Type Curb and Gutter on the East side of Lacy Lane from Alta Drive to Palomino Lane and on the West side of Lacy Lane from Alta Drive to a point approximately 590 feet South of the centerline of Alta Drive, with residential driveway openings, 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.

ASSESSMENT UNIT NO. 7

The improvements shall include the installation of alley paving, consisting of two inches of AC pavement with fog seal and prime coat over two inches Type II gravel and six inches Type I gravel and standard alley gutters in the East-West portion and extending 50 feet South in the North-South portion of the alley in Block 7, Boulder Addition, bounded by Main Street, Charleston Boulevard, Casino Center Boulevard and California Avenue, 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.

ASSESSMENT UNIT NO. 8

The improvements shall include the installation of street paving varying from 12 feet to 20 feet adjacent to existing pavement, consisting of 3/4 inch open grade over 3 inches AC pavement, over 4 inches Type II gravel, over existing subgrade compacted to 95%, with standard 24 inch "L" Type Curb and Gutter with a 6 inch face on the West side and a 9 inch face on the East side, with standard 6 foot sidewalks on the West side and a 5 foot bike path consisting of 1 1/2 inches of AC pavement over existing subgrade compacted to 95% on the East side, with Street Lights consisting of 400 Watt Mercury Vapor Luminaires with steel standards and concrete bases on Valley View Boulevard from the North right of way line of Charleston Boulevard northerly to meet the improvements at the Las Vegas Expressway and extending westerly on the North side of Alta Drive 200 feet West of the West right of way line of Valley View Boulevard to meet existing improvements, with Commercial driveway openings as required, except where adequate improvements are already installed, to include the necessary installation, removal and relocation of any and all utilities and appurtenances that are deemed necessary to complete same, as more particularly shown on the plats, diagrams and plans of the work and the locality to be improved, now on file in the Office of the City Clerk.

SECTION 2. The City Engineer is hereby directed to estimate the cost of each of such types of construction in a lump sum or by unit prices. Said preliminary estimates of the cost shall also include, without limiting the generality of the foregoing,

the advertising, appraising, engineering, printing, and such other expenses as in the judgment of such Engineer are necessary or essential to the completion of such work of improvement, and the payment of the costs thereof.

SECTION 3. The City Engineer is hereby directed to submit and file with the City Clerk an assessment plat showing the areas to be assessed, that is, the amounts to be assessed shall be made upon all lots and parcels of property benefitted, proportionately to the benefits received and shall be assessed against the property abutting said improvements on an area basis, i. e., on the basis that each lot or parcel of property to be assessed in each assessment unit shall be assessed a portion of the aggregate dollar amount being levied against that particular entire assessment in the proportion that the area of said lot or parcel bears to the area of all the assessable property in such assessment unit, provided that the depth of a lot or parcel in excess of 100 feet from the frontage facing the improvements shall not be considered in computing the area of such lot or parcel provided that in each assessment unit an equitable adjustment will be made for assessments levied against any irregular lots or parcels, so that the assessments according to benefits are equal and uniform. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon, each lot or parcel of property shall be as stated in the aforesaid assessment plat.

Regardless of the basis used by apportioning assessments, in case of wedge or "V" or other irregularly shaped tracts, an amount apportioned thereto shall be in proportion to the special benefits derived.

SECTION 4. All resolutions or parts thereof in conflict with the provisions of this resolution are hereby repealed.

INTRODUCED, PASSED AND APPROVED this _____ day of July, 1976.

WILLIAM H. BRIARE

ATTEST:

Edwina M. Cole, City Clerk

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Regular Meeting
City Commission
July 7, 1976

Mayor Briare: I don't know whether the Consulting firm that you use, Mr. Lovell, - they are from California, I believe - I believe they specialize in these cases and they have done work for the City in substantial sums - I don't know if they are also paid by the County of Clark; by the City of North Las Vegas, who are windfall recipients of the results of your office, which has been quite successful.

I don't know whether now is the time to suggest that perhaps the County, if they are gaining from the efforts of the City, that they should participate in these costs. There are a lot of things I don't know that I think probably should be looked into. The sums of money that the City of Las Vegas has spent over the past year, are substantial. We could certainly, perhaps, look with pride on the savings that that intervention has had as far as the people of the City of Las Vegas are concerned.

But has there ever been an approach made, Mr. Lovell, to the other entities to participate in these rather substantial fees?

Mr. Lovell: Yes, Mayor, we made an approach - possibly a little more than a year ago, and it fell on deaf ears. I think now that they have seen the effect of the efforts of the City of Las Vegas and the acceptance of these Experts, definitely another suggestion for sharing in the costs of these things for the benefit of all taxpayers here in Clark County - Las Vegas and all of the cities - should be made again.

Mayor Briare: This might be an appropriate time to let everybody know and have it understood that it has been through the efforts of the City of Las Vegas that the success of trying to curtail these applications and protect the interest of all of the people, at the expense of the City of Las Vegas.

Mr. Lovell: That is correct. If it were not for the City of Las Vegas and I will have to say the intervention by the Colorado River Commission, the citizens in the entire Valley who are served by the Nevada Power Company would be paying approximately seven (7) times as much as they are now.

Mayor Briare: That is what I wanted to say -

Mr. Lovell: The savings has been approximately 120 Million Dollars at a cost of only \$11,000.00 - this year, another \$6,000.00 - so the total spent has been \$17,000. since we started.

