

M I N U T E S

Las Vegas, Nevada  
January 5, 1977

A REGULAR MEETING of the Board of City Commissioners of the City of Las Vegas, Nevada, held this 5th day of January, 1977, was called to order by His Honor, Mayor Pro-Tem Lurie at the hour of 9:00 A.M., with the following members present:

Mayor	William H. Briare*
Commissioner	Ron Lurie
Commissioner	Paul J. Christensen
Commissioner	Myron E. Leavitt

\*Arrived approximately 10:00 A.M.

Commissioner	Roy A. Woofter
City Manager	W. E. Adams, P.E.
City Attorney	Carl E. Lovell, Jr.
Director of Funds, Coordi- nation & Projects	Bruce W. Spaulding, AIP
Director of Public Services	Laurence Hampton, P.E.
Director of Municipal Services	J. C. Cathcart
Director of Personnel & Employee Relations	Robert McPherson
Director of Community Planning & Development	Don J. Saylor, AIP
Director of Business Activity	Ila M. Britt
Director of Cultural Services	Harold P. Foster
Budget Officer	David Parks
Deputy Fire Chief	Sam Cooper
City Clerk	Edwina M. Cole, CMC

ABSENT (Excused)

STAFF PRESENT

INVOCATION

Rev. Joel Rivers, Pastor, Vegas Valley Christian Church:

Our Heavenly Father, we thank Thee for this new year, a time of opportunity for all of us to improve ourselves, to look forward to future challenges. We would pray, Our Father, that Your blessing would be upon these, our leaders. That you would grant unto them wisdom and guidance from on high for it is in Thy name that we pray. Amen.

PLEDGE OF ALLEGIANCE

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

SWIMMING POOL  
LORENZI PARK  
Approved

Mr. Adams: Mr. Mayor and Commissioners, the first item is for consideration of a swimming pool at Lorenzi Park and our report that we have furnished to you advising of the costs involved in that particular park. We would like also to show you the master plan we had previously approved and how the operation sits. I'd like to have Mr. Saylor explain how the park is devised in this scheme so that you will understand our request for consideration and approval.

Mayor Pro-Tem Lurie: Before we start, for the Clerk, Commissioner Woofter is ill today and will not be here, and the Mayor will be here shortly.

Don Saylor: At the time we acquired, we meaning the City, acquired the Lorenzi Park property, a general master plan of the park was devised. It had three primary concepts. One being that the eastern end would be for outdoor sports facilities. The center portion

would be more of a playground, picnic area, and the area west of the lake would become a more passive, cultural aspect type of facility. We have been developing the park in accord with those three basic concepts. As you know, the ball diamonds, tennis courts, basketball courts, etc. are on the east end. The picnic area is in the middle. We have started some of the facilities in accord with the passive, cultural aspects of the west end. The Art League utilization of this property, the Garden Club in this building, the Rose Garden, the Garden for the Blind. Originally we had proposed a swimming pool facility as part of the active area on the east end. However, as things have developed, there is not sufficient room left for that facility due to the very large demand, let's say, of the utilization in here both in terms of participants and spectators, and of course, all of them requiring parking facilities. It has always been the purpose of the plan to remove the swimming pool facility where it is now located, to take it away from the cultural-passive aspects, and as I mentioned previously, to put it in a more useable location. Recent evaluations, in view of the fact we do not have room on the east end, have been to this extent. Taking into consideration an indicated interest on the part of the City to build an enclosed year-round facility for competitive swimming, we felt that that type of a use would not be compatible with the Lorenzi Park theme. In other words, that would be a very intense type of use and would impact, we felt detrimentally, the overall park design. Consequently, our thinking has run more toward a location at Fountain Park. However, if the City determines that they need or should have a family type pool in connection with Lorenzi Park, we have determined that it could be designed into this southwest corner and still not impact the cultural end unduly. We are faced with two decisions that have to be made, let's say, before we can design any further in what we call the final phase of the park. Incidentally, there is a citizens group vitally interested in assisting the City in the design of this cultural area. We need to know if the City does intend to build an enclosed, competitive type facility and if so, where that should be located. It is our recommendation that it should be located at Fountain Park, and if you do determine to pursue that type of development, does the City still desire to have a family type facility at Lorenzi. If that is determined, would the location proposed by the Design Team in the southwest corner be acceptable. Now, on the back of this, we have plotted for you the swimming pool facilities in the western portion of the City. This being Lorenzi, it is quite close to the Hyde Park facility. This is Gibson Jr. High. I think it is the only junior high in the area not without a swimming pool facility. This is Fountain Park. What we are saying is if you do decide on an enclosed competitive facility at Fountain, would you still need a neighborhood pool here. If you do feel a neighborhood pool is needed to replace the one at Lorenzi, would it be best at Lorenzi or in connection with the junior high school. We, when I say we, I am referring to the design team, need some direction from the Commission as to how to proceed on the final design of the west end of the park, and in order to do that, a determination on the swimming pool facility is necessary.

Commissioner Leavitt: Do I understand what initially we want to decide today is whether to have a pool at Lorenzi and then we can make the decision later as to whether to put the pool at Gibson and the enclosed pool at Fountain.

Mr. Adams: That's correct. We are in a position where we will need to proceed with this phase of the park, and we need to know ...

Commissioner Leavitt: What phase are we on now? Are we on four?

Mr. Saylor: Yes, part of Phase IV has been done. This is the parking lot and some of this landscaping.

Commissioner Leavitt: That's the last phase in that area, right?

Mr. Saylor: That's right. What we want to go to next is a complete final design on the whole west end of the park.

Commissioner Leavitt: Your recommendation is that we do not have a pool involved in Phase IV of Lorenzi.

Mr. Saylor: That's right. In fact, it's the design team's recommendation that if you do decide a neighborhood pool is needed in this general area, that it would be more appropriate at Gibson; however, we do not necessarily conclude you need a neighborhood pool if you are going to build a competitive pool facility at Fountain.

Commissioner Leavitt: What we're doing here is, for example, if we follow Mr. Saylor's recommendation and vote that we do not have a pool at Lorenzi, it doesn't mean that we close the option of having one at Gibson or Fountain. That's still open.

Mr. Adams: That's right.

Commissioner Leavitt: At this time I move that we follow the recommendation of Mr. Saylor.

Mayor Pro-Tem Lurie: I have some comments before we take a vote. On that pool, you're looking at a cost of about \$243,000 to put that pool in any type of condition, is that correct? At the location of Gibson we would have participation from the School District on the cost of building a pool, is that correct?

Mr. Saylor: I think that has been the situation in the past.

Mayor Pro-Tem Lurie: Those conversations are still going on with the School District.

Mr. Adams: Right. The assurance is that we will have some assistance. Now to what extent...

Mayor Pro-Tem Lurie: One thing that I would like the Commission to consider is the indoor swimming pool, the competitive swimming pool that Mr. Saylor mentioned, that we don't at the present time have any indoor swimming pool in the City of Las Vegas. It's the YMCA and the last five year capital improvement projects that we have discussed and we adopted last year, one of the items was an indoor swimming pool and that location could either be at Gibson or Fountain Park. We also have received a memo from the City Manager on suggestions for a possible bond issue in the area of our interest and my interest lies with the Recreation Department at the present time, with possibly an indoor swimming pool.

Commissioner Leavitt: As I understand it, Mr. Mayor Pro-Tem, we are not going to close the door on that by following his recommendations.

Mayor Pro-Tem Lurie: I want the City Manager who has a meeting next week to discuss items, and I would like that item put on the list.

Commissioner Leavitt: The reason that I am opposed at this time to putting a pool in Lorenzi is because of the cost of repairing the one that we've got there

and also because, Commissioner Lurie also mentioned this, that there is availability at Gibson Jr. High School and it's the only junior high school in the City that doesn't have one, and the School District participates in that. I would rather have a joint participation with the School District on Gibson Jr. High to build a pool there, rather than try to spend a lot of money to repair a pool that's falling apart at Lorenzi.

Mr. Saylor: It's not in a good location, either.

Mayor Pro-Tem Lurie: The motion is to approve the recommendation. Cast your vote on the motion. The motion is approved.

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

REPORT ON COSTS re LEASE AGREEMENT BETWEEN CITY AND  
COUNTY OF CLARK re SPACE IN CITY HALL

City Manager, William E. Adams: In your folders you have the proposed costs and a copy of the Lease. We are in the position that if the Lease is acceptable we would want you to look at the computations we have made for consideration. We will then insert any costs approved today and forward the Lease to the County Administrator.

Mayor Pro Tem Lurie: I would like to recommend to this Commission - I have reviewed this and I have discussed some options with the City Manager and we can discuss them this morning - I feel that the \$0.58 per sq. ft. is a reasonable figure, but I would like to amend the City Manager's recommendation to not charge for the use of the Commission Chambers or for parking at the City Hall, and guarantee the County Commissioners their five (5) meetings a month. Any other meetings they might want to hold in the Commission Chambers, upon the availability of the Chambers through the City Manager's Office, those meetings could be held.

I do not feel that the charge for the use of the Commission Chambers is a fair charge, or for parking in the area around City Hall.

Commissioner Christensen: Why?

Mayor Pro Tem Lurie: Well, first, on the use of the Commission Chambers, there are many organizations and groups, on an availability basis, that use the Commission Chambers at no cost. I feel that the 58¢ we are charging for the use of office space is fair, but I don't feel there should be any charge for the use of the Chambers.

Commissioner Leavitt: Also, Mr. Adams, I understand what you've got in here is an 8% per year escalation. What is that based on?

Mr. Adams: Actually, what has been happening is that our utility costs, labor & Materials have been going up at about 8% each year.

Commissioner Leavitt: That's understandable on the utility costs, but what about labor and materials - how would labor and materials be affected in the Lease?

Mr. Adams: Those are the materials used in the cleaning . . .

Commissioner Leavitt: Your maintenance costs, in other words?

Mr. Adams: Yes - the increase each year has been about 8%.

Commissioner Christensen: Well, I look at the Commission Chambers as a little different situation other than leasing space. You are talking about easily doubling the use of this room, and when you double the use of this room, you double the costs of operating this room, and I don't think you can operate this room free. It really brings on an expense. I don't know if you've looked around, but you end up with more broken chairs, more cigarette holes in the carpet

LEASE AGREEMENT -  
CITY AND COUNTY  
OF CLARK  
(continued)

and things like that by two times what we would normally have, and that is an expense to the taxpayers and to the City of Las Vegas who pays the bills

I don't think we're talking about the use of the space as far as the Commission Chambers are concerned - we're talking about . . . well, maybe we are talking about part of the use - it's a big part of the bill. It's going to make it so that you are going to have to replace everything in here just exactly twice as fast.

Commissioner Leavitt: Mr. Adams, I want to make sure it is understood there is not going to be any conflict between City and County uses. The County meets on Tuesday, don't they?

Mr. Adams: That's correct.

Commissioner Leavitt: Have they set their meeting dates for the full year of 1977? It's by Ordinance that they set them - right?

Mr. Adams: It is by Ordinance. I'm not sure it has been done at this time but it is their intention . . .

Commissioner Leavitt: OK. Now, on Liquor & Gaming - this is usually held on the last working day of the month -

Mr. Adams: That is correct.

Commissioner Leavitt: What if the last working day falls on Wednesday? That would not affect us anyway because we're on a third Wednesday schedule - right?

Mr. Adams: Yes - we have our meetings scheduled for the first and third Wednesdays.

Commissioner Leavitt: OK. What I'm getting at is that I want to make sure there are no conflicts between County Commission meetings and City Commission meetings.

Mr. Adams: For those five meetings, at least for the coming year, including the Planning Commission meeting, there is no conflict we are aware of at this time.

Commissioner Leavitt: Alright - suppose they want to have a Special Meeting?

Mr. Adams: Then they make the normal request through Extension 255 at City Hall and if it is available they can use it.

Commissioner Leavitt: That's what I'm getting at - you have control of the Meetings?

Mr. Adams: Yes - they are guaranteed those five (5) and if they have a Special Meeting all they need to do is call in and if the Chambers are available, they can use them.

Commissioner Leavitt: I notice in your computation of the 58¢ per sq. ft., you have included the retirement of the Bonds, utilities and you have maintenance in there which amounts to about \$830,000.00 a year. That's for the entire building - the outside - the grass, and everything - right?

LEASE AGREEMENT -  
CITY AND COUNTY  
OF CLARK  
(continued)

Mr. Adams: That's right.

Commissioner Leavitt: OK. This 8% increase is just on their proportion that they would lease - is that correct?

Mr. Adams: That is correct.

Commissioner Christensen: Commissioner Lurie, were you referring to - on the first page of this computation sheet

See Pages 8 and 9 of these Minutes  
(Computation)

under COUNCIL CHAMBERS, were you referring to taking away all of that? Or just the rental on the space?

Mayor Pro Tem Lurie: The rental on the space was figured out to \$100.00 per meeting for the five meetings, or \$500.00, so that would take off that item -

Commissioner Christensen: No - you're not reading it correctly. The rental for space is actually \$499.35 per meeting, less the care, cleaning and supplies of \$27.37 per meeting. Five times that would be, roughly, \$140.00. \$27.37 of that \$499.35 is actually for the care and cleaning of the Chambers. Were you referring to cleaning the Chambers free to them also, or just giving them the space free?

Mayor Pro Tem Lurie: The space and the cleaning - whatever goes with the Commission Chambers. The recommended guarantee is the \$500.00, and I'm saying we should not charge the County Commission for the use of the Chambers, and that includes the cleaning of the Chambers. That should be taken off of there as far as the guarantee -

The 58¢ per sq. ft. comes to \$4,350.00 per month, and let the \$500.00 for the Chambers and the \$200.00 for parking, which would take it up to \$5,050.00 - I'm recommending that they pay the 58¢ per sq. ft., which is the \$4,350.00, plus the 8% escalation in charges per year, and I would make that into a motion.

M o t i o n

Commissioner Leavitt: What is the motion?

Mayor Pro Tem Lurie: The motion is to charge the Clark County Commission 58¢ per sq. ft. for office space, which would be \$4,350.00, for the first year, with an 8% escalation for 1977, 1978, 1979 and 1980 -

Commissioner Christensen: And guarantee them five (5) free meetings -

Commissioner Leavitt: In other words, you're going to charge them \$4,350.00, with an 8% increase for four years?

Mayor Pro Tem Lurie: That is correct.

Commissioner Leavitt: And guarantee them their meetings. I am inclined to agree with Commissioner Lurie on that. I don't think they should be charged for the Commission Chambers for their meetings. We do let the general public - and the County Commission is part of the general public - use the Chambers.

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

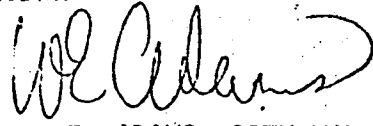
Date

12/20/76

TO:

MAYOR BRIARE  
COMMISSIONER CHRISTENSEN  
COMMISSIONER LEAVITT  
COMMISSIONER LURIE  
COMMISSIONER WOOFER

FROM:



W. E. ADAMS, CITY MANAGER

SUBJECT:

COMPUTATION FOR RENTAL COSTS  
TO COUNTY

COPIES TO:

OFFICE SPACE:

YEARLY COSTS

BONDS (PRINCIPLE & INTEREST)	\$1,200,528.
CITY HALL UTILITIES	325,000.
CUSTODIAL (MAINTENANCE LABOR)	700,000.
MAINTENANCE (EXCLUDING LABOR)	130,000.
	<u>\$2,375,528.</u>

TOTAL BUILDING SQ. FOOTAGE: 342,609

COST PER SQ. FT. PER YEAR:  $\frac{2,375,528}{342,609} = \$6.93$

COST PER SQ. FT. PER MONTH:  $\frac{\$6.93}{12} = 0.58$

7,500 SQUARE FEET @ 0.58¢ = \$4,350/MONTH

COUNCIL CHAMBERS:

USE OF 10,500 SQ. FT. @ 0.58¢	=	\$6,090
28 DAY/MONTH (USING 24 HOURS)	=	9.06/HOUR
CONSIDER 8 HR. USE PER MEETING	=	72.50 PER MEETING
CARE, CLEANING & SUPPLIES	=	<u>27.37</u>
		\$ 99.87 TOTAL PER MEETING

RECOMMEND GUARANTEE	2 COMMISSION MEETINGS	199.74
	1 LIQUOR/GAMING	99.87
	2 PLANNING COMMISSION	199.74
	(ANNUAL BASIS)	<u>\$499.35</u>

SUGGEST \$500 PER MONTH FOR FIVE MEETINGS PLUS ANY OTHER TIME AVAILABLE.

MAYOR BRIARE  
COMMISSIONER CHRISTENSEN  
COMMISSIONER LEAVITT  
COMMISSIONER LURIE  
COMMISSIONER WOOFER

PAGE TWO  
DECEMBER 20, 1976

PARKING SPACES: 33 NOW ASSIGNED

8 COVERED SPACES @ \$12.(MONTHLY GARAGE)	=	96.00
25 FLAT-UNCOVERED @ \$4.30 (BY CONVENIENCE)	=	<u>107.50</u>
		\$203.50

SUGGEST FLAT RATE OF \$200. PER MONTH OR \$6.06  
PER SPACE IN THE EVENT ANY ARE ADDED.

TOTAL MONTHLY CHARGES:

OFFICE SPACE	\$4,350.
CHAMBERS	500.
PARKING	200.
	<hr/>
	\$5,050.

DUE TO UTILITY COSTS, LABOR, AND MATERIALS RISING, SUGGEST AN 8 PERCENT PER  
YEAR ESCALATION IN CHARGES:

1977	\$5,050.
1978	5,450.
1979	5,890.
1980	6,360.

RME

Mayor Pro Tem Lurie: Are there any other comments on the motion?

(No response)

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

Commissioner Leavitt: Before we leave this item, I would like to ask Mr. Adams - the County has not agreed to this, necessarily - this is just a proposal we are making to them - is that right?

Mr. Adams: This is the proposal we will make to them. I will fill the Lease out and send it to them and we will go from there. I have not really had any agreement, one way or the other.

Mayor Pro Tem Lurie: They might turn down this proposal.

WAIVER OF  
GREEN FEES  
Approved

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REQUEST FOR WAIVER OF GREEN FEES FOR WOMEN'S SOUTHERN NEVADA GOLF ASSOCIATION'S ANNUAL TOURNAMENT AT THE MUNICIPAL GOLF COURSE ON APRIL 5, 1977.

Mr. Adams: The next item is the waiver of green fees for the Women's Southern Nevada Golf Association Tournament that will be held in April. It is one specific day we're asking for. The tournament will be held around the City, but we're asking for the waiver of fees on that day. During the tournament it is the Commission's prerogative to do so if they so choose.

Commissioner Leavitt: Move that we waive the fees.

Mayor Pro-Tem Lurie: Motion to waive the fees. Cast your votes on the motion. Motion is approved.

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

RESOLUTION  
Adopted

RESOLUTION RE LEGISLATIVE INTERIM STUDY TO CONSIDER MORE EQUITABLE DISTRIBUTION OF STATE REVENUES TO LOCAL GOVERNMENTS AND/OR CREATION OF NEW REVENUE SOURCES FOR LOCAL GOVERNMENTS

Mr. Adams: The next item is a request from the Nevada League of Cities in reference to a study that has been made by the League itself and a request to go forward to the Legislature to make an interim study with consideration from both the Governor and the Legislative body to perform a study during the next period of time to discuss and study the state revenues that are available for local governments and to look at any new sources and the like, and in the spirit of cooperation, I would certainly recommend that we approve the resolution.

Commissioner Leavitt: This resolution was adopted at the Nevada League of Cities meeting in Reno a couple of weeks ago. It was requested that each member take this back and have it approved. The idea is between now and the next session, between the Legislature session in 1977 and the one in 1979 to have a study made in regards to the possibility of having some distribution of state revenues back to local governments. The County

Commissioners also agreed with them to adopt similar resolutions to have this study made. I would move for the adoption of the resolution.

Mayor Pro-Tem Lurie: Just so everyone knows what the resolution states, I would like to read it for the record:

"WHEREAS, it is the consensus of the Board of City Commissioners of the City of Las Vegas that more equitable distribution of certain state revenues should be made to local governments, particularly with respect to the point or origin of certain such state revenues; and

WHEREAS, it is the further consensus of this Board that new revenue sources for local governments are imperative to enable the cities of this State to maintain sound fiscal practices and to render adequate and proper governmental services to the citizens.

NOW, THEREFORE, BE IT RESOLVED, that the Board of City Commissioners in regular meeting assembled this 5th day of January, 1977 does hereby petition the administration and the Legislature of the State of Nevada to create and to fund an interim legislative study to determine the feasibility of a more equitable distribution of state revenues to local governments and the creation of new revenue sources for local governments.

PASSED AND APPROVED this 5th day of January, 1977."

Mayor Pro-Tem Lurie: There is a motion for adoption of the resolution. Cast your votes on the motion. Motion is approved.

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

WASTEWATER  
TREATMENT STUDY  
Approved

ADDITIONAL FUNDS REQUIRED FOR CITY'S SHARE OF WASTE-  
WATER TREATMENT STUDY

Mr. Adams: The next item is the request from the County Administration involving the funds that we put forth on the study that was directed against the report of Dr. Deacon. It is one in which we had set aside \$10,000 of our own money to pay for half of the study and it turns out the study increased a little bit and we need to request an additional \$2,000 for furnishing our share.

Commissioner Leavitt: Move for approval.

Mayor Pro-Tem Lurie: Any discussion on the motion?

Commissioner Christensen: We already approved \$10,000 or did we approve half. Which was the approval for originally?

Mr. Adams: You approved the \$10,000. We did not make any limitation.

Commissioner Christensen: Is the County utilizing that study or did they just throw that out the window? Where does that stand, Larry?

Mr. Hampton, Director of Public Services: They utilized it to a certain extent. They reviewed it and it is being considered at the present time. There is no definite decision.

Commissioner Christensen: Are they still going ahead with the treatment plant as planned, before this study?

Mr. Hampton: At the same time they are requesting a hearing before the Nevada Environmental Commission. The letter was sent last Thursday and if we're granted a hearing, that study will be used as a backbone to the presentation.

Commissioner Christensen: But then they still won't rescind the contract. They let the contract for design, did they not?

Mr. Hampton: No, they've opened the bids, but they don't have to award the bids until March 17.

Commissioner Christensen: What are our chances of them not awarding the bids?

Mr. Hampton: Very small. It depends upon whether or not the State will approve changing the compliance schedule. It might very well be the State won't even want to hear the County's presentation. This is what the letter requests, that if we are able to get an audience before the Nevada Environmental Commission, then these studies will be used as part of our argument.

Commissioner Christensen: It would seem to me like we've just saved them \$500 a month. In four months they could make up the amount they are trying to get us for here. In the spirit of cooperation, they could pay the rest of it and stick with it.

Mayor Pro-Tem Lurie: This is the contract and the bids were opened and there was some question about the acceptance of the bids. Where does that stand?

Mr. Hampton: The low bidder apparently has problems with his contracting license and it hasn't been determined yet whether or not he will be awarded the bid. Or, if he is the one eligible for the award of the bid. That's being argued right now.

Commissioner Christensen: Maybe I'm oversimplifying it, but as I understand it, this study is to determine if the study that environmental people and everybody else has hung their hat on, that determined that we have to build a \$90 million advanced wastewater treatment plant could have been faulty and the study said that, in fact, the original one was faulty, but because of the environmental people's attitude and not willing to give an inch and so forth, they have gone ahead with the design of the \$90 million AWT plant which would indicate that this is running down a dry hole, so to speak, because the study doesn't really mean anything now, does it?

Mr. Hampton: I think that is a very good analysis. EPA has reviewed the study and has indicated to us that they are not inclined to change their course of action. However, if we're allowed an audience before the state and we can convince the state that the studies have merit, EPA might change their mind. It appears unlikely that they will, but there is still a chance and we are pursuing that as if we do have a chance to save this expenditure. I would say it's a 100 to 1 shot.

Mayor Pro-Tem Lurie: Any further comments? Cast your votes on the motion. The motion is approved.

RESOLUTION  
Adopted

RESOLUTION IN MEMORIAM - ROBERT T. BASKIN

Mr. Adams: The next item, Your Honor and Gentlemen, is a resolution that should be read into the record that we have furnished to you.

Mayor Pro-Tem Lurie: This resolution is presented to us and I would move the adoption of the resolution. It is in memory of Robert Baskin. It reads:

"WHEREAS, the Board of City Commissioners of the City of Las Vegas joins all citizens of this community in mourning the loss of a beloved and great citizen and does hereby extend profound sympathy to the family of Robert T. Baskin;

NOW, THEREFORE, WE, the undersigned Mayor and Commissioners of the City of Las Vegas, in regular meeting assembled this Fifth Day of January, 1977, do hereby adopt this Resolution in Memoriam to Robert T. Baskin and we do hereby direct that a copy of this Resolution be spread upon the official minutes of this meeting, and that the original thereof be forwarded to Mrs. Rose Baskin."

Mayor Pro-Tem Lurie: I'll move for the adoption of the resolution. Cast your votes. The motion is approved.

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

See Page 14 of these Minutes - Resolution

MINUTES  
Approved by  
Reference

SPECIAL MEETING - DECEMBER 10, 1975  
REGULAR MEETING - OCTOBER 20, 1976  
REGULAR MEETING - AUGUST 18, 1976

Mayor Pro-Tem Lurie: Move for approval of Items A, B, and C. Cast your votes. Motion is approved.

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

REPORT  
WEDDING CHAPELS

Mayor Pro-Tem Lurie: I have one item that could fall under your agenda. It's a report that we received that I asked for at the last meeting concerning the wedding chapels. Could you give us a report on the violations that were discovered in the wedding chapel advertising and what action is being taken to correct them.

Mr. Adams: We did discover some and we have forwarded a list to you of all those that are involved. We are working through the License and City Attorney's Office and proceeding with them. We'll be advising you as action is taken.

Commissioner Leavitt: Haven't they been notified of the violations.

Mr. Adams: Yes.

Commissioner Leavitt: My understanding of the memorandum is that they are going to receive notification that they are in violation of the ordinance.

Mr. Adams: Right.

Commissioner Leavitt: And given an opportunity to correct it without the necessity of legal action.

Mr. Adams: That's correct.

RESOLUTION IN MEMORIAM

WHEREAS, Robert T. Baskin departed this life December 29, 1976, at the age of 82 years; and

WHEREAS, as a citizen of Las Vegas for nearly half a century, Robert T. Baskin rendered distinguished and outstanding services in public and private life, and was an influential and highly respected leader in the business, political and civic affairs of our community; and

WHEREAS, as a member of the Las Vegas Board of City Commissioners from 1945 to 1949, and as a member of the Clark County Commission from 1961 to 1969, Robert T. Baskin served with pride and honor and made significant contributions to the growth and development of our community, and to our international acclaim; and

WHEREAS, the Board of City Commissioners of the City of Las Vegas joins all citizens of this community in mourning the loss of a beloved and great citizen and does hereby extend profound sympathy to the family of Robert T. Baskin;

NOW, THEREFORE, WE, the undersigned Mayor and Commissioners of the City of Las Vegas, in regular meeting assembled this Fifth Day of January, 1977, do hereby adopt this Resolution in Memoriam to

*ROBERT T. BASKIN*

and we do hereby direct that a copy of this Resolution be spread upon the official minutes of this meeting, and that the original thereof be forwarded to Mrs. Rose Baskin.

ADOPTED THIS 5th Day of January, 1977.

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William H. Briare, Mayor

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Paul J. Christensen, Commissioner

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Ron Lurie, Commissioner

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Myron E. Leavitt, Commissioner

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Roy Woofter, Commissioner

DEPARTMENT OF FINANCIAL MANAGEMENT

MARVIN A. LEAVITT, CPA, DIRECTOR

See Page 16 of these Minutes - Annotated  
Agenda

COMPUTER  
ACQUISITION  
Abeyance

RECOMMENDATION BY LAVENTHOL AND HORWATH REGARDING  
FUTURE COMPUTER ACQUISITION

Mr. Adams: The next item is a walk-on left over from our previous meeting and that deals with our computer program that we were going to give a report to you on last Commission meeting. As you are aware, our Finance Director is a member of the Local Government Budget Committee, a State organization which is of value to us. He was at a meeting yesterday and it appears that he wound up becoming very ill and he is at home today. As a consequence, he is not here in preparation to do this, but we would like to have Mr. Myers of the L & H go ahead and make the report and we will bring forward from there. I'm sure this is a position in which the report will be made and then we'll go to bid on the computer operation. We'd like to have...

Commissioner Leavitt: Is this something that he can give us in writing?

Mr. Adams: Yes, if you'd rather do it in writing, we can do it that way.

Commissioner Leavitt: Since Marvin isn't here to answer any questions, I think I would rather have it in writing and have him here at the next meeting. Is there any urgency on it, any time schedule or anything?

Mr. Adams: Not that two weeks would bother us.

Director of Municipal Services, J. C. Cathcart: This is a two process bidding procedure. The first one was for the proposals, and I don't know exactly what the time schedule is. I believe they have this information with them, and whether this would hurt the length of time we have to review these and come back out with the bids, I'm not sure.

Commissioner Leavitt: Do I understand, what the report is going to show that we need to go to bid?

Mr. Cathcart: This is what was going to be explained this morning, Commissioner.

Commissioner Leavitt: On some computer services of some type. What I'm saying is, most of that is probably technical anyway and can we have that in writing so we can look at before the next meeting so we can ask Marv questions at that time.

Mr. Adams: I think that would be appropriate and Mr. Myers and his group could be back.

Commissioner Leavitt: And I would like to have our staff have an opportunity to look the report over too.

Mayor Pro-Tem Lurie: This item, then, will be referred to our next meeting.

ITEM	Commission Action	Department Action
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1. (c) DEPARTMENT OF FINANCIAL MANAGEMENT  
MARVIN A LEAVITT, CPA, DIRECTOR

\*CONSENT AGENDA

All matters listed under Items A and B 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. SERVICE AND MATERIAL WARRANTS

Nos. K209866, H1094, L1119 to L1126, L210305 to L210307, L210310 to L210341, L210343 to L210351, L210355 to L210377, A210381, L210384 to L210638, inclusive.

In the amount of \$2,662,866.58

\*B. PAYROLL WARRANTS

Nos 78251 thru 79431  
 For Pay Period Ending 12-11-76  
 In the amount of \$ 373,185.45

Items A and B  
 Approved  
 as Submitted  
 Lurie - unanimous

Director  
 authorized  
 to issue

ADDITIONAL ITEM:

1. RECOMMENDATION BY LAVENTHOL & HORWATH REGARDING FUTURE COMPUTER ACQUISITION

Abeyance

1/19/77 Agenda

DEPARTMENT OF PERSONNEL AND EMPLOYEE RELATIONS

BOB MC PHERSON, DIRECTOR

See Pages 18 and 19 of these Minutes -  
Annotated Agenda

Mayor Pro-Tem Lurie: I have a question on Item 6 which has to do with CETA employees being moved into permanent City slots. Are you planning on giving up those CETA slots or are you going to request that they be filled?

Mr. Adams: I am sure we are going to request they be filled.

Mayor Pro-Tem Lurie: How come it took so long, two years, to transition these people into permanent positions?

Mr. McPherson, Director: Primarily a question of the budget. We do have two budgeted openings there now and that's why it is here at this time.

Mayor Pro-Tem Lurie: So you're just asking for two positions now and then when the other three become available, you want these people transitioned into permanent employee status.

Mayor Pro-Tem Lurie: I move for approval of Items 1 through 6. Motion is approved.

Motion approved by the following vote:  
Commissioners Leavitt, Christensen and  
Mayor Pro-Tem Lurie voting aye; noes, none.

ITEM

Commission Action

Department Action

I. (d) DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS

BOB McPHERSON, DIRECTOR

A. AUTHORIZATION TO FILL POSITIONS

City funded

Items 1 thru 6  
 Approved  
 as recommended  
 Lurie - unanimous

Director  
 authorized  
 to proceed

<u>Dept/Class</u>	<u>Monthly Salary</u>	<u>Justification</u>
(1) Business Activity/ Off Street Parking Intermediate Clerk (replace budgeted vacancy)	637	To provide for minimal staffing 7 days a week, 24 hours a day.
(2) Business Activity/ License Intermediate Clerk (replace budgeted vacancy)	637	To answer phones, wait on counter and process business license, child care applications, charitable fund raising permits, sewer service bills, parking tickets, pet licenses and payments on accounts receiv- able.
(3) Business Activity/ License License Inspector (replace budgeted vacancy)	901	Responsible for collection of accounts receivable, including preparation of and following thru on court action for collection, parti- cularly on damage to City property accounts. This is a revenue generating position.
(4) Rec. & Cult. Serv./ Arts & Special Projects Stenographer (replace budgeted vacancy)	670	This is the only clerical position in the division. Responsible for per- forming secretarial and receptionist duties. Presently filled on a tempo- rary basis.
(5) Public Services/ Quality Control Construction Inspector (replace budgeted vacancy)	1070	A minimum of two Inspectors is needed to provide adequate inspection services to the current 26 active subdivisions. At present there is only 1 Inspector assigned to this function.

ITEM			Commission Action	Department Action
I. (d) DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS				
<u>Dept/Class</u>	<u>Monthly Salary</u>	<u>Justification</u>		
(6)				
Rec. & Cult. Serv./ Parks & Open Spaces Maintenance Laborer-2 (replace budgeted vacancy)	721	The employees filling these positions have been on the federal program for more than two years; therefore, it is recommended that they be transitioned to regular employment in line with the concept of the Public Service Program.	See Page 4	See Page 4
B. <u>REQUEST FOR APPROVAL TO COMPENSATE TOM MULROY</u>			Abeyance	1/19/77 Agenda

TOM MULROY  
Abeyance

REQUEST FOR APPROVAL TO COMPENSATE TOM MULROY

Mr. Adams: Item B under the Department of Personnel & Employee Relations is a request for additional compensation for our Senior Citizens Advisory individual because we are starting to utilize his services in an area where we feel he is entitled to a little more compensation.

Our recommendation is that he still remain as a contract-type employee, with part of his compensation paid by the Housing Authority and the other part funded by the City. This, in essence, would amount to \$250.00 a month on our part.

Mayor Pro Tem Lurie: Do the Commissioners have any comment on this recommendation for approval to compensate Tom Mulroy?

Commissioner Leavitt: In other words, the Housing Authority now pays him \$5,000.00 a year. Why don't we get the Housing Authority to increase his salary? I see we are asking that the City increase it \$3,000.00 a year - is there any way we can persuade the Housing Authority to increase it this \$3,000.00 a year? out of their budget, or has that been explored?

Mr. Adams: We have explored that. We feel there is a justification for the increase and once we ran into a stone wall, we just reversed the direction -

Commissioner Leavitt: Did they indicate they wouldn't?

Mr. Adams: Not really to that extent but we felt if we were going to utilize his services we should go ahead and not pursue it any further -

Commissioner Leavitt: I see here that he will maintain his status as an independent contractor. That won't make him an employee of the City, then - is that right?

Mr. Adams: That is correct.

Commissioner Leavitt: He will have a contract with the City to perform certain services?

Mr. Adams: That is correct.

Commissioner Leavitt: Has Mr McPherson written up a Job Description of what that is? What those services will consist of? Or are you involved in it in any way?

J. Robt McPherson, Director, Department of Personnel & Public Relations: Not directly, Commissioner, primarily it came from the Mayor that he is using his time, generally, in his office, and the request came from him later.

Mayor Pro Tem Lurie: I would agree that at this time this item be held . . .

Commissioner Leavitt: I would like to hold it - I would like to talk to the Mayor about it, and also I would like to have a description of his duties. I know that the City provides office space for him for performing those services, and the Housing Authority pays part of his salary. Maybe you ought to explore the possibility of having them increase his compensation from their Budget too. It is a possibility.