The Public Service Commission also complimented the City and its Experts by suggesting that if the City in the future, were ever going to use these Experts again, they would even consider hiring them as their full-time Consultants. They have been very impressed with them.

Mayor Briare: Why don't they do it?

Mr. Lovell: Well, they have their Staff now. If we were to let go of these Consultants, we would have to find someone else -

Mayor Briare: Would the City's case be different than the Public Service Commission's case?

Mr. Lovell: The Public Service Commission sits as a 3-man Judge. It has one attorney and some rate experts who work with them - only to point out certain things to the Commissioners themselves. But really the burden seems to fall to a large degree on the interveners to

show where the rate increases are not justified.

Mayor Briare: So it would appear then that the only guardian of the consumer, of late, has been the City of Las Vegas -

Mr. Lovell: That's right. I think with the success we've had for the benefit of all citizens, the other entities might wish to reconsider and participate in the future. These requests by the Utilities companies - the Power Company and the Gas Company - are not going to decrease. As the result of inflation they will continue and we will have to continue to watch.

As an example, we have just discovered that over the last two years, two of the bases for requests for rate increases by the Nevada Power Company was because they had to pay some 350 Million Dollars in taxes. While they have to pay that tax, it shouldn't be the burden of the taxpayer to have to pay corporate income taxes for a profit making organization. These are the things you find out through your Experts.

Mayor Briare: Have you any idea of the expenditure of funds that go with this type of case?

Mr. Lovell: Yes, this particular one seems to be from \$2,150 to \$2,500.00 -

Mayor Briare: And you have already included that in your budget?

Mr. Lovell: Yes - there was a grant by the Commission even previous to this.

Mayor Briare: I might just make this comment too, as a sidelight, Commissioners - that the United States Conference of Mayors, from which I have just recently returned - one of the Resolutions by all of the Mayors throughout the United States was to recommend that the Federal Power Commission take steps to have a consumer advocate at Hearings by those entities which sell wholesale energy - because by the time the increased wholesale prices get down to the Nevada Power Company, Nevada Power Company can then just come right on in and say - look, the cost of the merchandise has gone up - we've got to put in these increased rates. When the wholesale price goes up, it's kind of hard to argue against the increase in retail prices. However, if this Resolution should bear any fruit at all by the Mayors Conference, the wholesale increases then would come under sharper eyes of the Federal Government that might perhaps prevent this.

Does this Board wish to authorize the expenditure of these funds?

M o t i o n

Commissioner Woofter: I would so move to approve.

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

SHOW CAUSE
HEARINGS
Date set

REQUEST FOR SHOW CAUSE HEARINGS FOR:

1. PLEASURE SEEKERS
Anthony L. Washington d/b/a/ Pleasure Seekers
2. SUZY WONG
Betty Jane Langa d/b/a/ Suzy Wong's Escorts
3. SWINGING ESCORTS (Doubles Ltd.)
Bonnie Sue Washington, Pres. d/b/a/ Swinging Escorts

4. VELVET TOUCH aka SWINGERS MASSAGE
Howard Senior d/b/a/ Velvet Touch

5. SULTAN'S PALACE
Baxter J. Boulet d/b/a/ Sultan's Palace

Mr. Lovell: Mayor, these four items are for Orders to Show Cause for possible revocation of Licenses. These were before you once before under a City ordinance on false and misleading advertising. It was Judge Goldman who the case went before and it was his opinion that there has been legislation by the State Legislature on false and misleading advertising and that is the method we should follow rather than the City Ordinance.

We feel that because of the City Charter, etc., that we have the option of either going under Local or State law. Nevertheless, that was his decision. Consequently we have utilized the State law.

In any event, at this point, we have brought them back before you with reference to the State statutes on false and misleading advertising.

Mayor Briare: Should the actions be taken individually, or can they all be lumped into one?

Mr. Lovell: They can be lumped into one - since they have been before you before you can take Notice of all of them and the contents of each complaint - you can do them together or individually, whichever you wish.

Commissioner Christensen: How does that affect the Federal suit - if it does?

Mr. Lovell: Insofar as the Federal suit is concerned, we did go into the Local ordinances . . .

Commissioner Christensen: That's not what I mean - they've alleged a lot of things in the Federal suit - the thing I'm wondering about is - what is the time frame of the Federal suit - when will the first Injunction be issued if there is one issued . . . just where does this dovetail into the Federal suit -

Mr. Lovell: The Federal suit is merely a Complaint . . .

Commissioner Christensen: They are asking for Injunctive relief - if they get that - if they get a Temporary Restraining Order, that would preclude us from going ahead with this, would it not?

Mr. Lovell: With the one filed in Federal Court so far, it will probably be over a year before the case is heard. The only thing they have filed in Federal Court is a Complaint requesting that after the Hearings, and the trial, in this matter, if it should get that far, they would like an Injunction and Restraining Order at that point, as well as Judgment.

Commissioner Christensen: I just don't understand why we have to answer within twenty days from the time we are serviced -

Mr. Lovell: That's normal under a Complaint - that's normal in a Federal Court -

Commissioner Christensen: What are they going to do in twenty days?

Mr. Lovell: Nothing. Within twenty days, the City and all Defendants will either Answer, make a Denial or insert Motions to Strike preliminary Motions on our part -

SHOW CAUSE
HEARINGS
(continued)

Commissioner Christensen: OK - where do they answer that? What do we do - send a letter to the attorney? Or do they have to go to Court for that answer?

Mr. Lovell: We will file all of our proceedings in Court -

Commissioner Christensen: And then what does the Court do - sit on both sides of it for a year - you say -

Mr. Lovell: Well, the Federal Court does this. After all the Motions and Arguments are out of the way - after the Complaint they file, we want to know a more definite statement and other things . . .

Commissioner Christensen: Well, I understand all that - but when you go into District Court - somebody makes a Complaint against the City for relief on a License they generally are out of there in about three hours after our action . . . they can't do that in Federal Court?

Mr. Lovell: They do not do that -

Commissioner Christensen: No - but they will.

Mr. Lovell: They have chosen this remedy - on a Licensing matter the traditional method is a Writ of Mandamus -

Commissioner Christensen: How can they sue for specific damages when they don't know if they're going to be shut down in a year, or a day?

Mr. Lovell: Well, they are just alleging that's what they think the damages are. They can bring suit for it - like you have said, but they are going to have to prove it.

One other comment on this particular law suit - this is a general law suit, alleging, as you know, what is contained in it. However, it is very general, very vague - allows all of us also to counter-claim against these Plaintiff businesses alleging certain activities - questionable activities - on their part - allowing discovery to find out all activities, interests, methods of operation and several other things. They open their doors as well.

Commissioner Christensen: With all those in the past those doors were locked. That's what disturbed me a little because I don't want to take action here today that is going to come back to haunt me in six months - that I've taken this action and that's going to cost another Half a Million Dollars for harrassing somebody when, in fact, that isn't what you're doing at all - nevertheless it gets alleged in Court and they always manage to prove it. I've got to have a direct reading from the City Attorney that what we're doing here is legal and proper so that doesn't come back and haunt me later.

Mr. Lovell: Well then, probably what would be best would be to - since you all were just through this morning with this law suit, we have not yet had an opportunity to digest it I think from what you have we can evaluate the case and the other attorneys will have it evaluated as well - we can reconsider it at that time if you wish.

Commissioner Woofter: You're saying, in light of the fact of what Commissioner Christensen brought up, plus the fact of just being served with this, you don't have any recommendation for us at this time -

Mr. Lovell: I can have a recommendation, certainly. However, I think it would only be fair, since you all were served today, that if you do have certain concerns

SHOW CAUSE
HEARINGS
(continued)

with the allegations in the Complaint, that you might have some time to digest it.

Commissioner Leavitt: Are these the same businesses we looked at the advertising on before - the same situation where we previously voted for a Show Cause for revocation of License?

Mr. Lovell: Yes -

Commissioner Leavitt: But it has been changed to come under the State statutes instead of City ordinances?

Mr. Lovell: Right -

Commissioner Leavitt: We've already voted on it once, then?

Mr. Lovell: That's right.

Commissioner Leavitt: Then what do you need at this time?

Mr. Lovell: A motion to approve issuance of Notice of Show Cause based on the State statute.

M o t i o n

Commissioner Leavitt: I move that we approve Order to Show Cause based on State statutes - Items "H" thru "L" as they appear on the July 7, 1976 Agenda.

Commissioner Christensen: I'd still like to know from the City Attorney if this is a proper and legal approach to take.

Mr. Lovell: Alright - let me say this: It is the opinion of the City Attorney's office that this, in addition to the Local law - the procedure we used before - is a proper method to use for Order to Show Cause. We have a State statute which disallows false and misleading advertising; there is certain evidence that has been brought before you to give you concern, in our opinion, as to whether these particular businesses violated that State law and, if so, you have the right to consider types of actions with regard to the Licensees. It is our opinion that this is valid.

Commissioner Leavitt: Do I understand, then, that what the City Attorney is saying is that in the event that after an Order to Show Cause - after a hearing on the Order to Show Cause is held - and should we determine that there was, in fact, false and misleading advertising under the Nevada State Statute, that is sufficient grounds on which to revoke the Licenses of these people?

Mr. Lovell: It could be, depending upon the evidence that you hear at that Hearing - yes.

Commissioner Leavitt: In other words, if the evidence is sufficient at that time, it would be legal to revoke their License, in your opinion?

Mr. Lovell: Yes.

Mayor Briare: If there are no further questions, please cast your vote on the motion.

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

A-2-76-76
Resolution
Adopted
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Minutes
Regular Meeting
City Commission
July 7, 1976

RESOLUTION - ANNEXATION A-2-76

Mr. Lovell: This is a walk-on item and involves the annexation of that property involved with the Las Vegas Dunes - they want to annex some 40 acres to the City of Las Vegas.

This is a Resolution that begins, really, the Annexation procedure and starts the Notice of Hearing on the question of Annexation.

See Pages 89 thru 92 of these Minutes (Resolution)

Mayor Briare: Is this a procedural matter that should come up today because of the time factor?

Mr. Lovell: Right. It was discussed at the last meeting and the Commission decided to go ahead and start with the procedure to consider annexation, and this is the way it is done. The motion the last time was authorization for us to start. This is the first step in the procedure - the adoption of the Resolution.

M o t i o n

Commissioner Woofter: I move for adoption of the Resolution.

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

WASTEWATER
TREATMENT

Mayor Briare: Mr. Hampton, while you are here, this communication from you to the Mayor and Commissioners relative to wastewater treatment (EPA's findings of violation and order, dated June 29, 1976) - is Commission action required on this?

Mr. Hampton: I'm not sure from a legal standpoint, Your Honor - the Committee met today and they did read into the record the letter they were going to send and possibly it would be advisable if we were to read the letter into the record - the letter that I have have proposed. I had thought it could be done at the Executive level . . .