TOM MULROY  
(Continued)

Mayor Pro-Tem Lurie: At this time this item will be referred to our next meeting -- also prepare a Job Description.

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DEPARTMENT OF FUNDS, COORDINATION AND PROJECTS

BRUCE W. SPAULDING, AIP, DIRECTOR

RESOLUTION  
LOAN REVIEW BOARD  
Adopted

RESOLUTION TO ESTABLISH A LOAN REVIEW BOARD FOR THE HOUSING REHABILITATION LOAN PROJECT

Director Bruce Spaulding: The first item is a resolution authorizing the establishment of a Loan Review Board for the Housing Rehabilitation Loan Project. This is the project that is funded through the Block Grant and it is necessary to establish a board for reviewing individual applications for loans.

Mayor Pro-Tem Lurie: This is a requirement by HUD?

Mr. Spaulding: It's required by HUD and by the bank providing the financing.

Mayor Pro-Tem Lurie: Move for approval. Any discussion on the motion? Cast your votes. The motion is approved.

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

See Pages 22 and 23 of these Minutes -  
Resolution

RESOLUTION RE:  
HOUSING AUTHORITY  
AS RELOCATION  
AGENCY  
Adopted

RESOLUTION DESIGNATING THE HOUSING AUTHORITY OF THE CITY OF LAS VEGAS AS THE CITY'S RELOCATION AGENCY

Mr. Spaulding: This is a housekeeping resolution designating the Housing Authority of the City of Las Vegas as the City's relocation agency. What this means that in the event any City program, urban renewal or whatever, might displace individuals from their homes, the Housing Authority would be automatically responsible for taking charge of their relocation. There is no current situation where this would be in effect. It is possible in the future, including through the Rehabilitation Loan Program, that relocation could occur.

Mayor Pro-Tem Lurie: Move for the adoption of the resolution. Any discussion? Cast your votes on the motion. The motion is approved.

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

See Pages 24 and 25 of these Minutes -  
Resolution

RESOLUTION  
"701" FUNDS  
Adopted

RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR "701" COMPREHENSIVE PLANNING ASSISTANCE FUNDS FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Mr. Spaulding: This is the standard annual resolution authorizing submission of an application for "701" funds for the next fiscal year; that's fiscal year 77-78.

Mayor Pro-Tem Lurie: I have just one question. Normally we just provide our services in-house in lieu of cash outlay. You have in-kind services or cash. Do you expect that there may be some cash outlay on this application in previous years.

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A RESOLUTION OF THE BOARD OF  
CITY COMMISSIONERS OF THE CITY  
OF LAS VEGAS, NEVADA TO ESTABLISH  
A LOAN REVIEW BOARD FOR THE HOUSING  
REHABILITATION LOAN PROJECT

WHEREAS, the City of Las Vegas has developed a Housing  
Rehabilitation Loan Project; and

WHEREAS, the City of Las Vegas is now in the process  
of fully implementing the Housing Rehabilitation Loan Project;  
and

WHEREAS, the City of Las Vegas recognizes the  
importance of providing citizen participation and representation  
in the process for administering the Housing Rehabilitation  
Loan Project; and

WHEREAS, the City of Las Vegas further recognizes  
that the establishment of a Loan Review Board is necessary  
for the successful operation of the Housing Rehabilitation Loan  
Project.

NOW, THEREFORE, BE IT RESOLVED by the Board of City  
Commissioners:

1. That a Loan Review Board be established for the  
Rehabilitation Loan Project.
2. That the Loan Review Board shall consist of at  
least two citizens and two staff members and shall be appointed  
by the Mayor.
3. That the Loan Review Board shall determine  
eligibility and make recommendations in regard to funding  
under said project.
4. That the Mayor is hereby authorized to sign and  
execute such legal documents as may be required to implement  
the financial provision of said project.
5. That the Housing Rehabilitation Loan Officer is  
hereby authorized and instructed to provide for the implementation  
of the Housing Rehabilitation Loan Project and is further

ACTION TAKEN

*[Handwritten signature]*  
*[Handwritten signature]*

Date 1-5-77

1 authorized to perform such tasks, procedures and functions as  
2 may be required to carry out the project's objectives and  
3 purposes.

4 6. That the Mayor is further authorized to sign  
5 and execute any additional documentation as may be necessary  
6 or appropriate to carry out the objectives and purposes of  
7 said project.

8 7. That this resolution shall become effective  
9 immediately.

10 PASSED, APPROVED AND ADOPTED this \_\_\_\_\_ day of  
11 \_\_\_\_\_, 1977.

12  
13 WILLIAM H. BRIARE MAYOR

14 ATTEST:

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17 Edwina M. Cole, City Clerk

18 (SEAL)  
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A RESOLUTION BY THE BOARD OF CITY COMMISSIONERS  
OF THE CITY OF LAS VEGAS, NEVADA DESIGNATING  
THE HOUSING AUTHORITY OF THE CITY OF LAS VEGAS  
AS THE CITY'S RELOCATION AGENCY

WHEREAS, the Uniform Relocation Assistance and Real Property  
Acquisition Policies Act of 1970, as amended, (P.L. 91-646) (hereinafter  
referred to as "Uniform Relocation Act") prescribes uniform relocation  
policies and requirements; and

WHEREAS, the purpose of the Uniform Relocation Act is to  
provide fair and equitable treatment of all persons displaced as a result  
of any federal or federally assisted program; and

WHEREAS, the Department of Housing and Urban Development has  
issued regulations and procedures implementing the Uniform Relocation Act;  
and

WHEREAS, the Uniform Relocation Act applies to all programs under  
which federal financial assistance is provided through a Department of  
Housing and Urban Development grant, loan, or contribution; and

WHEREAS, the regulations and procedures implementing the Uniform  
Relocation Act issued by the Department of Housing and Urban Development  
must be carried out in a consistent and coordinated manner; and

WHEREAS, the City of Las Vegas has the necessary and appropriate  
powers under the law of the State of Nevada to comply with the provisions  
of the Uniform Relocation Act; and

WHEREAS, the City of Las Vegas has the obligation to assure that  
relocation assistance and payments are provided in accordance with Federal  
law and Department of Housing and Urban Development policies, standards,  
and regulations; and

WHEREAS, the Uniform Relocation Act requires that each local  
governmental entity carrying out activities involving displacement establish  
a relocation assistance program offering a broad range of services to all  
persons to be displaced; and

WHEREAS, the City of Las Vegas deems that it is appropriate  
that all relocation operations be assigned to one municipal agency.

ACTION TAKEN

*Adopted*  
*by City*  
*Commission*

Date 1-5-77

1 NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of City  
2 Commissioners:

3 1. That the Housing Authority of the City of Las Vegas is  
4 designated as the relocation agency for the City of Las Vegas.

5 2. That the Housing Authority of the City of Las Vegas is  
6 hereby authorized and assigned responsibility for planning, implementing,  
7 and operating all relocation activities for or on behalf of the City of  
8 Las Vegas.

9 3. That the Housing Authority of the City of Las Vegas is  
10 hereby authorized to prepare and effectuate such relocation plan(s) as may  
11 be required from time to time.

12 4. That the City of Las Vegas, through its relocation agency,  
13 hereby provides assurance of its ability and intention to comply with the  
14 relocation payments and assistance requirements of the Uniform Relocation Act.

15 5. That the relocation agency is hereby authorized to provide  
16 assurance of compliance with Section 210 of the Uniform Relocation Act,  
17 supported by an opinion of legal counsel, for submittal to the Department  
18 of Housing and Urban Development or other federal agency where such documen-  
19 tation is required to support requests for federal assistance.

20 6. That when displacement occurs as a result of activity  
21 assisted under the Community Development Block Grant Program, such records,  
22 documents and files resulting from the relocation activity and plan shall  
23 be maintained in the Community Development Program office.

24 7. That the Housing Authority of the City of Las Vegas is  
25 hereby expressly authorized to file such documentation, provide such  
26 assurances and take such actions as may be required by the Uniform Relocation  
27 Act or the regulations published for the administration of said statute,  
28 as amended.

29 PASSED, APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 1977.

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31 \_\_\_\_\_  
32 WILLIAM H. BRIARE, MAYOR

ATTEST:

\_\_\_\_\_  
Edwina M. Cole, City Clerk

Mr. Spaulding: No, I don't. This is to give us the option, not the federal government. We are asking to make our contribution in in-kind. This is reserving our option if during the course of the year, for some reason, we did not want to provide as in-kind and decided, at the Commission's option, to provide cash, you are reserving, I don't know why you'd want to use it, but you are reserving the right to do it.

Commissioner Leavitt: Move for approval.

Mayor Pro-Tem Lurie: There's been a motion for approval. Any further discussion? Cast your votes on the motion. Motion is approved.

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

See Pages 27 and 28 of these Minutes -  
Resolution.

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DEPARTMENT OF MUNICIPAL SERVICES

J. C. CATHCART, DIRECTOR

See Pages 29 and 30 of these Minutes -  
Annotated Agenda

Mayor Pro-Tem Lurie: I have a question on permission to receive bids on Item 2, Traffic Signal at Sahara and Burnham, when we have had many discussions at previous meetings concerning a traffic signal at Atlantic and Sahara and probably this is a priority from the State of Nevada and the Regional Streets and Highways and City Commission, but why at the time when we were discussing the traffic signal at Sahara and Atlantic, this wasn't brought to our attention that there was one in design for the Burnham intersection. Problems have occurred and we've had major problems at the Atlantic and Sahara intersection.

Mr. Adams: I'm not at all sure that I can answer that. I think Mr. Hampton would need to explain the position that we are in on the Burnham...

Mayor Pro-Tem Lurie: They are about the same distance apart from the intersection of Eastern going west or going east.

Mr. Hampton: That's an area with a vehicle type traffic problem at Burnham, whereas, the problem at Atlantic and Sahara was a pedestrian type of a problem. This has been in the planning stages for quite some time and it is on the priority list as far as Regional Streets and the State Highway is concerned. The solution to the problem at Sahara and Atlantic, we felt it was much better to put in a specialized signal as we proposed and as we are in the process of purchasing, rather than the standard signal that will be installed at Burnham. It will, however, affect the traffic on Sahara, but we feel that the specialized signal will be a better solution to the pedestrian type problem.

Commissioner Leavitt: Burnham into the County side of Sahara is only built on one side all the way to Valley High School. Are there any plans to pave that to make it a full road.

Mr. Hampton: The project includes widening it for a short section, not the full length, but it would be tapered section. I don't know what the County's plans are further on down...

1 A RESOLUTION OF THE BOARD OF CITY COMMISSIONERS  
2 OF THE CITY OF LAS VEGAS, NEVADA AUTHORIZING  
3 THE SUBMISSION OF AN APPLICATION FOR "701"  
4 COMPREHENSIVE PLANNING ASSISTANCE FUNDS FROM  
5 THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

6 WHEREAS, Section 701 of the Housing Act of 1954, as amended by the  
7 Housing and Community Development Act of 1974 et seq, authorizes the making of  
8 grants of federal funds to units of general local government for comprehen-  
9 sive planning assistance; and

10 WHEREAS, "701" Comprehensive Planning Assistance funds are  
11 designed to assist recipients to: (a) develop and improve overall govern-  
12 mental capability and the management and decision-making capability; and  
13 (b) address special problems or opportunities; and (c) develop coordination  
14 mechanisms which will facilitate planning on a unified basis and (d) develop  
15 and carry out a comprehensive plan; and

16 WHEREAS, the City of Las Vegas has been notified by the Department  
17 of Housing and Urban Development Regional Office that applications for such  
18 financial assistance will need to be submitted by January 28, 1977; and

19 WHEREAS, the City of Las Vegas desires to secure second year  
20 "701" Program funds;

21 NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of City  
22 Commissioners:

23 1. That the Department of Funds, Coordination and Projects  
24 is hereby authorized and instructed to develop and submit an application  
25 for "701" Comprehensive Planning Assistance funds.

26 2. That said Department is hereby expressly authorized and  
27 empowered to perform all work and take such actions as are necessary or  
28 appropriate to develop, implement, and carry out a comprehensive planning  
29 assistance project.

30 3. That the Department of Funds, Coordination and Projects is  
31 hereby authorized to act as the City's responsible agency for the accomplish-  
32 ment of said project and that the Director of said Department is authorized  
to perform necessary or appropriate actions as required for the development  
and implementation of said project.

1                   4. That the Mayor is hereby authorized to execute a contract  
2 with the Department of Housing and Urban Development for the purpose of  
3 receiving and expending federal funds.

4                   5. That the City Clerk is hereby authorized and directed to  
5 attest said Contract.

6                   6. That the total amount allocated to the project will be  
7 "earmarked" by the Department of Housing and Urban Development after the  
8 application is accepted by the Department of Housing and Urban Development  
9 and that the City will be required to provide a local matching share that  
10 is one-third (1/3) of the total project amount.

11                   7. That the City will provide one hundred percent (100%) of  
12 its local share through in-kind services or cash.

13                   8. This Resolution to take effect immediately.

14                   PASSED, APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_,  
15 1977.

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18                   \_\_\_\_\_  
WILLIAM H. BRIARE, MAYOR

19 ATTEST:

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21                   \_\_\_\_\_  
Edwina M. Cole, City Clerk

22 (SEAL)  
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ITEM	Commission Action	Department Action
<p>I-f. <u>DEPARTMENT OF MUNICIPAL SERVICES</u> <u>J. C. CATHCART, DIRECTOR</u> 1. <u>PURCHASING AND CONTRACTS STAFF</u> J. E. Park, Purchasing and Contracts Officer</p> <p>* <u>CONSENT AGENDA</u></p> <p>All items listed under Items A and B 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.</p>		
<p>*A. <u>PERMISSION TO RECEIVE BIDS</u></p> <ol style="list-style-type: none"> <li>1. *Equipment and Supplies for Summer Recreation Programs (Recreation and Cultural Services)</li> <li>2. Traffic Signal Installation - Sahara at Burnham Street - 50% State of Nevada Funded; 50% Regional Streets and Highways Commission Funded (Public Services - Traffic Division)</li> <li>3. Mower, Rotary, 60" (Replacement) (Recreation and Cultural Services - Parks Division)</li> <li>4. Thirty (30) Each Street Light Standards - Replacement for Knockdowns (Public Services - Electrical Division)</li> <li>5. Herbicides and Chemical Weed Killers (Recreation and Cultural Services - Parks Division)</li> <li>6. 2,300 Feet 1-1/2" Hose; 3,200 Feet 2-1/2" Hose; 1,800 Feet 3" Hose; 100 Feet 3-1/2" Hose - Replacement (Fire Services)</li> </ol>	<p>Items 1 thru 6 Approved as recommended Lurie - unanimous</p>	<p>Director authorized to proceed</p>
<p><u>ABEYANCE ITEM</u></p> <p>Naval Reserve Building - - Conyention Center Recreational Grant (Recreation and Cultural Services)</p>	<p>Approved as recommended Commissioner Lurie voted "no"</p>	<p>Same as above</p>

ITEM	Commission Action	Department Action
I-f. <u>DEPARTMENT OF MUNICIPAL SERVICES,</u> Continued		
*B. <u>AWARD OF BIDS</u>		
1. Bid #76.109 - Expendable Office Supplies, Date of Contract Through September 30, 1977 (Municipal Services - Purchasing and Contracts Staff)  2. Bid #76.113 - Senior Citizens Center Multi-Purpose Room/Flooring Replacement (Public Services)  3. Bid No. 76.117 - 500 Doz. Softballs; 100 Doz. Bases (Rec. & Cultural Services)	Items 1, 2 and 3 Approved as recommended Lurie - unanimous	Director authorized to proceed
C. <u>PURCHASE ORDER APPROVAL</u>		
1. Request Purchase Order approval to Addressograph-Multigraph Corp., Las Vegas, Nevada, for a 12-month continuation of an existing lease agreement.	Approved as recommended C - unanimous	Same as above
D. <u>CONTRACT CHANGE ORDER</u>		
1. Bid #76.107 - Island Modification - Decatur Boulevard at Vermont (Public Services)  Recommend approval of Contract Modification #1 to J. R. Jacks Trucking, Las Vegas, Nevada, in the amount of \$927.75.	Approved as recommended Lurie - unanimous	Same as above

Commissioner Leavitt: How wide is that?

Mr. Hampton: I believe they have the full right-of-way now, but the pavement is only at half width.

Commissioner Leavitt: They've only paved half the street over there, and I'm kind of inclined to agree with Commissioner Lurie that the emphasis should be at Sahara and Atlantic, but I do know that Burnham on the County side is only half a street and you're going to put a signal there. I don't know if that is going to create more confusion than good.

Mr. Hampton: I think it will help the situation at Sahara and Atlantic.

Mayor Pro-Tem Lurie: By having a signal up on Burnham?

Commissioner Christensen: It would create breaks in the traffic that we don't have now.

Mayor Pro-Tem Lurie: Is this one of the County's priorities and then it has to come before our Board because the other side of Sahara is in the City?

Mr. Hampton: I can't say that it is City or County priority, it was on the priorities that were developed when the City and the County and the State met and as a result of review of all the traffic statistics and all of the intersections, it was determined that the Burnham traffic signal should be installed at this time.

Commissioner Leavitt: This isn't going to affect anything that we are doing at Atlantic and Sahara.

Mr. Hampton: No, we're still continuing on that as quick as we can. We've got most of the material purchased at this time.

Commissioner Leavitt: By voting for this, it's not going to affect that project in any way?

Mr. Hampton: None whatsoever.

Commissioner Christensen: The Burnham end of the County is only half finished, but it is dedicated all the way to Valley High, is that correct?

Mr. Hampton: I can't say, it could very well be, yes.

Commissioner Christensen: But Atlantic ends two blocks south of Sahara, does it not?

Mr. Hampton: Dead ends, yes.