Mayor Briare: That's the reason I asked. If it is something that requires formal Commission action we certainly want that action before signing the letter. If it doesn't require it, I am familiar enough with the problem to realize that from an Executive standpoint I would certainly be in line to sign it, but I don't want to go ahead and sign something that should have the formal action of this Board.

Mr. Hampton: I would be happy to read it -

Mayor Briare: Why don't you read it into the record.

See Page 93 of these Minutes (Letter)

Mr. Hampton: The County at their meeting yesterday approved a letter stating they would proceed, as ordered, to comply within the 60-day time limit.

Mayor Briare: Again, is this going to require Commission action? If there are no objections by any of the Commissioners, we will go ahead and transmit such a letter.

(No objections)

Mayor Briare: OK - that will eliminate any questions. The procedure is to proceed with the mailing of the letter - please cast your vote.

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

R E S O L U T I O N

WHEREAS, the Board of Commissioners of the City of Las Vegas, Nevada, deems it appropriate and in the best interests of the public health, safety, welfare and convenience that certain territory hereinafter described that is contiguous to the City of Las Vegas, be annexed thereto.

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 7th day of July, 1976:

1. That it is the intention of said Board to annex to the City of Las Vegas the following described real property:

The Southwest Quarter (SW 1/4) of the Northeast
Quarter (NE 1/4) of Section 4, Township 19 South,
Range 60 East, M.D.B. & M.

2. That said Board of Commissioners shall meet on Wednesday, the 18th day of August, 1976, at the hour of 10:00 A.M. in the Commission Chambers, of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, to conduct a public hearing on the question of such annexation.

3. That the City Clerk be, and she hereby is, directed to give notice of such public hearing by publication thereof at least three (3) times in the LAS VEGAS SUN, a newspaper published in the City of Las Vegas and of general circulation in the above described territory, the first publication to be at least twenty (20) days prior to the said 18th day of August, 1976, and not less than six (6) days shall intervene between the first publication and the last publication, and by mailing notice thereof by certified mail, return receipt requested, to each record owner of real property within said described territory, said notice to be mailed at the time of the first publication thereof. Said notice shall be in substantially the following form, to wit:

"NOTICE OF HEARING ON QUESTION OF ANNEXATION OF TERRITORY WITHIN
PROPOSED LAS VEGAS, NEVADA, ANNEXATION A-2-75.

NOTICE IS HEREBY GIVEN to the property owners within the proposed Las Vegas, Nevada, Annexation A-2-75 that:

"The Board of Commissioners of the City of Las Vegas, Nevada, has by Resolution duly passed, adopted and approved on the 7th day of July, 1976, declared its intention to annex to said City the territory with the area generally located on the Northeast corner of Log Cabin Way and Cimmaron Road immediately north of Tule Springs Park.

"The territory proposed to be annexed is more particularly described as follows:

The Southwest Quarter (SW 1/4) of the Northeast
Quarter (NE 1/4) of Section 4, Township 19 South,
Range 60 East, M.D.B. & M.

"That said Board of Commissioners shall meet on Wednesday, the 18th day of August, 1976, at the hour of 10:00 A.M. in the Commission Chambers, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, to conduct a public hearing on the question of such annexation.

"A report setting forth the plans for the extension into said territory of all major municipal services presently furnished by the City to its citizens and residents will be available for examination by the public in the office of the City Clerk, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada 20 days prior to the date of the public hearing. Such report shall include:

- (A) A metes and bounds description of the territory proposed to be annexed.
- (B) An accurate map or plat of such territory prepared under the supervision of a competent surveyor or engineer.
- (C) A map or maps of the City and the adjacent territory to show the following information:
 - (1) The present and proposed boundaries of the City.
 - (2) The present streets and sewer interceptors and outfalls.
 - (3) The proposed extensions of the present streets and sewer interceptors and outfalls, and
 - (4) The present and proposed general land use pattern into the territory proposed to be annexed.
- (D) A Statement showing that the territory proposed to be annexed is eligible for annexation under NRS 268.570 to 268.608, inclusive.

"The following is a list of the names and addresses of all record owners of real property within the said described territory and proposed to be annexed hereunder:

Lester Emerson
3911 Mountain View Boulevard
Las Vegas, Nevada

Dan Churchfield
3355 North Mustang
Las Vegas, Nevada

Charles Brown
7465 Buckskin
Las Vegas, Nevada

"Any record owner of real property within the said described territory may appear and be heard either in favor or in protest of the proposed annexation at such public hearing and/or may file with the City Clerk a written protest to such annexation at any time within fifteen (15) days after the conclusion of said public hearing.

"Unless a majority of the property owners in the territory proposed to be annexed protest such annexation, either verbally at the public hearing or in writing within fifteen (15) days after the conclusion of such public hearing, the Board of City Commissioners shall have authority to adopt an ordinance extending the corporate limits of the City of Las Vegas to include all or any part of the territory described in this notice.

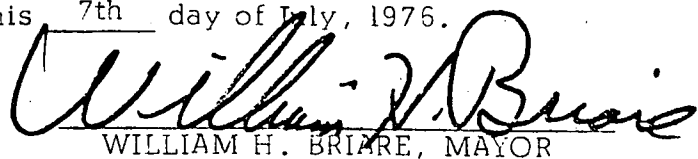
"By Order of the Board of Commissioners of the City of Las Vegas, Nevada.

DATED this 7th day of July, 1976."