Commissioner Christensen: What we've actually got here is a street at Atlantic where we are designing a light which is a different type light for pedestrian control, because you don't expect the traffic on Atlantic since it only starts... it's not a through street into the County; it's not into the City, either, is it?

Mr. Hampton: No.

Commissioner Christensen: We're looking at a future traffic problem involving vehicles at Burnham which we're trying to get the jump on, and we are also designing a pedestrian traffic light at Atlantic.

Mr. Hampton: We're even doing more than designing it, Commissioner.

Commissioner Christensen: That's what I mean, you've got the wheels in motion to put the pedestrian traffic

light in at Atlantic.

Mr. Hampton: That's right.

Mayor Pro-Tem Lurie: You get a lot of traffic on that Atlantic Street, and it doesn't dead-end. You can go west after you reach that so-called dead-end and a lot of cars detour around. A lot of cars use that access because they miss that light at Eastern and they use the Atlantic access because it's quicker sometimes.

Mr. Hampton: I think that's true; however, it will not have the ultimate traffic that Burnham will have on it, since Burnham is a through street, relatively speaking.

Commissioner Christensen: What I was trying to get at was that Burnham, I believe, comes from quite a ways, it starts at Charleston, does it not. Burnham is the street that's just on the east end of the Charleston Plaza Shopping Center. It runs from Charleston there clear through to Sahara and clear on out to Valley High School, so it ultimately, if it's a full width street, will carry much more traffic than Atlantic ever will which starts at about Holly Hill and runs for about six blocks, is all that Atlantic really runs without jogging around on it.

Commissioner Leavitt: Burnham deadends at Vegas Valley.

Mr. Hampton: We've got the two distinct problems. The one solution at Sahara and Atlantic we feel is actually better than a standard signal.

Commissioner Christensen: As long as this one doesn't jeopardize or shorten the time, or anything like that, with the problem at Atlantic. That's the main thing I want understood. This won't lengthen the delay at Atlantic and Sahara there.

Mr. Hampton: None whatsoever.

Commissioner Leavitt: Aren't there plans to extend Karen from Maryland Parkway to Eastern. How is that project connected. Because, Burnham would run into that.

Mr. Hampton: It's in on the Eastern side.

Commissioner Leavitt: Right by Valley High School. That's where Burnham comes, where they meet there, and then Karen dead-ends into Burnham, and what I'm concerned about...

Mr. Hampton: They have acquired additional right-of-way on the western side of that.

Commissioner Leavitt: I know they were acquiring that right-of-way when I was a County Commissioner, so I'm wondering what the status is right now between that route on Karen between Maryland Parkway and Eastern, if that project is going forward, because that will certainly help traffic in the area, too.

Mr. Hampton: I confess, I'm not familiar with that status. I understand that the project was tabled, you might say, because of a right-of-way problem. The property owners did not want to dedicate and the County did not have money to purchase.

Commissioner Leavitt: I know Mr. Ham that owns the corner there has dedicated his, and I don't know what happened further down.

Mr. Hampton: I will be happy to check with the County to see.

Commissioner Leavitt: If that road goes through, it's going to make that signal that more important. It is going to also relieve that traffic on Maryland Parkway which we certainly have to do.

Mayor Pro-Tem Lurie: My main question is since this is coming before us now, if we would have known that this signal was planned, we might have not gone ahead with the plan you had for Atlantic, and maybe you wanted to move this signal down and put another priority for Burnham at a later date. It's only talking about a half a mile. I move for approval on Item A, 1 through 6. Any more discussion on the permission to receive bids? Cast your votes on the motion. Motion is approved.

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

NAVAL RESERVE  
CENTER  
Approved

NAVAL RESERVE BUILDING - CONVENTION CENTER RECREATIONAL  
GRANT (RECREATION AND CULTURAL SERVICES)

Mr. Adams: We'd like to request permission to go to bid to remodel the frontage of that building for office space.

Commissioner Christensen: So move.

Mayor Pro-Tem Lurie: Do the Commissioners have any questions?

Commissioner Leavitt: I have a question. How come we have to go to bid on this? Isn't this something that can be done in-house?

Mr. Adams: Not really. We could, but our problem would be an idea of where we wound up. It would be piecemeal. It would be a long time involved in it.

Commissioner Leavitt: How much money are we talking about estimated to remodel it?

Mr. Adams: A little over \$100,000.

Commissioner Leavitt: What's the anticipated length of construction.

Mr. Hampton: It was either 90 or 120 days.

Commissioner Leavitt: We don't have the staff in the City that do this ourselves. In-house. In other words we don't have the carpenters, what have you.

Mr. Hampton: We could, but it would take us probably a whole year. It would require us to not do any maintenance we are doing now.

Commissioner Leavitt: You cannot do it in-house as a practical matter.

Mayor Pro-Tem Lurie: What's the rush to get it done? You're moving your Cultural Services Department over there out of City Hall, and it seems to me that if we could save money doing it ourselves rather than going out to bid, then that's what we should do.

Mr. Hampton: I don't know that we would save any money, Commissioner. We would obviously... We could do it. It would take us considerable time longer. It would be at least a year. We'd have to utilize all of our total work force to do that in our Maintenance Division, and if we had projects here

at City Hall, if we had projects at any of the fire houses, we wouldn't be able to perform our routine maintenance as we are doing now.

Commissioner Leavitt: What if we increased your maintenance staff? Would that be of any value? If it's a question of not having enough personnel, that's one thing. You're spending \$100,000 estimated to remodel. We could hire some temporary help. What I'm asking is it a practical matter for your department to do it? And from what you have indicated so far, it doesn't sound like it is.

Mr. Hampton: It isn't practical. I don't think we should be in the contracting business. In other words, a setup like Mr. Albright runs over in the County, that works fine. I think though we could have problems with the unions, with the contractors, that we would be competing with on this type of work. It's something that I think we would get into problems with if we started to do this on a large scale.

Commissioner Leavitt: That may be so, but we are also dealing with some taxpayers money here that is involved and we're talking about \$100,000. Now, if its a practical matter that your department at this time cannot handle, that's one thing. But, if we're worried about problems we may have with unions, contractors, doesn't bother me.

Mr. Hampton: I'm not sure that we would, in the end save that much money.

Commissioner Leavitt: That's what I wanted to know. In other words, the project is too big to be done in-house because of the amount of work that is involved in the design and so forth.

Mr. Hampton: There is special equipment that is needed to remodel the building that contractors have. They don't have to go out and purchase them. We have to go out and purchase this type of equipment.

Mayor Pro-Tem Lurie: Commissioner Christensen made a motion for approval. Cast your votes. Motion is approved.

Motion carried by the following vote:  
Commissioners Leavitt and Christensen  
voting aye; Mayor Pro-Tem Lurie voted no.

VAC-4-76  
Approved

PETITION OF VACATION - VAC-4-76 - NEVADA DEPARTMENT  
OF HIGHWAYS, ET AL

Petition to vacate the following property: All of Adams Street, Second Street, also know as Casino Center Boulevard, and Third Street, lying within the Edgeview Manor Subdivision, as per map attached to Petition to Vacate Public Right-of-Way on file in the Office of the City Clerk, City of Las Vegas, Nevada.

Mayor Pro-Tem Lurie: The first public hearing is Item A, petition of vacation, Nevada Department of Highways. The public hearing is now open on Item A.

Mr. Saylor: You recently had a request for a zone change to allow the expansion of the State Highway Department facilities generally north of Washington, and then running on over to Main Street where their facilities presently are. This proposal was part of an application they had in for Public Works funds. As part of that, they have acquired the old subdivision wherein the streets were put in, but the development was never put in. They, by this action, are proposing that these streets be vacated. The zoning has been approved to allow their development. The Planning Commission recommends approval of the vacation.

Mayor Pro-Tem Lurie: Is there anyone in the audience who would like to speak on this public hearing this morning on this application?

Commissioner Leavitt: That's all vacant property, isn't it?

Mr. Saylor: Yes.

Mayor Pro-Tem Lurie: Let the record show that no one was here in opposition to the petition of vacation. The public hearing is now closed. I would entertain a motion.

Commissioner Leavitt: Move for approval.

Mayor Pro-Tem Lurie: Any comments? Cast your votes on the motion. Motion is approved.

Motion carried by the following vote:  
Commissioners Leavitt, Lurie, and Mayor Briare voting aye; noes, none.  
(Commissioner Christensen temporarily absent.)

See Page 36 of these Minutes - Annotated  
Agenda for conditions of approval.

V-74-76  
Appeal  
Withdrawn

APPEAL FILED BY DR. NEIL CARMENA ON THE APPLICATION OF  
GILBERT SCHWARTS

Mr. Saylor: There was an appeal item before you at the last meeting as a public hearing item. It was on a variance, V-74-76, involving the proposed tennis court of Mr. Schwarts. An appeal was made by a protestant. It is my understanding that he has verbally withdrawn, wishes to withdraw his appeal. However, under our ordinance requirements, this cannot be done at this stage of the game. Consequently you should take action, because he has indicated the withdrawal, to simply deny the appeal.

Commissioner Lurie: I would move that the appeal be denied.

Mayor Briare: Any comments? Cast your votes. The motion is approved.

ITEM	Commission Action	Department Action
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II. 10:00 A.M. -- PUBLIC HEARINGS

A. PETITION OF VACATION -- VAC-4-76  
NEVADA DEPARTMENT OF HIGHWAYS, et al

Petition to vacate the following property:

All of Adams Street, Second Street, also known as Casino Center Boulevard, and Third Street, lying within the Edgeview Manor Subdivision, as per map attached to Petition to Vacate Public Right-of-Way on file in the Office of the City Clerk, City of Las Vegas, Nevada.

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

1. Satisfaction of the requirements of the various utility companies.
2. Conformance to the requirements of the Department of Public Services and the Fire Department.
3. Conformance to code requirements of all City Departments.
4. Vacation shall not be recorded until all of the above conditions have been met.

Approved as recommended by Planning Commission Leavitt (Commissioner Christensen did not vote - temporarily absent)

Director authorized to proceed  
  
C/A to prepare Order of Vacation

B. THIRD YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

(First of 2 Public Hearings required; 2nd Public Hearing to be held on 1/19/77)

For the record, representatives of nine (9) non-profit organizations were present

1/19/77 Agenda

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ADDITIONAL ITEM:

V-74-76 - APPEAL FILED BY DR. NEIL CARMENA ON THE APPLICATION OF GILBERT SCHWARTS (Public Hearing held 12/15/76 and held)

Appeal withdrawn by Dr. Carmena on 1/5/77

Director authorized to proceed

Commissioner Lurie moved that Appeal be DENIED - unanimous (Commissioner Christensen temporarily absent)

Motion carried by the following vote:  
Commissioners Lurie, Leavitt and Mayor  
Briare voting aye; noes, none.  
(Commissioner Christensen temporarily  
absent.)

COMMUNITY DEVELOP-  
MENT BLOCK GRANT

THIRD YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Mr. Bruce Spaulding: Your Honor, this is the first public hearing on this year's application for Community Development Block Grant funds. At this point, the City has no formal proposals for identification developed. Therefore, we're in the formal stages and entertaining both applications and possible program suggestions from citizenry and agencies, we have, I believe, representatives in the audience from various agencies and perhaps individual citizens who would wish to speak to suggest programs or ideas. Our standard procedure in the past in this matter has been to limit to one person per agency and to limit presentations to no longer than three minutes per proposal.

Mayor Briare: Do you know, Mr. Spaulding, I don't know if you are aware who in the audience is here to address the Board relative to these applications, but would you say that most of them are contained in the booklet that was furnished to members of the Commission?

Mr. Spaulding: Other than perhaps individual suggestions by citizens, for the City to undertake projects, I would anticipate that all the programs would be included in the booklet you received.

Mayor Briare: This is then for the purpose of a public hearing. There will be no action taken here today. There will be another public hearing at a later date, following which action, if any, will be taken by the Board following that second public hearing.

Mr. Spaulding: That's correct, Your Honor.

Mayor Briare: Ladies and Gentlemen, this is a public hearing. Is there anyone that wishes to address the Board on the applications for Community Block Grants. (No response). Is there anyone that would like to be on record as being present?

Suzanne Thomas: Governor's Committee on Employment of the Handicapped. I didn't realize that this program was coming up at today's meeting and I have to be in Boulder City before 11:00. I will be here January 19, and if you need any information on the proposed ramping of the curbs in downtown, as I understand is being proposed as a possible project, let me know. Thank you.

Nancy Lange: Operation Life. We just want to be on record as being present, and if you have any questions regarding our block grant at this time, I would be happy to answer them.

Mayor Briare: Anyone have any questions on the block grant application for Operation Life? Thank you very much.

Sylvia Leaks: Project Supervisor for H.O.M.E. Counselling. I would like to be on record that I was here. Also, I would like to suggest an undertaking by the City. That is a traffic light at the corner of....

Erma O'Neal: Director of Poor People Pulling Together. I'd just like to go on record that we were here. Thank you.

Mayor Briare: Also a stalwart member of the Housing Commission.

Mr. Rhodine: I'm a volunteer worker with United Way. Permit me to read this brief statement. I'm here today representing Charlotte Hill, Chairman of the Community Services Planning Council, and General Zack Taylor, President of United Way, to ask for your support for the Recreation Utilization Planning Project being proposed for Block Grant funding from the City of Las Vegas. United Way has been awarded two previous block grant contracts. Our accomplishments have included the completion of a Social Services Resource Inventory. This study has assisted the City in evaluating the service needs of our community. Furthermore, the Resource Inventory has been adopted by the State of Nevada as part of their next State Social Service Plan. This will result in a savings of thousands of dollars for Nevada taxpayers. During our current project, United Way has conducted social service and government service public opinion poll and information from this poll should prove most useful to the City of Las Vegas in the months ahead. We are also in the process of conducting an in-depth survey of community service facilities. The proposal before you now would allow the United Way and the City to work together to provide needed recreation services for our community. United Way currently provides nearly one-half million dollars annually for recreation programs. We have the responsibility to see that these funds provide meaningful services to the community. The City of Las Vegas also allocates a very large amount of money to recreation facilities and programs. Because the City and the United Way are both working in the recreation area, we approach you for support. Our proposed project will analyze all recreation resources, both public and private, operating in the target areas, and will allow for the effective and orderly expansion of recreation services. United Way realizes the difficulty in allocating funds where the requests are greater than the amounts available. Right now the Community Development Block program and the United Way represent the two largest local funding sources for community agencies. By working together as we have in the past, we can make our limited resources do the most good. We thank you now for your past support which has always been magnificent and very generous. I am sure it will be very \_\_\_\_\_ reaction on this particular project. Thank you very much.

Mayor Briare: I believe you came in a little bit late after the announcement was made, that there is still yet to be another public hearing on all the matters that are before us. Anyone else that wishes to go on record as being present?

Betty Schanzenbach, Focus Youth Services.

Yvonne Cooper, Coordinate for Information and Referral Services at the Voluntary Action Center. We are applying for a match to federal monies and would like to go on record as being present.

J. David Hoggard: On behalf of the Economic Opportunity Board, we have our applications in and I do not wish to speak to them at this point, but I did want to quickly tell you what is happening on Westside School so far. As you know, we have engaged Zick and Sharp and they have been working on it. They are going to bid, I talked to Mr. Sharp yesterday, they expect to go to bid this week with construction starting within 45 days. Our proposals before you we will talk about

at the next public hearing.

Karen Herron, Executive Director of Las Vegas Area Council of Camp Fire Girls: I would like to go on record as being here.

Mayor Briare: Anyone else? (No response.) Then, we'll declare this public hearing closed. Mr. Spaulding, the documents that you have presented to the Commission, are they copies of applications that these individuals and others have presented?

Mr. Spaulding: They are a summary. Each application includes as a front sheet, a summary of the project. This document is a collection of all the summaries from the individual applications.

Mayor Briare: Between now and the next public hearing whatever other information comes in, as it comes in if any does come in, would you be sure we get it right away so that perhaps on the 19th we will be completely up-to-date on everything that is before us.

Mr. Spaulding: Yes, sir.

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DEPARTMENT OF BUSINESS ACTIVITY

ILA M. BRITT, DIRECTOR

See Pages 40 thru 46 of these Minutes -  
Annotated Agenda

DAVID'S PLACE  
Approved

DAVID'S PLACE - LIQUOR -- New  
2127 West Charleston Boulevard  
Supper Club

Mr. Adams: This is a new liquor license for David's Place. This is one that because of the involvement in financing, he needs to make this new application again and he wants to carry it on until he can get his operation in order.

Commissioner Lurie: What happened to the other liquor license?

Mr. Adams: It, in essence, died because of the length of time involved. With his operation as a supper club, he is perfectly all right. I understand that he needs to, because of the financial arrangement with the bank that he is involved with, needs to have this application with the City.

Commissioner Lurie: We got back the other license, and now he is applying for a supper club license, is that correct?

Ila Britt, Director of Business Activity: Yes, sir that's correct. His previous license ran the full year and couldn't be extended any longer, so this is a new license.

Commissioner Lurie: Where is this license at, is this at the vacant piece of ground that he is applying for the supper club? The license is for the location that was destroyed, is that correct?

Mrs. Britt: That's correct. He's under construction of the new restaurant and this is to operate a supper club liquor license when he gets the construction completed.