4. That the Director of Public Works and Director of Community Development are hereby directed to prepare and submit to said Board of Commissioners of the City of Las Vegas on Wednesday, the 21st day of July, 1976, a report setting forth plans for the extension into said described territory all major municipal services presently furnished by the City to its citizens and residents, which report shall include, but not be limited to:

- (A) A metes and bounds description of the territory proposed to be annexed.
- (B) An accurate map or plat of such territory prepared under the supervision of a competent surveyor or engineer.
- (C) A map or maps of the City and the adjacent territory to show the following information.
 - (1) The present and proposed boundaries of the City.
 - (2) The present streets and sewer interceptors and outfalls.
 - (3) The proposed extensions of the present streets and sewer interceptors and outfalls.
 - (4) The present and proposed general land use pattern into the territory proposed to be annexed.
- (D) A statement showing that the territory proposed to be annexed is eligible for annexation under NRS 268.570 to 268.608, inclusive.

PASSED, ADOPTED and APPROVED this 7th day of July, 1976.


WILLIAM H. BRIARE, MAYOR

ATTEST:


EDWINA M. COLE, CITY CLERK

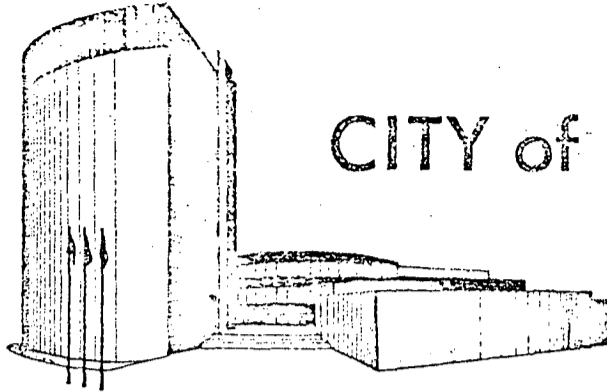
D R A F T

MAYOR BILL BRIARE

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

CITY ATTORNEY
CARLE E. LOVELL, JR.

CITY MANAGER
WILLIAM E. ADAMS, P.E.



CITY of LAS VEGAS



July 6, 1976

Mr. R.L. O'Connell
Director of Enforcement Division
EPA
Region IX
100 California Street
San Francisco, Calif. 94111

EPA FINDINGS OF VIOLATION AND ORDER DATED JUNE 29, 1976 (E-5-2 866.A(M))

Dear Mr. O'Connell:

This letter is in answer to your letter of June 29, 1976, regarding the subject matter. Please be advised that we wish to formally object to being included in your notice of non-compliance inasmuch as the City of Las Vegas does not have any control over the future construction of the Advanced Wastewater Treatment plant. We have been, and will continue to cooperate with the County of Clark in pursuing this goal but we feel we cannot be held responsible for the inability of the County to proceed as originally planned.

We were officially unaware of any intentions by your agency to take such action. We would request that we be advised of future problems before such serious remedial action is required.

Very truly yours,

WILLIAM H. BRIARE
MAYOR

WHB/LH/jb

cc: L. Hampton, P.E., Director of Public Services
Wm. Adams, P.E., City Manager

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

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Regular Meeting
City Commission
July 7, 1976

Mayor Briare: I was supposed to be some place at three o'clock. It will take one phone call to resolve it - I would appoint Paul Christensen as the Mayor Pro Tem to continue the Agenda on Page 28.

Mayor Briare Excused himself temporarily at approximately 1:35 p.m.

BILL
No. 76-51
1st Reading
& Referred

BILL No. 76-51 - ORDINANCE CONFIRMING PROCEEDINGS FOR SPECIAL IMPROVEMENT DISTRICT No. 414; PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS

Mayor Briare returned to the Commission Chambers at approximately 1:45 p.m.

A Bill entitled: Bill No. 76-51 - ORDINANCE No. _____ AN ORDINANCE CONFIRMING THE PROCEEDINGS HERETOFORE TAKEN IN PROVIDING FOR CERTAIN STREET IMPROVEMENTS WITHIN LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT No. 414; PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING THE COSTS AND EXPENSES OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS AND PARCELS OF PROPERTY BENEFITED BY SAID IMPROVEMENTS; DESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS; PROVIDING PENALTY FOR DELINQUENT PAYMENTS; APPROVING, RATIFYING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN BY THE BOARD OF COMMISSIONERS AND THE OFFICERS OF SAID CITY DIRECTED TOWARD THE INSTALLATION OF SAID IMPROVEMENTS IN SAID DISTRICT AND PRESCRIBING DETAILS IN CONNECTION THEREWITH, AND OTHER MATTERS RELATING THERETO" was read by Title by the City Attorney, who recommended that it be referred to Committee and that the Clerk be authorized to proceed with the first publication, by Title, of said Bill No. 76-51. (1st Reading)

Mayor Briare appointed Commissioners Christensen and Leavitt as the Committee for Recommendation on Bill No. 76-51.

BILL
No. 76-52
Referred

BILL No. 76-52 - AMENDING TITLE V, CHAPTER 29, SEC. 27 - PROHIBITING MASSAGE BY A PERSON OF THE OPPOSITE SEX

Mayor Briare appointed Commissioners Leavitt and Lurie as the Study Committee on Bill No. 76-52.

BILL
No. 76-53
1st Reading
& Referred

A Bill entitled" "BILL No. 76-53 - ORDINANCE No. _____ - AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, SECTIONS 3 (B), 21 (A), 22 (C) AND 23 (B) OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, 1960 EDITION, BY ADDING THERETO A DEFINITION OF CUSTODIAL INSTITUTIONS AND TO PROVIDE FOR THEIR LOCATION BY USE PERMIT IN C-M AND C-V ZONES; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION THEREOF AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH: was read by Title by the City Attorney, who recommended it be referred to Committee and that the Clerk be authorized to proceed with the first publication, by Title, of said Bill No. 76-53. (1st Reading)

Mayor Briare appointed Commissioners Woofter and Mayor Briare as the Committee for Recommendation on Bill No. 76-53.

NEW BILLS
(continued)

BILL
No. 76-50
Referred

BILL No. 76-50 - AMENDING TITLE X, CHAPTER 17, SECTION 33 TO PROVIDE THAT THE UNLAWFUL PARKING OF VEHICLES ON CITY OWNED OR OPERATED PARKING LOTS CONSTITUTE A NUISANCE PER SE, AND TO PROVIDE FOR THE PAYMENT OF A FEE PRIOR TO RELEASE OF A VEHICLE FROM IMMOBILIZATION OR IMPOUNDMENT.

Mayor Briare appointed Commissioners Lurie and Woofter as the Study Committee on Bill No. 76-50.

BILL
No. 76-45
Adopted
as
Amended
Ordinance
No. 1832

BILL No. 76-34 - AMENDING TITLE IV, CHAPTER 5, SECTION 8, BY ADDING NEW SUBSECTION "B" ENTITLED "WINDOW SECURITY BARS"

Committee: Commissioners Leavitt and Lurie

Published by Title 6/11/76 L.V. REVIEW-JOURNAL

Mayor Briare: Commissioner Leavitt, do you have a recommendation on Bill No. 76-45?

Commissioner Leavitt: Yes - in Bill No. 76-45 we would like to delete Section 1-B-2 and we would like to request that the Bill be read by Title as amended. and move for its adoption.

M o t i o n

Mayor Briare: Prior to its being read, are there any questions or comments on the proposed amendment to delete that Section?

Commissioner Woofter: What Section is that?

Commissioner Leavitt: The Section dealing with the smoke censor device requirement - to require the breakaway security bars but eliminate the necessity of installing a smoke detector in the room. That is what it basically does. That is Section 2 - Section 1-B-2, is what it is.

Marie Bushing: Then you haven't done away completely with the wrought iron guards - right?

Commissioner Leavitt: The Ordinance requires that they be equipped with a breakaway device so they can be opened from the interior.

Mrs. Bushing: Very good -

A Bill entitled: BILL No. 76-45 - ORDINANCE No. 1832 - FIRST AMENDMENT - 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 City Attorney. (2nd Reading)

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

BILL No.
76-36
Adopted
Ordinance
No. 1831

BILL No. 76-36 - AMENDING TITLE V, CHAPTER 1, BY DELETING THE REQUIREMENT FOR BUILDING CONTRACTORS AND SUB-CONTRACTORS TO POST A "LICENSE BOND" WITH THE CITY OF LAS VEGAS

Committee: Mayor Briare and Commissioner Lurie

Published by Title 6/11/76 L.V. REVIEW-JOURNAL

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Mayor Briare: This Ordinance was introduced at the request of a Contractors' Association. Representatives were here this morning and were prepared to speak in favor of this Ordinance that they have requested. I would ask the Assistant Director of Licensing, Howard Crow, to perhaps

ORDINANCE
No. 1831
(continued)

in a manner better than I could, make a comment relating to this Ordinance and perhaps would be saying the same thing to the Contractors. Mr. Crow, would you please comment on this Ordinance?

Howard Crow: I don't know if I can say it any better, but this Bond, for the twenty years I've been with the City, we have never had a request for a collection against this Bond. The taxpayer is probably protected by the State Bonding regulations and it is an administrative nightmare. Further, it is a non-revenue producing situation.

We concur with the legislation to do away with this Bond.

Mayor Briare: Any comments or questions?

(No response)

M o t i o n

Mayor Briare: I would move then that the Ordinance be read and adopted.

A Bill entitled: "BILL No. 76-36 - ORDINANCE No. 1831 - 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 City Attorney.
(2nd Reading)

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

BILL
No. 76-15
Adopted
as
Amended
Ordinance
No. 1828

BILL No. 76-15 - Re UNLAWFUL SALES PRACTICES OF HEALTH CLUBS AND SPAS, AND WEIGHT REDUCTION SALONS AND CLUBS
Committee: Commissioner Leavitt and Mayor Briare

Published by Title 6/18/76 L.V. REVIEW-JOURNAL

Mayor Briare: Commissioner Leavitt, do you have a recommendation on Bill No. 76-15?

Commissioner Leavitt: Yes, Your Honor, at this time I would move that the Ordinance be read by Title and adopted.

Mayor Briare: On this Ordinance No. 76-15, I think we should question our Licensing Department to see if they think the fee of \$25.00 as an Investigation Fee is sufficient.

Howard Crow: Not really -

Mayor Briare: I don't think so either. This is something that Commissioner Leavitt and I haven't had a chance to discuss with you. It seems to be that we have had some substantial increases of other fees and I had meant to suggest that on all new ordinances we establish the rate at a more realistic figure. I realize in some instances a great deal more investigation is required than others. Do you have a figure to suggest that might be more realistic as an Investigation Fee?

Mr. Crow: Normally, it is \$50.00, but I would still like to have a more realistic figure. \$25.00 is definitely not realistic.