Mayor Briare: If I understand Commissioner Lurie's question, for example, Ila, if every license had a number on it and this one happened to be license #170

ITEM	Commission Action	Department Action
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I-g. DEPARTMENT OF BUSINESS ACTIVITY

ILA M. BRITT, DIRECTOR

\*CONSENT AGENDA

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

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

1. ST. ROSE DE LIMA HOSPITAL AUXILIARY -- tickets to the annual Mardi Gras Ball
2. BOY SCOUT EXPLORER POST #319 and TROOP #119 -- door to door sales of Christmas items
3. NEVADA ASSOCIATION OF HUMANE STUDIES -- lectures and classes

Items 1, 2 and 3  
 Approved  
 as recommended  
 Lurie - unanimous

Director  
 authorized  
 to proceed

\*B. GAMING -- Additional

1. SUNDANCE WEST CORP.  
 Sundance West Casino  
 32 East Fremont Street  
 4 slots
2. SCOTT PLAZA, INC.  
 Union Plaza Hotel/Casino  
 #1 Main Street  
 4 "pan" games
3. BALLY DISTRIBUTING CO.  
 Four Queens Hotel/Casino  
 202 East Fremont Street  
 12 slots  
 Jackpot Casino  
 2410 Las Vegas Boulevard South  
 10 slots

Items 1 thru 6  
 Approved  
 Lurie - unanimous

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

\*B. GAMING -- Additional (cont'd)

4. GAMES OF NEVADA

Coin Castle Casino  
 15 East Fremont Street  
 16 slots

Jackpot Casino  
 2410 Las Vegas Blvd South  
 3 slots

5. NEVCO DISTRIBUTING CORP.

Sundance West Casino  
 32 East Fremont Street  
 1 slot

6. UNITED COIN MACHINE CO.

Four Queens Hotel/Casino  
 202 East Fremont Street  
 1 slot

Hard Hat Cocktail Lounge  
 1675 Industrial Road  
 1 slot

Orbit Inn  
 707 East Fremont Street  
 1 slot

Snick's Place  
 1402 South 4th Street  
 1 slot

Sundance West Casino  
 32 East Fremont Street  
 11 slots

See Page 9

See Page 9

\*C. LIQUOR -- Additional

1. G.S.Y., INC.

The Jolly Trolley Casino  
 2430, 2434, 2440 Las Vegas  
 Boulevard South  
 Service Bar License

Approved  
 Lurie - unanimous

Director  
 authorized  
 to proceed

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

\*D. RETAIL TOBACCO -- Additional

1. TRI STATE ENTERPRISES  
 Johnson Bros.  
 1187 East Sahara Avenue

Approved  
 Lurie - unanimous

Director  
 authorized  
 to proceed

E. LIQUOR & RETAIL TOBACCO -- Change  
 of Business Name; Change of  
 Ownership

1. From:  
 Steak Corral  
 1100 East Charleston Blvd  
 Tavern  
  
 Vegas Franchise Ltd. (a limited  
 partnership):  
 James/Judith Samsel  
  
 To:  
 \*TOMMY'S  
 1100 East Charleston Blvd  
 Tavern  
  
 Vegas Franchise Ltd., (a  
 limited partnership) and  
 Tom & Lynn, Inc.  
  
 Vegas Franchise Ltd.:  
 Thomas Johnson, partner  
 Marilyn Johnson, partner  
  
 Tom & Lynn, Inc.:  
 Thomas Johnson, Pres 50%  
 Marilyn Johnson, Secy 50%

Approved subject  
 to conditions  
 Lurie  
 Commissioner  
 Leavitt  
 abstained

Same as above

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

ITEM Commission Action Department Action

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

F. LIQUOR & GAMING -- Change from a Sole Proprietorship to a Partnership

Approved  
 subject to  
 conditions  
 Lurie - unanimous

Director  
 authorized  
 to proceed

1. \*JIM'S BAR  
 235 North Eastern Avenue  
 General Liquor
- Gaming:  
 Alstate Coin Mach Co: 4 slots  
 Digital Computing: 1 slot  
 Automatic Amusements: 1 slot

From:  
 James W. Ford, 100%

To:  
 Jim Ford and L.R.P. Corporation

Jim Ford, 50%

L.R.P. Corp. 50%  
 Larry R. Payne, Pres - sole  
 officer/stockholder

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

G. LIQUOR -- Approval of Manager

Application  
 withdrawn by  
 applicant

1. CLOONEY'S  
 113 South Casino Center Blvd  
 Tavern

Clooney's, Inc. - Michael  
 Kenny

George Laham, Manager

2. JOJOS RESTAURANT  
 1531 Las Vegas Blvd South  
 Restaurant Beverage

Approved  
 Lurie - unanimous

Same as above

Jojos Restaurants of Calif.  
 Inc. - Harold Butler et al

Thomas G. Harmon, Manager



ITEM	Commission Action	Department Action
<p><u>I-g. DEPARTMENT OF BUSINESS ACTIVITY</u>            (cont'd)</p>		
<p>K. <u>BURGLAR ALARM LICENSE -- Change of Business Name, Change of Ownership, Change of Location</u></p> <p>1. From:            Nevada Security Alarms Systems            308 East Charleston Blvd</p> <p>Lloyd Smith, 100%</p> <p>To:            NEVADA SECURITY ALARMS            McCarran International Airport</p> <p>Nevada Security Alarms, Inc.            George H. Boddie, Pres 100%            Patricia Boddie, Secy-Treas            Gary Holman, V.P.</p>	<p>Approved            Lurie - unanimous</p>	<p>Director            authorized            to proceed</p>
<p>L. <u>PRIVATE DETECTIVE LICENSE -- New</u></p> <p>1. KEYSTONE SECURITY, INC.            2324 So Highland, Suite #2</p> <p>Roy B. Trickett, Pres 75%            Patricia J. Trickett, Secy 5%            Evelyn J. Rogers, Treas 20%</p> <p>John J. Press, Qualifying            Agent/Resident Manager</p>	<p>Approved            Lurie - unanimous</p>	<p>Same as above</p>
<p><u>ABEYANCE ITEM -- Tabled 12-15-76</u></p>		
<p>M. <u>LIQUOR -- Request for Extension of Inactive Status</u></p> <p>1. BRUCE'S LIQUORS            2027 North Revere            Package Liquor/Beer Bar</p> <p>Bruce's Liquors, Inc.:            Allan Kelly, Pres            Charlotte Kelly, Secy-Treas</p> <p>(Closed 11-2-76. Extension for 1-1-77 thru 1-5-77 apprd 12-15-76. Request for extension of inactive status: 1-6-77 thru 3-6-77.)</p>	<p>Approved            Leavitt - unanimous</p>	<p>Same as above</p>



and it had now gone its way in accordance with the ordinance, and it's dead and gone, so scratch number 170. Then, Mr. Silverman is now applying for a brand new license?

Mrs. Britt: That's correct.

Mayor Briare: I'm kind of curious, because I don't know if this has come up in this manner before, is there some indication that the restaurant plans and everything have been approved. I know that they are building. Is Mr. Silverman present?

Mrs. Britt: Mr. Silverman is here.

Mayor Briare: I think the questions that are coming up now, Mr. Silverman, as you obviously are very well aware, over a year has transpired, I'm not sure but there might be other applicants that are waiting for the availability of a license. Is that conceivable?

Mrs. Britt: I understand your question now. This type of liquor license is not governed by the population.

Mayor Briare: This is by the capital investment. Have those capital investments been determined?

Mrs. Britt: No, it isn't based on that either.

Commissioner Christensen: This one doesn't have a restriction on it as far as numbers because this is a...

Mrs. Britt: It requires a restaurant that has 100 seating capacity. This is a liquor license privilege that goes with that.

Commissioner Lurie: Are you under construction now?

Mr. Silverman: We are putting up the roof this morning.

Commissioner Lurie: I move for approval.

Mayor Briare: Any comments?

Commissioner Leavitt: Let me clarify this. We're not giving him preference over anybody else at this point?

Mrs. Britt: No, sir.

Mayor Briare: Cast your votes. The motion is approved.

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

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DEPARTMENT OF PUBLIC SERVICES

LAURENCE HAMPTON, P.E., DIRECTOR

See Pages 48 thru 49 of these Minutes -  
Annotated Agenda

AGREEMENT -  
FREEDOM PARK  
Approved

AGREEMENT BETWEEN THE CITY OF LAS VEGAS AND DWYER,  
LOBER, COHEN, INC., CONSULTING ENGINEERS, RE:  
ELECTRICAL ENGINEERING SERVICES FOR CONSTRUCTION WORK  
IN FREEDOM PARK

Mr. Laurence Hampton, Director of Public Services:  
A contract was placed on your desk this morning  
regarding the consulting engineers services for the  
electrical work at Freedom Park. If you recall  
at the last meeting you did approve our department to

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

\*A. APPROVAL OF SUBDIVISION PLAT

It is recommended that the following final plat be approved subject to posting of bond and signing of agreements within thirty days. All engineering designs have been checked and accepted.

Approved  
 as recommended  
 Lurie - unanimous

Director  
 authorized  
 to proceed

1. Charleston Rainbow No. 14-C. (Sproul Homes of Nevada, R. B. Cline, President)

\*B. RELEASE OF SUBDIVISION BOND

All offsite improvements on the following subdivisions 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 these subdivisions.

Items 1 and 2  
 Approved  
 as recommended  
 Lurie - unanimous

Clerk to proceed

1. The Meadows. (Dayton Development Company, M. F. Kelly, President)
2. Jade Park Unit No. 4. (Home Savings Association, a Nevada Corporation)

\*C. RELEASE OF CONSTRUCTION CONTRACTS

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

Items 1 and 2  
 Approved  
 as recommended  
 Lurie - unanimous

Clerk & Municipal  
 Services to  
 proceed

1. Bid No.: 76.75  
 Contractor: M & S Air Conditioning Service, Inc.  
 For: Air Conditioning Replacement - Fire Station #5

Notice of  
 Completion: November 26, 1976  
 Release Date: December 31, 1976

ITEM Commission Action Department Action

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

\*C. RELEASE OF CONSTRUCTION CONTRACTS (Continued)

2. Bid No.: 76.54  
 Contractor: Jaramillo Landscape & Sprinkler  
 For: Senior Citizen's Center Landscaping - City Hall Plaza Landscaping Phase I Bid Group II

Notice of Completion: December 17, 1976  
 Release Date: January 21, 1977

See Page 15

See Page 15

\*D. RIGHT OF WAY ITEMS

1. Grant Deed  
 From: James A. Crinite, a single man  
 To: City of Las Vegas  
 For: Portion of SW-1/4, Sec. 33, T20S, R61S  
 Valerie St. Dedication  
 Sewer installation (12/20/76)

Approved as recommended  
 Lurie - unanimous

P/S to proceed

E. REPORTS

1. Request of Paul A. & Dorothy E. Parker, 3900 W. Vegas Dr. to hook into city sewer from outside city limits.

Approved as recommended  
 Lurie - unanimous

Same as above

ADDITIONAL ITEM

1. AGREEMENT BETWEEN THE CITY OF LAS VEGAS AND DWYER, LOBER, COHEN, INC., CONSULTING ENGINEERS re ELECTRICAL ENGINEERING SERVICES FOR CONSTRUCTION WORK IN FREEDOM PARK

Approved as presented  
 Lurie - unanimous

Same as above

to negotiate contracts with Dwyer, Lober. Such was done. Unfortunately, Mr. Jan Stewart was out of town for quite some time. We were unable to get it in at the proper time. It may be best to consider as part of the Attorney's agenda, but I just wanted to request that it be considered so that we can proceed with this project since it is of a priority nature.

Mayor Briare: Are you being held back by not executing this agreement? I think we have already approved, have we not?

Mr. Hampton: We actually can't authorize them to do any work until the agreement is approved.

Mayor Briare: What would you say would be the problem of our approving it right now?

Mr. Hampton: No problem at all.

Commissioner Lurie: Move for approval of the agreement as presented.

Mayor Briare: Any comment? Cast your vote. Motion is approved.

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

RECESS:

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Mayor Briare declared a five minute recess. The meeting reconvened with all members present.  
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DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT

DON J. SAYLOR, AIP, DIRECTOR

Mr. Saylor: Items A, B, C, D are in order. We have given you the backup information in our memo to you and they are there for action.

Mayor Briare: Are there any questions on items A, B, C, or D?

Commissioner Lurie: Item C is a waiver for Big Sky Ranch Estates Subdivision?

Mr. Saylor: Yes, sir. This is a ranch estates horse subdivision, or designed for people with horses, and they requested waiver of the sidewalk, curb, gutter and street lights. In conformity with what has been the policy of the Commission, the Planning Commission recommended approval of the waiver of the sidewalk, curb and gutters. Not the street lights. The applicant has agreed to do that. But, we have done this is several subdivisions in connection with horses.

Commissioner Lurie: Didn't we also, at one time, when we approved this on another subdivision waiver, also require a bond be put up for a year in case the people who move into the tract wish sidewalks?

Mr. Saylor: It is an agreement in the covenants to that effect. I don't know that there was a bond, but there is an agreement which Public Services worked out with the developer wherein this was taken care of. I don't know what the standard procedure is, but it would be in accord with that standard procedure.

Commissioner Lurie: Move for approval of items A, B, C, and D.

Mayor Briare: On Item D, 15 temporary construction signs? What does that mean?

Mr. Saylor: This is the office, large office development proposed at Rancho Road and Washington. The zoning has been approved. Most of these signs are on the interior of the property and they are advertising there will be lease facilities available and this type of thing.

Mayor Briare: What size signs? Are they lot signs?

Mr. Saylor: No. They're not big billboards. I don't have the exact size of the signs before me. Perhaps this gentleman could explain.

Mayor Briare: Is the applicant present? (No response.) Don, the only thing that concerns me and it might be standard procedure, 15 signs.

Commissioner Lurie: I want to withdraw my motion on approving Item D. Motion for approval on Items A, B, and C.

Mayor Briare: Items A, B, and C, motion for approval. Any comments. Cast your votes. The motion is approved on A, B, and C.

See Pages 52 and 53 of these Minutes -  
Annotated Agenda

Commissioner Lurie: I would move we hold item D until we have presented to us the size of signs and locations, and refer this to our next meeting.

Commissioner Leavitt: I'm inclined to go along with the Mayor. Fifteen seems like an awful lot of signs for that. Is there any ordinance limitation on it, or is that the reason it is before us?

Mr. Saylor: Not on the temporary type of things. It is simply a plot plan review, if you want to allow it or not.

Mayor Briare: This will be held if there is no objections.

Mr. Saylor: We will get you the size and general locations.

ZONE CHANGE - NICK LEONIS

Property located at 1521 East Sahara Avenue, from R-2 to P-R.

Mr. Saylor: This is the application of Leonis for a change in zoning from R-2 to P-R, professional office use. The property is located at 1521 East Sahara. This is the lot in question (referring to map), this is Sahara, Chapman. It is in an area where we have transitioned to professional office and light commercial use. Plot Plan of the property which is relatively routine. The Planning Commission recommends approval subject to the conditions. There were no protests.

Mayor Briare: Are there any protests here today?

(No response.)

Commissioner Lurie: Move for approval subject to the conditions.

Mayor Briare: Any comments? Cast your votes. The motion is approved.

Z-83-76  
Approved

Page 51  
Minutes  
Regular Meeting  
City Commission  
January 5, 1977

ITEM Commission Action Department Action

I-(i) DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT  
 DON J. SAYLOR, AIP, DIRECTOR

A. TENTATIVE MAP - WESTLAND MALL

Property generally located at the southeast corner of Decatur Boulevard and West Charleston Boulevard, C-2 zone.

Owner/Subdivider: Westland Mall Development Corporation  
 No. of Acres: 63.5 No. of Lots: 5

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

1. Approval of the tentative map shall be for no more than twelve (12) months. If a final map is not recorded on all or a portion of the area embraced by the tentative map within twelve months of approval of the tentative map, a new tentative map must be filed. If a final map is recorded within twelve months of approval of the tentative map for only a portion of the area embraced by the tentative map, the Planning Commission may require that a new tentative map be filed and approved prior to any further final maps being approved.
2. Subject to approval of the C.C. & R.'s.
3. Subject to conditions of all City departments and State Subdivision Statutes.

B. TENTATIVE MAP - BIG SKY RANCH ESTATES

Property generally located at the northeast corner of Alexander Road and Torrey Pines Boulevard, R-E zone.

Owner/Subdivider: Steven S. Miller  
 No. of Lots: 56 No. of Acres: 32.5

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

1. Approval of the tentative map shall be for no more than twelve (12) months. If a final map is not recorded on all or a portion of the area embraced by the tentative map within twelve months of approval of the tentative map, a new tentative map must be filed. If a final map is recorded within twelve months of approval of the tentative map for only a portion of the area embraced by the tentative map, the Planning Commission may require that a new tentative map be filed and approved prior to any further final maps being approved.
2. Street names shall be provided in accord with the City's Street Name Policy.
3. Redesign of the tentative map as required by the Department of Public Services to accommodate the Jones-Alexander-Rancho Road intersection design.
4. Subject to all conditions of City departments and State Subdivision Statutes.

Items A, B and C Approved as recommended by the Planning Commission Lurie - unanimous

Director authorized to proceed

ITEM	Commission Action	Department Action
<p>I-(i) DEPARTMENT OF COMMUNITY PLANNING &amp; DEVELOPMENT CONTINUED</p>		
<p>B. continued . . .</p>	See Page 17	See Page 17
<p>5. Conformance to the zoning requirements as set forth in Z-16-73.</p>		
<p>C. <u>WAIVER - BIG SKY RANCH ESTATES SUBDIVISION</u></p>		
<p>Property generally located at the northeast corner of Alexander Road and Torrey Pines Boulevard, R-E zone.</p>		
<p>Owner/Subdivider: Steven S. Miller</p>		
<p>Planning Commission unanimously recommends APPROVAL of the request for a Waiver from the requirements of the Subdivision Ordinance (i.e. sidewalks, curb and gutter &amp; street lights). This Planning Commission approval excepts therefrom major streets and the street lights.</p>		
<p>D. <u>PLOT PLAN REVIEW - Z-62-75 - CURRAN DEVELOPERS</u></p>		
<p>Request to allow the installation of one permanent project sign and fifteen temporary construction signs on property generally located on Washington Avenue, between Rancho Drive and Robin Street, C-1 zone (under ROI).</p>	<p>Abeyance (for size and location of proposed Signs) Lurie - unanimous</p>	1/19/77 Agenda
<p>Planning Commission unanimously recommends APPROVAL.</p>		
<p>E. <u>ZONE CHANGE - Z-83-76 - NICK LEONIS</u></p>		
<p>Property located at 1521 East Sahara Avenue, between Chapman Drive and 17th Street.</p>	<p>Approved as recommended by Planning Commission Lurie - unanimous</p>	<p>Director authorized to proceed</p>
<p>From: R-2 (Two-family residence) To: P-R (Professional Offices &amp; Parking) Proposed Use: Offices and Parking.</p>		
<p>Planning Commission unanimously recommends APPROVAL subject to the following conditions:</p>		
<ol style="list-style-type: none"> <li>1. A 6' masonry wall to be constructed along the rear (north) property line.</li> <li>2. A planter to be provided between the two driveways on Sahara Avenue as required by the Department of Community Planning and Development.</li> <li>3. Replace damaged sidewalk along Sahara Avenue as required by the Department of Public Services and secure a construction permit for additional curb cuts.</li> <li>4. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.</li> </ol>		<p>Page 53 Minutes Regular Meeting City Commission January 5, 1977</p>
<p>Continued . . .</p>		

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

See Pages 55 and 56 of these Minutes -  
Annotated Agenda

Z-84-76  
Approved

ZONE CHANGE - SOUTHERN NEVADA MEMORIAL HOSPITAL  
Property located at 2020 Alturas Avenue, between  
Tonopah Drive and Rose Street, from R-E to C-V.