Mayor Briare: Section (J) on Page 3 would have to be amended -

Mr. Crow: It has gone to \$175.00 -

BILL
No. 76-15
(continued)

Mayor Briare: I was going to suggest that we change it to \$100.00 and then re-evaluate it at a future time to see if it should be increased further. I am confident that if you assign any kind of an hourly amount to it, it would amount to more than that.

Commissioner Leavitt: OK - then I will move that we amend Section 5-37-3(J) to increase the Fee to \$100.00. I would then move for its adoption as amended.

M o t i o n

A Bill entitled: "BILL No. 76-15 - ORDINANCE No. 1828, FIRST AMENDMENT - AN ORDINANCE TO AMEND TITLE V OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY DELETING THE EXISTING CHAPTER 37 AND ADDING A NEW CHAPTER 37, ENTITLED HEALTH CLUBS, SPAS, WEIGHT REDUCTION SALONS AND CLUBS, AND INCLUDING CERTAIN PROVISIONS RELATING TO LICENSING, INVESTIGATORY FUNCTIONS AND BONDING; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH" was read by Title by the City Attorney. (2nd Reading)

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

BILL
No. 76-16
Adopted
as
Amended
Ordinance
No. 1829

BILL No. 76-16 - Re LICENSING, INVESTIGATORY FUNCTIONS
AND BONDING OF MEMBERSHIP CLUBS

Committee: Commissioner Leavitt and Mayor Briare

Published by Title 6/18/76 L.V. REVIEW-JOURNAL

Mayor Briare: Commissioner Leavitt, do you have a recommendation on Bill No. 76-16?

Commissioner Leavitt: I would recommend that Section 5-42-3 (J) - INVESTIGATION FEE be amended to provide for a fee of \$100.00. I would then move for its adoption as amended.

A Bill entitled: "BILL No. 76-16 - FIRST AMENDMENT - ORDINANCE No. 1829 - AN ORDINANCE TO ADD A NEW SECTION 42 TO TITLE V OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, ENTITLED MEMBERSHIP CLUBS; MAKING CERTAIN PROVISIONS RELATING TO THE LICENSING, INVESTIGATORY FUNCTIONS AND BONDING OF MEMBERSHIP CLUBS; DEFINING MEMBERSHIP CLUBS; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH" was read by Title by the City Attorney. (2nd Reading)

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

BILL
No. 76-27
Adopted
as
Amended
Ordinance
No. 1830

BILL No. 76-27 - TO CHANGE INVESTIGATION OF CORPORATIONS TO EXCLUDE ALL OFFICERS NOT DIRECTLY ASSOCIATED WITH THE MANAGEMENT OF A MULTI-OFFICER CORPORATION

Committee: Commissioner Leavitt and Mayor Briare

Published by Title 6/18/76 L.V. REVIEW-JOURNAL

Mayor Briare: Commissioner Leavitt, do you have a recommendation on Bill No. 76-27?

Commissioner Leavitt: I would request that the First Amendment that you have in front of you be read by Title and would move for adoption, leaving the investigation fee at \$50.00 per person.

BILL
No. 76-27
Adopted
Ordinance
No. 1830

A Bill entitled: "BILL No. 76-27 - FIRST AMENDMENT - ORDINANCE No. 1830 - AN ORDINANCE TO AMEND TITLE V, CHAPTER 18, SECTION 6(D), OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, RELATING TO INVESTIGATION OF CORPORATE APPLICANTS FILING AN APPLICATION FOR A LIQUOR LICENSE WITHIN THE CITY OF LAS VEGAS BY PROVIDING THAT THE BOARD OF CITY COMMISSIONERS MAY WAIVE THE REQUIRED INVESTIGATION HEREIN OF ANY OFFICERS, DIRECTORS, LOCAL REPRESENTATIVE OR MANAGING AGENT OR ANY SUCH CORPORATE APPLICANT; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH" was read by Title by the City Attorney. (2nd Reading)

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

Mayor Briare: That concludes the matters from Recommending Committees: Do any of the Commissioners have anything to come out of Study Committee?

Commissioner Leavitt: Mayor, I would like to request on Item "C":

DECISION by Commissioners re Attorney Vern Albright continuing to represent the City of Las Vegas as Special Counsel in the case of the City of Las Vegas v. City of North Las Vegas
Committee: Commissioners Leavitt and Woofter (4/7/76)

I wonder if the City Attorney has a recommendation on that.

Mr. Lovell: No, we do not. I thought Mr. Albright was to give you a report some time during the month of May - wasn't he?

Commissioner Leavitt: He has never given us a report.

Commissioner Leavitt: I would request that the City Attorney ask Mr. Albright to give us a Report on whether or not we should pursue that case.

Mr. Lovell: We will get something on it for you -

Commissioner Leavitt: I would also request that on Item "L", which is:

BILL No. 76-40 - Amending I-5-6 to delete the time provisions for the Regular Meetings of the Board of City Commissioners
Committee: Commissioners Leavitt and Lurie (5/5/76)

In view of the Resolution that was passed today, we don't need that any more, do we?

Mr. Lovell: Yes we do - in order to keep our Code amended in a proper manner -

Commissioner Leavitt: Then I request that it be moved out of Study Committee favorably and referred to a Recommending Committee.