Mr. Saylor: This is a continuing type of thing  
with the Southern Nevada Hospital. They are gradually  
acquiring property to the north for future expansion.  
The change in zoning is from R-E to C-V. Their  
temporary use, as other properties, either parking  
or office facilities. Planning Commission recommends  
approval. No protests.

Mayor Briare: Any comments?

Commissioner Lurie: Move for approval.

Mayor Briare: Comments on the motion? Cast your  
votes. The motion is approved.

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

See Page 56 of these Minutes for conditions  
of approval - Annotated Agenda

Z-86-76  
Approved

ZONE CHANGE - ERNEST A. BECKER, JR.  
Property generally located on the northwest corner  
of South Jones Boulevard and West Charleston Boulevard,  
from R-1 to C-2.

Mr. Saylor: The next request is the application of  
Mr. Becker, Jr. for a change in zoning from R-1 to  
C-2 for property located at the northwest of Jones  
and Charleston. This property had previously been  
zoned commercial under a time limit which consequently  
expired. Planning Commission has recommended approval  
of this new request. This is a plot plan of the  
proposed development, this being Charleston, this is  
Jones. There was one protestant, quite some distance  
away who objected at the Planning Commission meeting.

Mayor Briare: Is this essentially what it was before?

Mr. Saylor: Generally speaking, I believe so. There  
are some changes, but essentially the same.

Ernest Becker: This station is going to be moved  
down to be in this location down here (pointing to  
map). We would like permission to work with staff.  
We don't think it will have any ill effects. The main  
thing we couldn't agree with staff. They wanted the  
driveway to come out in this area. We'd still like  
it here. We don't think it is that much of a problem.  
Only the people going that way are going to be in the  
residential area because you have to a half mile to  
hit another street.

Commissioner Leavitt: What street is that?

Mr. Saylor: Monticello.

Mr. Becker: This at one time is where the flood  
control channel was going to go until all of these  
houses on this side and cul-de-sac with no access  
on Jones; have to go all the way down to Alta Drive  
and this is the first street that goes through  
because there's no place for the streets to go and  
when you fill the streets behind, this piece left

ITEM	Commission Action	Department Action
<p>(i) DEPARTMENT OF COMMUNITY PLANNING &amp; DEVELOPMENT            CONTINUED</p>		
<p>B. continued . . .</p> <p>5. Conformance to the zoning requirements as set forth in Z-16-73.</p>	<p>See Page 17</p>	<p>See Page 17</p>
<p>C. <u>WAIVER - BIG SKY RANCH ESTATES SUBDIVISION</u></p> <p>Property generally located at the northeast corner of Alexander Road and Torrey Pines Boulevard, R-E zone.            Owner/Subdivider: Steven S. Miller</p> <p>Planning Commission unanimously recommends APPROVAL of the request for a Waiver from the requirements of the Subdivision Ordinance (i.e. sidewalks, curb and gutter &amp; street lights). This Planning Commission approval excepts therefrom major streets and the street lights.</p>		
<p>D. <u>PLOT PLAN REVIEW - Z-62-75 - CURRAN DEVELOPERS</u></p> <p>Request to allow the installation of one permanent project sign and fifteen temporary construction signs on property generally located on Washington Avenue, between Rancho Drive and Robin Street, C-1 zone (under ROI).</p> <p>Planning Commission unanimously recommends APPROVAL.</p>	<p>Abeyance (for size and location of proposed Signs)            Lurie - unanimous</p>	<p>1/19/77 Agenda</p>
<p>E. <u>ZONE CHANGE - Z-83-76 - NICK LEONIS</u></p> <p>Property located at 1521 East Sahara Avenue, between Chapman Drive and 17th Street.            From: R-2 (Two-family residence)            To: P-R (Professional Offices &amp; Parking)            Proposed Use: Offices and Parking.</p> <p>Planning Commission unanimously recommends APPROVAL subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. A 6' masonry wall to be constructed along the rear (north) property line.</li> <li>2. A planter to be provided between the two driveways on Sahara Avenue as required by the Department of Community Planning and Development.</li> <li>3. Replace damaged sidewalk along Sahara Avenue as required by the Department of Public Services and secure a construction permit for additional curb cuts.</li> <li>4. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.</li> </ol>	<p>Approved as recommended by Planning Commission            Lurie - unanimous</p>	<p>Director authorized to proceed</p> <p>Page 55            Minutes            Regular Meeting            City Commission            January 5, 1977</p>
<p>Continued . . .</p>		

ITEM Commission Action Department Action

I-(i) DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT  
CONTINUED

- E. continued . . .
5. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.
  6. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
  7. Conformance to the plot plan to reflect the above conditions.
  8. Conformance to code requirements and design standards of City departments.

PROTESTS: 0

See Page 18

See Page 18

F. ZONE CHANGE - Z-84-76 - SOUTHERN NEVADA  
MEMORIAL HOSPITAL

Property located at 2020 Alturas Avenue, between  
Tonopah Drive and Rose Street.  
From: R-E (Residence Estates)  
To: C-V (Civic)

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

1. Landscaping as required by the Department of Community Planning and Development.
2. Approval of a development plan by the Department of Community Planning and Development.
3. Signing of an Assessment District Agreement for future sidewalk, curb and gutter, and street lighting along Alturas frontage as required by the Department of Public Services.
4. Conformance to code requirements and design standards of City departments.

PROTESTS: 0

Approved as recommended by  
Planning Commission  
Lurie - unanimous

Director authorized to proceed

G. ZONE CHANGE - Z-86-76 - ERNEST A. BECKER, JR.

Property generally located on the northwest corner of South Jones Boulevard and West Charleston Boulevard.

From: R-1 (single family residence)  
To: C-2 (general commercial)  
Proposed Use: Service Station, retail stores and commercial storage units.

Planning Commission unanimously recommends  
APPROVAL subject to the following conditions:

1. Resolution of Intent be restricted to a twelve (12) month time limit.

Approved as recommended by  
Planning Commission  
Leavitt - unanimous

Same as above

Page 56  
Minutes  
Regular Meeting  
City Commission  
January 5, 1977

ITEM	Commission Action	Department Action
I-(i) DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT CONTINUED		
G. continued . . .	See Page 19	See Page 19
2. Prohibition of access along Monticello except that one access shall be permitted within approximately the first 100 feet from Charleston north.		
3. Drainage on the property to be required and meet the requirements of the Public Services Department.		
4. A 6' masonry wall along the north property line. Landscaping along Monticello from a point approximately 100 feet north of Charleston Boulevard to the north property line.		
5. Dedication of 40 feet for Jones Boulevard and 25.5 feet for Monticello as required by the Department of Public Services.		
6. Installation of half-street improvements for both Jones Boulevard and Monticello.		
7. Installation of a sidewalk on Charleston Boulevard, as required by Public Services.		
8. Extend sewer main and install manhole in Jones Boulevard connecting it to the existing 15" trunk line manhole in the intersection of Charleston and Jones as required by the Department of Public Services.		
9. 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.		
10. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license, or prior to occupancy.		
11. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.		
12. Conformance to the plot plan to reflect the above conditions.		
13. Conformance to code requirements and design standards of all City departments.		
PROTESTS: 1		
H. <u>ZONE CHANGE - Z-88-76 - LARRY A. &amp; LINDA L. SHEELER</u>	Approved as recommended by Planning Commission Lurie - unanimous	Page 57 Minutes Regular Meeting City Commission January 5, 1977 Director authorized to proceed
Property generally located on the east side of Rancho Drive, approximately 1,200 feet north of Craig Road.		
Continued . . .		

over to jump the flood control channel, and after the bond issue was defeated way back there in the sixties, there was no place for them to go.

Commissioner Lurie: What's the difference in the footage. They say here 100 feet; how many feet back?

Mr. Becker: I would say we are talking about 170 to 180 feet to the center line. The fellow on the corner owns 120 feet. It's vacant at this time and will probably have something that will tie in with the P-R zone, something of that kind, later on.

Mr. Saylor: I can show you on the map the basis for staff's recommendation. Incidentally, that was a condition of the previous approval. This is Monticello, Charleston, this is the proposed commercial. There are single family homes fronting on Monticello and it was our intent to try to keep that driveway opening coming out of the shopping center south of where those houses are so that the traffic would not be coming out directly across the street from any of those homes.

Mr. Becker: The sewer problem I think is all right. It's number 8 on the items. It was worked out with Larry. We can drain to Monticello instead of going out to Charleston with the sewer. We can work that out when we get our permit.

Mayor Briare: Anything else? What's the pleasure of the Board?

Commissioner Leavitt: In other words, if we adopt the recommendation, you've got 15 conditions on there, you are saying number 2 is prohibiting access along Monticello except the one access shall be permitted within approximately the first 100 feet from Charleston north. So that is a condition you are putting on it?

Mr. Saylor: That's correct. Staff and the Planning Commission has recommended that.

Commissioner Leavitt: And Mr. Becker is trying to eliminate that condition. What's your position regarding what Mr. Becker just said regarding the access?

Mr. Saylor: Essentially, what Mr. Becker has said, that he wants the right-of-way a little further north, our position is that would put it directly across the street from single family homes. We don't feel that is desirable. They front on that street.

Commissioner Leavitt: How much difference in design of the shopping center is that going to take?

Mr. Saylor: I see no problem in moving this.

Mr. Becker: We do have one slight problem, and that is drainage comes through where the cut is up there. It can be worked out.

Commissioner Lurie: What's the footage on the first half from Charleston?

Mr. Saylor: About 120' north I think is where this first house is, so we are essentially trying to keep it below that point.

Commissioner Leavitt: I move that we follow the recommendation of Planning.

Mayor Briare: Any comments? Cast your votes. The motion is approved.

ZONE CHANGE - LARRY A. & LINDA L. SHEELER  
Property generally located on the east side of  
Rancho Drive, approximately 1,200 feet north  
of Craig Road, from R-E to C-2.

Mr. Saylor: This is application of Sheeler for a change in zoning out on Craig Road, approximately 1200 feet north from Craig along the Tonopah Highway for change in zoning to C-2 which is the predominant zoning along the Highway. It was all zoned C-2 at one time, but this property was annexed into North Las Vegas at which time they made it R-E. It was put back in the City. The request is in order with the existing pattern. Planning Commission recommends approval. No protests.

Mayor Briare: Is the applicant present? While the applicant is coming forward, Don, I'm wondering if condition 3 is a valid condition relative to the failure to live up to the condition would be grounds for revocation of a business license?

Mr. Saylor: I, of course, cannot answer for Mr. Lovell. We have used that in the past and it is a standard condition we now apply.

Mayor Briare: Carl, on item 1, page 21, there's a condition #3 for this applicant. The question, Mr. Lovell, is on condition #3 there's going to be some office and storage yards for drilling company, with the intent and purpose of maintaining a certain amount of beautification, the Planning Commission had a condition saying that failure to properly maintain required landscaping and underground sprinkling system shall be cause for revocation of a business license. My question, Mr. Lovell, is that a legal ground.

Mr. Lovell: It is a legal ground only if that particular requirement is a uniform requirement for all particular businesses that would fall into this type of a category and it has been agreed to previously and has been set down somewhere in the rules, regulations, or policy dictates within a Planning Commission. It cannot be arbitrarily or discriminatory utilized. An example would be one particular person on that street, or in the vicinity, owned that type of a business is required to have landscaping and sprinkling system, and another one had artificial landscaping without any underground water system. It has to be uniform.

Mr. M. H. Tupper, real estate broker, appeared representing Mr. Sheeler.

Mayor Briare: Mr. Tupper, the reason for the question is not to argue with your client's intent to use the piece of property for commercial purposes, but because of the natural and this is no reflection on your client, but this type of equipment is not the most attractive thing to look at when you are driving into Las Vegas from Reno or Tonopah. Consequently, while your client's desires of getting this property rezoned in order to sell the property to the well drillers, now everybody will do almost anything they are asked to just to get this thing on. That's understandable. What concerns me is that a year or two years from now there will be complaints, particularly by our conscientious Beautification Committee, saying why did you allow these people to put all that rusty equipment and heavy riggings, etc., etc. Do I make my point?

Mr. Tupper: Certainly. I know the gentleman who is going to put in the well drilling, or owns the well drilling company. His name's Effinger. We talked at

Z-88-76  
Continued

some length how he is going to landscape it. He is going to put cyclone fencing around it, mature landscaping. He's fully aware of the fact...

Mayor Briare: This stuff has to be hidden.

Mr. Tupper: He is fully aware of the fact that it should be landscaped and is prepared to do so.

Mayor Briare: Any other comments or questions?

Commissioner Lurie: Move for approval as recommended by the Planning Commission, subject to the conditions.

Mayor Briare: Any comments on the motion. Cast your votes. The motion is approved.

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

See Page 61 of these Minutes - Annotated  
Agenda

Z-90-76  
Approved

ZONE CHANGE - MARY R. WARNER AND NONA SHOLES  
Property generally located on the south side of Bonanza Road, between Rancho Drive and Tonopah Drive, from R-E to C-1 and C-M.

Mr. Saylor: This is the application of Warner and Sholes for a change in zoning from R-E to C-1 and C-M for property located on the south side of Bonanza between Rancho Drive and Tonopah Drive. The application is in accord with a pattern that has been established along that area. This is the property backing up to the freeway. The plot plan of the proposed development. Planning Commission has recommended approval. Their recommendation included an amendment to the depth of the C-1 zoning which the applicant had no objection to. There were no protests. Incidentally, you might note along there that we have been requiring the installation of Arizona Cypress and some of them are growing to a significant height and we hope that eventually that whole strip along there will be buffered with Arizona Cypress.

Mayor Briare: Comments by the Commission?

Commissioner Christensen: I was sitting here listening when you were questioning the last applicant on the landscaping, and it calls to my attention the fact that we use more water per capita than most places in the nation and sometimes I think maybe we go a little far with the landscaping and require everybody to try and create a jungle if they are going to build anything, and I don't think it is conducive to this area. Now, I appreciate the Arizona Cypress, that's not a tree that requires a lot of care and maintenance and so forth, and they do screen well, and they are beautiful, and I have two of them and I love them. But, I really think maybe we should look at some of these things because I notice that every time we have a zone change, there are a certain number of requirements and one of them is that they landscape the place, and make it look like this part of the country isn't supposed to look, and never was supposed to look. I wonder if maybe we shouldn't take a look at that and go into these more water saving and money saving. I sweat just a little bit when I realize that the attorney has just told us we can take a guy's business license away if he doesn't keep his trees watered, but if he steals from the public there is nothing we can do about it. Now that bothers me. I had landscaping in front of our store on Sahara Avenue, and the roof caved in because the water pipe for the sprinkling system broke, created

Page 60  
Minutes  
Regular Meeting  
City Commission  
January 5, 1977

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

H. continued . . .

See Page 20

See Page 20

From: R-E (Residence Estates)  
To: C-2 (General Commercial)  
Proposed Use: Office and storage yard  
for drilling company.

Planning Commission unanimously recommends  
APPROVAL subject to the following conditions:

1. Removal or renovation of the building on the rear portion of the property.
2. Signing of an Assessment District Agreement for the installation of off-site improvements (curb and gutter, sidewalk and street lighting) as required by the Department of Public Services.
3. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
4. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license, or prior to occupancy.
5. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
6. Conformance to the plot plan to reflect the above conditions.
7. Conformance to code requirements and design standards of all City departments.

PROTESTS: 0

I. ZONE CHANGE - Z-90-76 - MARY R. WARNER and  
NONA SHOLES

Property generally located on the south side of Bonanza Road, between Rancho Drive and Tonopah Drive.

From: R-E (Residence Estates)  
To: C-1 (Limited Commercial) and  
C-M (Commercial Industrial)  
Proposed Use: C-M - Mini Warehouses  
C-1 - Commercial stores and  
Offices.

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

1. The application be amended to the south 100 feet to remain C-M and the rest of the C-M be changed to C-2.

Approved as recommended by  
Planning Commission  
Leavitt - unanimous

Director authorized  
to proceed

Page 61  
Minutes  
Regular Meeting  
City Commission  
January 5, 1977

Continued . . .

ITEM	Commission Action	Department Action
<p>-(i) DEPARTMENT OF COMMUNITY PLANNING &amp; DEVELOPMENT            CONTINUED</p> <p>I. continued . . .</p> <p>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.</p> <p>3. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.</p> <p>4. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.</p> <p>5. Dedication of 10 feet for Bonanza Road and installation of a 5 ft. wide concrete sidewalk along Bonanza Road frontage as required by the Department of Public Services.</p> <p>6. Conformance to the plot plan to reflect the above conditions.</p> <p>7. Conformance to code requirements and design standards of all City departments.</p> <p>PROTESTS: 0</p>	<p>See Page 21</p>	<p>See Page 21</p>
<p>J. ZONE CHANGE - Z-92-76 - SHIRLEY A. REAGAN, ET AL</p> <p>Property generally located on the north side of Cory Place, between Mohawk Street and Upland Boulevard:            From: R-1 (Single Family Residence)            To: R-3 (Limited Multiple Residence)            Proposed Use: 218 unit apartment complex.</p> <p>Planning Commission unanimously recommends DENIAL because they did not feel the proposed development would be compatible with the development in the area and had previously set a policy of not allowing any further apartment developments west of Brush Street.</p> <p>PROTESTS: Approx. 250</p>	<p>Application withdrawn by Counsel for Applicant</p>	
<p>K. APPEAL FILED BY BURL J. KINNEY - V-95-76 to action of the Board of Zoning Adjustment in DENYING his application for a Variance to allow an accessory structure of 1,650 sq. ft. (65% of the required rear yard area) where a maximum of 1,213 sq. ft. (50%) is permitted and to allow a portion of the accessory structure to extend into the side yard area where no accessory structures are allowed on property located at 500 East Oakey Boulevard on the southeast corner of Beverly Way and Oakey Boulevard, R-1 zoning.            (Protests: 4)            SET DATE FOR PUBLIC HEARING</p>	<p>Public Hearing set for 10:00 A.M. Wednesday February 9, 1977</p>	<p>Clerk to proceed 2/9/77 Agenda            Page 62 Minutes Regular Meeting City Commission January 5, 1977</p>

a sea of mud under the concrete pad that supported the post that held up the roof, and it cost us many thousands of dollars to fix that, and I don't have that landscaping there now. Believe me, if you come and try to take my business license, you're going to have a fight on your hands. I just question whether we can really require that, and whether we should, in fact, try to require everybody to maintain a green yard, because this climate isn't conducive to maintaining a green yard.

Mayor Briare: Thank you, Commissioner. Anything else?

Commissioner Leavitt: Move we follow recommendations of Planning.

Mayor Briare: Any comments on the motion? Cast your votes. The motion is approved.

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

See Pages 61 and 62 of these Minutes -  
Annotated Agenda

ZONE CHANGE - SHIRLEY A. REAGAN, ET AL

Property generally located on the north side of Cory Place between Mohawk Street and Upland Boulevard, from R-1 to R-3.

Mr. Saylor: We have a request on the next item from the applicant that this be referred back to the Planning Commission.

Mayor Briare: I believe that the request should be made at this time, so that these folks know that it is the first time that we are hearing the request.

Mr. Herb Jones, representing the applicant: At this time I would like to formally make a request of the Commission to refer this back to Planning. My reason for requesting that it be referred back to Planning is that there has been a concerted effort to get a meeting with the people, and as you will notice on your agenda, there are numerous protests in regard to this particular matter. We would like to make an effort to get together with those people and see if we could not overcome some of those protests and get some of those people on our side. We have contacted Mr. Richard Nutley, who was one of the speakers, and apparently one of the vehement protestors at the Planning Commission. My client had lunch with him the other day and discussed the possibility of having a meeting with him and have him help us organize a meeting with these people so that we could go over the entire plan in a more calm and less emotional setup than you have here in the City Council offices. We feel it would be to their advantage and to our advantage if we had that opportunity. The only thing that I could figure out would be to have it referred back in case it was granted to have it referred back to Planning and that would give us an opportunity and time to set up a meeting. Mr. Nutley had indicated that he would give us some assistance in trying to set up such a meeting, where we can have a man-to-man, eyeball-to-eyeball discussion so we can probably overcome each individual, or attempt to overcome each individual complaint that the people might have. I have been to many of these meetings and I realize that you as Commissioners have a very difficult time when people have taken their time to come down to a public hearing, then it is a very difficult thing to say well, we're going to refer it back or do something of that nature. My client, in an effort to be absolutely fair in this thing, and there are a lot of things that I

know that he's going to discuss with these people when we get into a private hearing with them to indicate how fair he is going to be in the effort to construct this project. He has also authorized me to say, as in my opinion indicates the fairness, in realizing that people do take the time to come down here, that some of the ladies probably had babies and had to hire baby sitters, some people are probably losing time on their job. If you see fit to grant this continuance, Mr. Hand will be in the corner on the left here, and any reasonable expense that has been incurred by these people in coming down here and taking their time, if it is a reasonable situation such as babysitters or if they are going to be docked two or three hours from their job, he will pay them because we want to be fair about it, and I do know they have been down here and they have spent their time. That's the best effort I can think we can make to be fair on these people taking their time. We feel we can make a presentation to them individually that may overcome some of them; it may not overcome any of them, or we may overcome most of them. But I do know that I have been in many of these meetings, and it is very difficult for me to talk into this mike and then try to answer that individual who wishes to say, we object because of this situation. The only chance we have to discuss these things and maybe reach them, is a private meeting. That is the reason for our request that it be referred back, for it to come up before the Planning Commission in probably 30 to 60 days and by that time we will be able to have an opportunity to meet with these people. The Christmas holidays have made it completely impossible to get them together because nobody is available during that time. Mr. Hand is present here if you have any requests otherwise.

Mayor Briare: Mr. Jones, I think you probably made an extremely unprecedented statement that is very difficult for myself to respond to. I'm very concerned about your suggestion that you stand at the door and hand out something, I'm assuming it is money, to people as they exit the place. In the twelve years I have been in public office, I've heard of such things being done in a very surreptitious manner, but I've never heard it suggested right out in public. I know what you are trying to say, Mr. Jones, it is probably a generous offer.

Mr. Jones: If you are indicating there is something wrong with it, I can assure you there isn't. It's an effort to try to be fair. I know of no law, and I have been practicing law a long time, that says in fact if I am summonsed to the court, you have to give me my money before I have to come. We all know what the rules are on a summons, or anything else. If you feel, and I'm not trying to embarrass this Commission, what we were trying to do is to be fair to these people who come down here. I'm not known to be one who has to follow the absolute orthodox rule, but fair is fair and I indicated we would be happy to be fair if they do have expenses. There's no way of trying to get these people to change their mind, because they probably don't have more than a \$3 baby sitting situation. If they've got a \$3 baby sitting situation, I'm not going to be able to buy them off in their protest with a \$3 baby sitter situation, so I don't think there is any implication in any way that could be implied in that way.

Mayor Briare: I didn't mean to infer that, Mr. Jones. The only thing I am indicating to you is that it is something that makes me feel a little bit uncomfortable. Supposing that this Board decides after hearing from

Mr. Nutley, if he's present, or hearing from any of these other folks, supposing the decision is everybody can stay right here and we're going to have this out. And, just supposing that your client is denied. Would he stand out there and pay them for their baby sitter?

Mr. Jones: Absolutely not.

Mayor Briare: I heard you say no, and he was shaking his head yes.

Mr. Jones: I would have said no, but he is a much fairer person than I, because to me it wouldn't be fair if they came down here and we go ahead and having this hearing, then they haven't wasted their time. If they did come down here and we don't have the hearing, in my opinion, they have wasted their time and they've been injured. That's my reason I would have said no, because they are not wasting their time otherwise. But, apparently he is fairer than I am.

Mayor Briare: I'd like to just scratch that whole business off as being considered at this particular time anyway. Just let's go as if it had no bearing on the matters that we are faced with right now.

Commissioner Lurie: You talk about being fair, and about holding private meetings with these individuals, I believe it was presented to us to hear this today, and not try to postpone it and send it back to the Planning Commission and delay it, and I would move that the request be denied to send it back to the Planning Commission and that we proceed with whatever the Commissioners' desires this morning on the application. As far as private meetings and try to put down the protests, you should have thought of that before you came down here this morning. I would move that we deny the request to send it back to Planning Commission and proceed.

Mayor Briare: Commissioner, just before we take up the motion that you have presented to us relative to Mr. Jones' request, is Mr. Nutley present?

Mr. William \_\_\_\_\_: Mr. Nutley is not here today.

Mayor Briare: It has been suggested to us that Mr. Nutley was a spokesman of some sort.

Mrs. Nutley: My husband does not....

Mayor Briare: The question before us is should this matter be referred back to the Planning Commission. The motion is that we do not refer it back to the Planning Commission.

Commissioner Christensen: I would like to ask a question or two about that going back to Planning Commission. Do you want to hear from Mrs. Nutley first?

Mayor Briare: In order to make a judgement on your motion, I would like to hear an expression from the people as to whether they very much do not want to go back to the Planning Commission.

Mrs. Richard Nutley: My husband wasn't able to be here because of work and I do not know exactly what was said at the luncheon that he had with Mr. Hand and the engineer, Mr. McNutt, but I have heard him say and he did tell me that he did not say that he would be the organizer for this group. He says and he repeats this many times, "I am one person; I have my opinion; I will listen." But he said he will not speak for this group. He is not in favor of

MOTION

the postponement and he is not in favor of the apartments, the rezoning, and whatever.

Mayor Briare: Thank you, Mrs. Nutley. Commissioner Christensen, did you... The motion before us is to deny the request.

Commissioner Christensen: The question I have is what is the reason for going back to the Planning Commission? As I understand the reasoning, it is to give you time to work out the differences so that we don't go away from here today with two groups mad at each other and us in the middle. And, then, does that require going back to the Planning Commission or would a postponement accomplish the same thing? Is there something that you have to go back to the Planning Commission to change or would a postponement accomplish the same thing?

Mr. Hand: Exactly the same. Over the holidays, I have had a chest cold for about the last week and been in bed and I did just get through with some rather serious surgery and it hasn't been available to me to really get together with these people, but we have come up and I believe with an honest approach, to their problems as expressed, which was the first opportunity I had to hear them, was the day before the Christmas holidays. Since that time, through Christmas and New Year's, I'm sure you see it around City Hall, how difficult it is to get any business done or to get people to sit down outside of their family group and meet. I am positive that we have some programs that these people, if I can get to sit down outside of the emotional atmosphere of a meeting, without using your time and your good offices, that we can isolate the individual problems and reach a compatible solution to the problem.

Commissioner Christensen: Let me ask another question of this group of protestors. How many were aware that there was going to be a request for a delay or postponement or back to the Planning Commission?

Mr. Hand: I wrote them a letter about a week ago. It was sent December 30 when they were back up against the same holiday season. I was in contact and had McNutt get ahold of them and tell them that we wanted a delay. I sent one to Don, and I believe most of the Commissioners asking this be delayed. I didn't want them to feel that I would come up and ask for an approval without their presence here.

Mayor Briare: The question before us is shall this matter be referred back Planning Commission. Would you restate your motion.

Commissioner Lurie: The motion is that we deny the request to send it back to the Planning Commission and proceed with the application today.

Commissioner Christensen: She didn't get a chance to answer my question of how many of these people knew that it was going to be asked for a postponement which I think is pertinent to this motion.

Mrs. Nutley: My husband received a letter from Mr. Hand stating that he would like to meet with this group. It was dated December 30. He took it over and shared it with Mrs. Tanner who lives next door to us and as far as I know the group did not know of this until last evening.

Commissioner Christensen: Well, then, they were not totally unaware that this was going to be asked for this morning. In other words, you haven't come to the meeting this morning unaware of the fact that the postponement was asked for. That's the thing I wondered about.

Mayor Briare: The motion then is deny Mr. Jones' request that it be held and that it be considered at this time. Cast your votes. The motion is approved. We'll proceed. Mr. Jones.

Mr. Jones: At this time, Mr. Mayor and members of the Commission, on behalf of the applicant I am going to withdraw this application that is before you at the present time. That can be for the record, I want it to be on the record that I withdrew it. I'll be back.

Commissioner Leavitt: Normally, if an application is denied at this point, it takes four months before it is renewed. If it is withdrawn, what happens?

Mr. Saylor: It's still the same time factor. Our ordinance is so written to prohibit someone from withdrawing at this level and then coming back in immediately with a new application. So for four months....

Commissioner Leavitt: The effect of withdrawing is the same if we denied without actually moving on it.

Commissioner Lurie: We can vote on it on the ordinance.

Commissioner Leavitt: What in effect it does by allowing him to withdraw, it just means he can file the application again in four months, is that right?

Mr. Saylor: Right.

Commissioner Leavitt: Then if we had a full hearing and heard all the protests and everything else, and we voted to deny it, he could still file again in four months.

Mr. Saylor: Right. That doesn't change that time factor at all, either action.

Mayor Briare: There's something that, I don't know whether you folks that live up in the area, are aware of some zoning that occurred east of Brush Street. During that particular time, questions arose before this Board which were not pertinent to that application back then, nor are these comments pertinent to yours, but I would be inclined to allow this application to be withdrawn in view of what's been said. Whether it is withdrawn or denied, it's kind of immaterial, but it might be well for this Commission, in any event, to ask our Planning Department to do a study on that particular property, because during the conversations that applied way back to those apartments, there was some suggestions that apartments would stop there at that street and they would not go further west.

Unidentified woman: They promised us that would be the last apartments, it would not go any further west.

Mayor Briare: Who promised you that? Let's say that it was not done here at that previous meeting, but it was discussed here, but it was my understanding that that might be a good idea from a planning standpoint. This has no reflection on Mr. Hand. It has no reflection on future applications, but until such time as a firm determination is made on that property, I am afraid that these people are going to be down here every several months. We cannot take Mr. Hand's property today and just arbitrarily rezone it to something. It is presently zoned R-1.

Commissioner Leavitt: I wonder if in that study we could have the Planning Department take a look at the overall area. Is that what you had in mind?

Mayor Briare: Yes, Commissioner.

Commissioner Leavitt: Not just this particular piece of property, but the overall general area; how it's been developing, what the master plan calls for, and see if we want to amend the Master Plan possibly or what other changes should be made in that area in view of light of the present development. I'd say the general area and take it from there to determine whether or not changes should be made, and I'd like to have their recommendations on it.

Unidentified Woman: If you do such a study, would we then have some kind commitment from the Planning Department...

Commissioner Leavitt: That's just recommending. The commitment has to be voted here.

Unidentified Woman: There are a number of people who have custom homes in the area and they were assured at the time it was R-1 and it would stay R-1. We have been informed that there is a gentleman who owns property there and wants to put custom homes in there, but as soon as he heard that the apartments were trying to get in, he said "Forget it, I will not put custom homes in an area where there will be apartments." What we are dealing with is certainly his right to have his process, but we have objections to the fact that we cannot depend on custom homes coming in, because they never know whether or not it's going to be encroached upon by apartments.

Mayor Briare: That's one of the big problems of zoning laws and regulations, not only here but all over the country. For all intents and purposes, Mr. Hand and Mr. Jones know this, right now it is R-1, period. It might have been R-1 from years and years back. Every person has a right, as you say, to due process, to come forward and say we think the character of the neighborhood, or we think other developments, or for whatever reason, perhaps to enhance the neighborhood that certain changes should be made. I don't know how we can avoid that. I don't think a decree can be laid down here that will be lasting forever.

Unidentified Woman: The only thing I would like to ask then, if it is possible to get involved with the Planning Department, but go to the industry and ask them what kind of conditions...

Mayor Briare: I think that is a very valid request and it would appear to me that if Mr. Saylor, through his Community Development office, should determine that something other than R-1 is reasonable, and perhaps should be considered and would be for the betterment of the zoning in the area, that before such a decision would be made, by all means inquire amongst the neighborhood.

Commissioner Leavitt: Do you have a list of the people who protested in this matter? So the people that were on record as protesting, Mr. Saylor has that list, you'd be willing to contact them as part of the study?

Commissioner Christensen: I was the lone dissenting vote, and I don't want that construed to mean that I am particularly in favor of these apartments, because I don't know. I have an open mind on those things. That shouldn't be construed as a vote for apartments. I just thought that here is a situation where an applicant is willing to hold up the project long enough to sit down and try and discuss it with the people. Now apparently that didn't pass, so be it. Now this lady wants some kind of a moratorium that says we can guarantee it to be R-1 from now on because it's R-1. Fourth and Fremont used to be R-1 and I've often referred

to that because if R-1, if the people that bought the original lots in this community had been guaranteed by some decree, irrevocable, the zoning of that property, this would be a dusty town of 300 people. None of these protestants would even live here because there would be nothing here. I don't think zoning should be changed indiscriminately. I fought some zoning battles on that side of the table just like you people are doing now. I would have loved to have the privilege of postponing that zoning issue that took place behind my house where they put condominiums between R-1 and R-E. I would loved to have that postponed, so we could have looked at that. Still, it was heard and it was passed. I just figured that maybe you had an opportunity here of getting together and working it out and I would like to have seen that opportunity. But that motion passed, so what you are looking at now is you are looking at every four months another application on this, possibly. I've been a strong advocate of changing the zoning so that we would have more of an idea what was going to go where. Now we solicited public involvement on this and the public input kind of bothers me a little too. We just did a 701 study and we did the master plan of this city. We solicited members on that committee for citizen input. We put every person on that committee, and I believe this was before your time, Mayor but Ron can bear me out, but we put every member on that committee that wanted to be on it. We advertised with display ads in the newspapers for these people to come forth and help us revamp this master plan. We ended up with 60 people out of this whole city that wanted to be on that committee and finished with 6. It appears that, what bothers me here is, I'm a firm believer in public input, but when the public input doesn't have to do with my own personal back yard, I don't want to be involved, and it all melts away. We could redo the City's master plan on every controversial zoning that came up, but I don't think that's the answer. We're asking for a study from our Planning Department on apartments in this area, which we did a year ago. We just went through that less than one year ago, the whole study. It's not going to be much to come up with that information, because it's all down complete with citizen input and everything else. Maybe I'm preaching a little, but what I'm saying, is if you want citizen input, get the citizen input all the time, not just when it affects my own back yard.

Mayor Briare: That's an interesting point, Commissioner. Mr. Saylor, you were nodding your head in agreement with Commissioner Christensen. I wasn't aware this study had already been made in this area.

Commissioner Leavitt: What does the study say about this area.

Mr. Saylor: The 701 project, the complete review of the General Plan, which had substantial citizens input recommended what we call our suburban density for this general neighborhood, and the construction of the apartments, I think at the east end pretty well uses up the recommended density for anything other than single family homes, again for this general area. I think that pattern has been pretty well established. That general plan is general, and obviously it was done that way because in any growing city there has to be a certain amount of flexibility; consequently, it does not remove from you certain decisions that have to be made from time to time on requests. But, as Commissioner Christensen has said we can readily bring forth to you a recommended land use pattern of this area.