BILL
No. 76-40
1st Reading
& Referred
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A Bill entitled: "BILL No. 76-40 - ORDINANCE No. - AN ORDINANCE TO AMEND TITLE 1, CHAPTER 5, SECTION 6 TO DELETE THE TIME PROVISIONS FOR THE REGULAR MEETINGS FOR THE BOARD OF COMMISSIONERS, PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH" was read by Title by the City Attorney, who recommended it be referred to Committee and the Clerk authorized to proceed with the first publication, by Title, of said Bill No. 76-40. (1st reading)

BILL
No. 76-40
(continued)

Mayor Briare appointed Commissioners Leavitt and Woofter as the Committee for Recommendation on Bill No. 76-40.

Mayor Briare: Are there any other Study Committee items the Commission wishes to bring forward?

(No response)

Mayor Briare: Is there anyone in the audience who has a matter to bring before this Board?

(No response)

Mr. Lovell: I have one additional item, Your Honor - I would like to get approval from this Board to hire a Deputy City Attorney as a replacement. Mr. Ron Warren, as you know, on June 25, 1976, resigned from the City to enter private practice. He was responsible for the Department of Public Works, the Building Department, Traffic & Safety, as well as the Fire Department and other in-line departments.

We would ask approval to replace him with a new Deputy City Attorney when it becomes necessary.

M o t i o n

Commissioner Woofter: I would so move.

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

Commissioner Leavitt: I would like to bring up something in regard to this Lawsuit we've been served with. Do I understand we have the same situation as if we were being sued individually - and do I understand that the same situation exists as exists in other cases, and the Federal Court has so ruled that the Commissioners, if sued as individuals, have to retain their own attorneys?

Mr. Lovell: They have indicated that they must retain their own attorneys. However, there is a State statute that requires that you be supplied defense through the City - from the State Legislature in 1975 . . .

Commissioner Leavitt: Does that mean through City funds?

Mr. Lovell: Yes -

Commissioner Leavitt: In other words, we can hire an attorney to represent us individually, with City funds?

Mr. Lovell: Yes.

Mayor Briare: You bring up a very good point, Commissioner, and I would like to have - in the event the Commission is going to consider the possibility of hiring outside Counsel, that as Mr. Lovell mentioned a little bit earlier about counter-claims - in Southern California a group of doctors got together (I'm sure you are all aware of this) and actually counter-claimed against people who were suing for malpractice.

I would very much like the Commission to consider, if we do hire an outside attorney, that we also discuss the possibility - what all the ramifications might be - to counter-sue these people who are suing the Commissioners individually, for whatever we can name in the suit. I would hope we could get a long list of things we could sue them for and let them know they are in for a real Donneybrook.

PUBLIC OFFICIALS
SUED AS
INDIVIDUALS
(continued)

Mr. Lovell: The way it is right now - all of you have just been served and we got it only the day before you did. We are evaluating it right now. The reason you have to retain outside counsel in addition to the City Attorney's office is by order of the Court, as done previously because when there are multiple Defendants - to make sure that each one has the ultimate limit of defense and representation. You can't have one attorney representing all of them with the multi-faceted interest - what I'm saying - as opposed to the City of Las Vegas as opposed to the City and City Commissioners as opposed to you, individually, or Ila Britt, individually, etc.

Commissioner Christensen: What you're telling me is that I've got to get my own personal attorney -

Mr. Lovell: No - what I'm saying is that the City has to do that by order of the State Legislature - City-funded -

Commissioner Leavitt: I think what Commissioner Christensen is asking - that there be one attorney for each of us?

Mr. Lovell: No -

Commissioner Leavitt: One attorney for all? I'm confused -

Mr. Lovell: I'm sorry - I probably did confuse you - what I meant was - different interests such as the Commission and the City of Las Vegas, as such, and you all, individually, because everything in here alleges that you all did it together anyway - there is no question about having to get individual attorneys for each of you -

Mayor Briare: My point is, Commissioners, I would like to go ahead and sue them -

Commissioner Leavitt: Mr. Lovell, in view of what you have just said, will it be necessary for us to wait for an official meeting before we hire an attorney - because we have only so many days to answer this and we don't meet again until the 21st. We could decide among us and then ratify it at the next meeting?

Mr. Lovell: Right -

Mayor Briare: Why don't you make the motion now?

Mr. Lovell: The motion should be to approve retaining private counsel, if necessary, with regard to this law suit, with appointment to be made subsequent to this.

M o t i o n

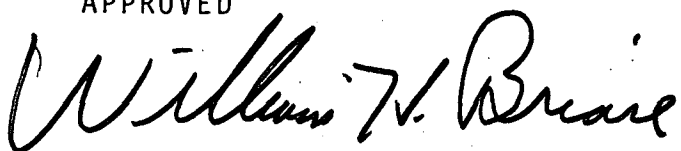
Commissioner Leavitt: I would move at this time then, Mayor, that the City Commission retain Counsel to represent them in their individual capacities, in the lawsuit filed against them in the United States District Court, District of Nevada, being Civil Action No. Las Vegas 76-119, and that the Counsel so selected be named in the minutes of the next meeting.

Motion carried by the following vote:

Commissioners Christensen, Leavitt, Woofter
and Mayor Briare voting aye; noes, none.

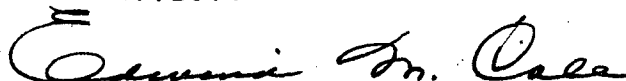
There being no further business to come before the
Board, at the hour of 3:05 P.M., Mayor Briare declared
this Regular Meeting of the Board of City Commissioners
A D J O U R N E D.

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 15th day
of December, 1976.