Mayor Briare: From a professional planning standpoint, because you have not done so since property was zoned east of Brush Street, is that correct?

Mr. Saylor: No, however, at that time that zoning took place we did, not promise, we indicated that as far as our staff opinion was, generally speaking, the area from Brush west should be, and I'm speaking about the vacant land in the Homesite area, should be utilized for single family or a low density development.

Paul Jamison, 5601 Evergreen, 89107: Relative to what Commissioner Christensen was discussing, my question is not the City Commission aware that there has been a survey made on this by the City?

Mayor Briare: Mr. Jamison, there have been surveys made all over the City and also into the County. From time to time, these things are made, as I have indicated, even though some people think it is an absolute permanent decree forever, that is not the case. These things are subject to amendments from time to time. It's not that we weren't aware, these things are on-going.

Mr. Jamison: I've lived here over 25 years and I know when we purchased that home there, that tract was the only tract in that area and there was nothing beyond Decatur. We know a town of our population growth rapidly, but that's not the question. My question was if the Planning Commission surveyed this area, and a time study or whatever was made on it, are you aware of the fact there is money allocated for a library and a park in that area.

Mayor Briare: Very definitely. We made an application and asked for that that was unfortunately turned down to build a library right there. This is very much in our minds because since the City owns that property and we are very cognizant of that area, and in a sense, we are as interested in the zoning as that representing the entire city as you are representing the entire area.

Commissioner Christensen: Maybe I didn't clarify myself like I should have. Unfortunately, I get myself in these situations where I've got my foot sticking out of my mouth, but there is a couple of things here that maybe you misunderstood my comments. I guess it's readily assumed that a delay in this project favors the applicant. I like to look at both sides of that. The reason that I would like to see a delay, as I would have to say, there has got to be some give and take. Perhaps in that delayed time you could convince the applicant that it is a bad project and we wouldn't have had to hear it anyway. He may have withdrawn it and said ok, I can't get next to them, we'll forget it, I'll build single family homes in there. In other words, it could have gone the other way too. My vote against delaying it or for delaying it wasn't to give him a better chance to get the project on. It was because to go to the extreme he might get hit by a truck leaving here today and then it would all end up gone. So, I want to make it clear that me acting to have it held long enough to have it to try and work it out long enough so that we don't get in a bloody battle here wasn't necessarily that I would vote for the project. Chances are, if our Planning Department recommended that this project not go through because it doesn't follow the general plan, I'd be the first to uphold that.

Mr. Hand: The only thing I wanted to point out was there was some policy talked about. I don't believe it was on the City Commission level, but the property that was involved in the decision was not because of statute. They were notified that their property would

be under consideration at that hearing on the original development. Those people that are in this whole area that own property in this area have never been advised that there was a hearing involved in it and consequently, I believe that any future hearing determining the future development as policy that those people should be advised.

Commissioner Christensen: Sir, everybody was advised.

Mr. Hand: Only within a 300 ft. area which did not include this property, or a 500 foot.

Commissioner Christensen: You're talking about the letters they send out advising the people within 300 radius of a zone change.

Mr. Hand: Right. The people who would have been subject to that policy were never notified.

Commissioner Christensen: You see, we are often criticized for not notifying and the problem is where do you stop notifying? It cost roughly \$10 to send a letter by the time you type it, take the time to make up the letter, furnish the stationery, mail it and so forth, the average cost according to the Business Review is \$10 to send a business letter out. That's what it costs. If you start sending letters all over the City you run into a real problem. That's why we have in fact gone, the law only requires on many of these things, a simple ad in the classified section of the legal notices. But many times this City Commission has seen fit to put a display ad in the newspaper. I think there is one running there right now on today's meeting because of the community block grants. We had a display ad, I think it was about a 4" x 4" display ad in the newspaper. So, nobody can say that nobody has been notified. We ran that same kind of ad soliciting community participation when we did the 701 funded study of the General Plan. We ran that same kind of ad. When it comes to notification, you could get right down to the nitty-gritty where you have got to personally talk to each and every individual in the City and obviously, it's impossible, so how far do you go.

Mr. Jones: I have just one thing to ad. When I said that I wished to, on behalf of my client, withdraw and I was very abrupt about that because I wanted to get it in. I want to be sure that this Commission understands that when we did not get the continuance, we wish to withdraw and we'll spend that four months trying to do what we have asked you to do here. We are not just coming in and giving these people, making them come back every four months situation. It wasn't for that reason. The only way apparently I can get time to try to get together with these people, seeing as you wouldn't pass the other situation, is to withdraw my application at the present time, which now I don't want four months, I think I can do it in a couple of months, but I'm going to be forced to do it, have to go four months to do it. That's the object in withdrawing it. It's going to be the same application. We're going to have to come back the same way, but in the meantime this is trying to gain the time that I felt that I needed to try to meet these people person-to-person and see if we can overcome these problems. If we can't, we've been as fair as we possibly could be and we'll just have to come back and fight it out when we get here, and then make our presentation.

Mayor Briare: Mr. Saylor, if their request to withdraw this application is granted, what is the soonest date they could come back before this Board?

Mr. Saylor: It would be some time after four months, as soon as they could be heard by the Planning Commission.

Mayor Briare: Some time after four months, after they have been heard by the Planning Commission.

Commissioner Leavitt: Can we deny the request to withdraw?

Mayor Briare: In the event we should now proceed and go through the whole hearing, listen to the application, see the plans and conditions, etc. what would be the soonest they could come back if that were denied?

Mr. Saylor: The same.

Commissioner Christensen: Can we even deny his request for a withdrawal?

Mayor Briare: If we even want to consider that possibility, obviously out of fairness we have to go through the whole application, review the plans, etc. and hear from these people. I maintain that we might as well let him withdraw it, because it doesn't make one particle of difference whether he withdraws it or whether we spend another hour and a half going through all of the plans and then deny it.

MOTION

Commissioner Leavitt: Mr. Mayor, I move that we allow the applicant to withdraw his application.

Commissioner Lurie: I have a statement I would like to make. You say that they are going to be coming back every four months. They won't be coming back every four months, because if this application is denied after the Planning Commission, then they have to wait, is it a year before they can resubmit the application?

Mr. Saylor: Four months the first time, eight months the second time.

Commissioner Lurie: So it's not four months.

Mayor Briare: Then depending on what a re-evaluation of the property says, Commissioner, it might be that they would be very discouraged about coming back at all.

Commissioner Christensen: I've got a legal question about the motion. Is that a legal motion, Mr. Lovell? If an applicant withdraws his application, do we have to vote to let him withdraw it? Because, if he is withdrawing his application, he's not asking for the zone change. Can we force it on him.

Mayor Briare: We've adopted an agenda. There is an application before us. We are in control of that application and he is requesting that we...

Commissioner Christensen: I'm aware of that, but you are talking about something similar to a contractual arrangement here, and I would like the attorney to tell me whether we even can consider a motion like that.

Mr. Lovell: You really don't need a motion to allow him to withdraw. He can get up and state that he wants to withdraw. What you really would be doing here if you wanted to go through with the motion would be to just strike it from the agenda. He has a right to withdraw.

Commissioner Leavitt: Suppose we say we want to hear it?

Mr. Lovell: If you say you want to hear it, and he wants to withdraw it as if it never existed, he has a right to do that. Because if he does that and withdraws his request from your consideration, even though you want to hear about it, you can't take a vote on it.

Commissioner Leavitt: You've made a motion and requested withdrawal, you're going to go right out the door, right. Ok, that's it.

Walter Apworth, 909 Mohawk: Prior to December 9 meeting, Mr. Hand's office called my house and talked to my wife and we gave him a negative reply right then. We were definitely against him bringing those apartments in. I want to go on record now as saying he need not call at my house anymore. I'm still going to be against it.

Mayor Briare: I don't want to get bogged down in parliamentary procedure here. There's a motion before us to allow the withdrawal. Can we vote on that motion to allow the withdrawal?

Commissioner Leavitt: In view of what the City Attorney said, I'll withdraw my motion allowing withdrawal.

Mr. Jones: I'm going to be back in four months and I'm going to make the effort, if possible, to get together with these people and see if I can convince them, and I'm going to make an application in four months. I withdraw it.

Mayor Briare: Ladies and gentlemen, this applicant will not be before us again until the time that you have already heard indicated if Mr. Jones' suggestion is followed through. If he sees fit to re-apply, which is his right to do, and in that event you will all be notified.

V-95-76  
Public Hearing  
Set for 10:00  
A.M. 2/9/77

APPEAL FILED BY BURL J. KINNEY

to action of the Board of Zoning Adjustment in Denying his application for a variance to allow an accessory structure of 1,650 sq. ft. (65% of the required rear yard area) where a maximum of 1,213 sq. ft. (50%) is permitted and to allow a portion of the accessory structure to extend into the side yard area where no accessory structures are allowed on property located at 500 East Oakey Boulevard on the southeast corner of Beverly Way and Oakey Boulevard, R-1 zone.

U-93-76  
Public Hearing  
Set for 10:00  
A.M. 2/9/77

APPEAL FILED BY FREMONT WEST SHOPPING CENTER

to action of the Board of Zoning Adjustment in denying their application for a use permit to allow a customer operated car wash on property generally located on the southwest corner of Casada Way and Torrey Pines Drive, C-1 zone.

Mr. Saylor: Both Items K and L are to set date for public hearing.

Mayor Briare: On Item L, Mr. Becker could you come forward for a moment. There is a question here, the applicant for the appeal will not be in the City on the 2nd of February, and our City Clerk advises us that on the 16th of February we are two days over the ordinance. We have to change that ordinance to say "meeting day", the first meeting day after 30 days, because that 30 day has no effect here unless we were to call a special meeting. We have to call a special meeting. It has to be some time prior to the 14th of February.

VACANCIES ON BOARDS AND COMMISSIONS

See Page 75 of these Minutes - Annotated  
Agenda

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CITY ATTORNEY CARL E. LOVELL, JR.

RESOLUTIONS  
S.I.D. 417  
Adopted

RESOLUTION AUTHORIZING ENGINEER TO PREPARE ROLL -  
S.I.D. 417 (VEGAS HEIGHTS)

RESOLUTION AUTHORIZING PUBLIC HEARING ON ROLL & NOTICE  
OF PUBLIC HEARING ON ROLL - S.I.D. 417 (VEGAS HEIGHTS)

Mr. Adams: Items A and B are resolutions for Vegas Heights Special Improvement District for the adoption for engineer to prepare the roll, and the second one is for hearings on the roll and notice of public hearing.

Commissioner Leavitt: So move.

Mayor Briare: The motion is to adopt resolution A and resolution B. Any comment? Cast your votes. The motions are approved and the resolutions are adopted.

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

See Pages 76 thru 83 of these Minutes -  
Resolutions

RESOLUTION  
Adopted

RESOLUTION ALLOWING FOR THE ADDITIONS AND CORRECTIONS  
OF SCHEDULES PERTAINING TO TITLE X OF THE CITY  
CODE - including:

Stewart Avenue from Main Street to Nellis Boulevard  
(through street)  
Arville Street at Pennwood Avenue  
(stop sign)  
Alta Drive from Highland Drive to westerly City  
limits (30 mph speed zone)

Mr. Adams: This is a resolution to change the schedules for parking on Stewart, Arville and Alta.

Commissioner Leavitt: So move.

Commissioner Christensen: Wasn't that Alta a 35 at the last meeting?

Mr. Hampton: It is right on the agenda. I made the wrong statement. The agenda stated all the way to the westerly City limits. I made the statement that the traffic and parking had only recommended it to Decatur. I was wrong, they had recommended it all the way and this is why the resolution was so worded to indicate their recommendations properly. The existing limits vary between 25 and 35, and what they are recommending is it be a uniform 30 mph all the way from Highland to the westerly City limits.

Mayor Briare: The motion is to approve. Any further comments? Cast your votes. The motion is approved.

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

See Page 84 of these Minutes - Resolution

ITEM	Commission Action	Department Action
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III. VACANCIES ON BOARDS & COMMISSIONS

A. LAS VEGAS METROPOLITAN BEAUTIFICATION COMMITTEE - (3-year term)

- 1) Milica Weinstein - Term expires 1/20/77.

Abeyance

1/19/77 Agenda

B. ELECTRICAL EXAMINING BOARD - (2-yr. term)

Terms of the following members will expire 2/2/77:

- 1) Raymond Soard
- 2) Raymond A. Larsen
- 3) William Kent
- 4) Duane Leary

Reappointed  
 Raymond Soard  
 Raymond A. Larsen  
 William Kent  
 Duane Leary

Clerk to notify

C. PARK & RECREATION ADVISORY COMMISSION (3-year term)

- 1) Thomas J. Rubidoux - Term will expire 3/6/77.
- 2) Elijah Green - Term will expire 4/10/77.

Reappointed  
 Thomas Rubidoux

Clerk to Notify

Abeyance

1/19/77 Agenda

RESOLUTION DETERMINING THE COSTS TO BE ASSESSED  
IN LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT  
NO. 417 AND ORDERING THE CITY ENGINEER TO PREPARE  
THE ASSESSMENT ROLL.

WHEREAS, the City of Las Vegas, in the County of Clark and State of Nevada, has taken requisite legal action preliminary to and in the creation of Special Improvement District No. 417 consisting of:

The improvements shall include the installation of standard four inch (4") concrete sidewalks, five feet (5') in width, with a five inch (5") Type II gravel base; a street lighting system consisting of mercury vapor luminaires, steel standards, including concrete bases and underground circuits, along Miller Avenue, Blankenship Avenue, Bartlett Avenue, Balzar Avenue, Lawry Avenue, Hassell Avenue, and Hart Avenue from approximately 70 feet east of the centerline of Highland Drive to Revere Street ("H" Street) along Lexington Street, Concord Street, and LaSalle Street from approximately 69 feet north of the centerline of Lake Mead Blvd. to approximately 69 feet south of the centerline of Carey Avenue; along the west side of Revere Street from a point approximately 165 feet north of the centerline of Lake Mead Boulevard to approximately 70 feet south of the centerline of Carey Avenue. All improvements are to include the necessary installation, removal and relocation of any and all utilities and appurtenances that are deemed necessary to complete same, as more particularly shown on the plats, diagrams, and plans of the work and the locality to be improved, now on file in the Office of the City Clerk.

and

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

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

FREHNER CONSTRUCTION COMPANY	\$283,449.59
BOMBERG & WHITNEY	\$140,361.19

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

\$487,382.40

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 5th day of January, 1977, that the following amount shall be assessed against and paid by the assessable property in said District, to-wit:

\$487,382.40

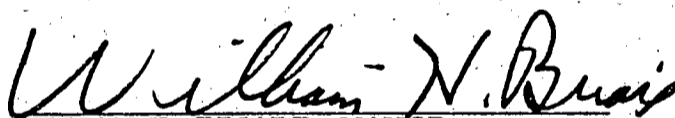
all as designated in Ordinance No. 1769 passed, adopted and approved on the 2nd day of May, 1975.

BE IT FURTHER RESOLVED that the City Engineer is hereby ordered to make an assessment roll containing, among other things:

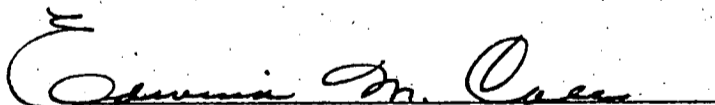
1. The name of each last known owner of each lot or parcel of property to be assessed; and
2. A description of each lot or parcel of property to be assessed and the amount of the proposed assessment thereon, apportioned upon an area basis, all as more particularly set out in Section 4 of Ordinance No. 1769.

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

PASSED, ADOPTED AND APPROVED this 5th day of January, 1977.

  
WILLIAM H. BRIARE, MAYOR

ATTEST:

  
Edwina M. Cole, City Clerk

A RESOLUTION TENTATIVELY APPROVING THE ASSESSMENT ROLL FOR LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 417; ORDERING SUCH ROLL TO BE FILED IN THE OFFICE OF THE CITY CLERK; AND FIXING THE TIME WHEN OBJECTIONS TO SUCH ROLL WILL BE HEARD.

WHEREAS, the City of Las Vegas, in the County of Clark, and State of Nevada, has taken requisite legal action preliminary to and in the creation of Special Improvement District No. 417 consisting of:

The improvements shall include the installation of standard four inch (4") concrete sidewalks, five feet (5') in width, with a five inch (5") Type II gravel base; a street lighting system consisting of mercury vapor luminaires, steel standards, including concrete bases and underground circuits, along Miller Avenue, Blankenship Avenue, Bartlett Avenue, Balzar Avenue, Lawry Avenue, Hassell Avenue, and Hart Avenue from approximately 70 feet east of the centerline of Highland Drive to Revere Street ("H" Street) along Lexington Street, Concord Street, and LaSalle Street from approximately 69 feet north of the centerline of Lake Mead Blvd. to approximately 69 feet south of the centerline of Carey Avenue; along the west side of Revere Street from a point approximately 165 feet north of the centerline of Lake Mead Boulevard to approximately 70 feet south of the centerline of Carey Avenue. All improvements are to include the necessary installation, removal and relocation of any and all utilities and appurtenances that are deemed necessary to complete same, as more particularly shown on the plats, diagrams, and plans of the work and the locality to be improved, now on file in the Office of the City Clerk.

and to defray the entire cost and expense thereof by special improvements according to benefits, against the taxable lots and premises in said District; and

WHEREAS, by Ordinance No. 1769 duly passed, adopted and approved on the 2nd day of May, 1975, said Board of Commissioners finally passed on all protests and objections, determined to proceed with said improvements as described in said preliminary proceedings, except as modified and provided in said Ordinance, and created said District; and

WHEREAS, pursuant to notice duly given on the 15th day of July, 1975, said Board of Commissioners received bids for the doing of the work therefor, and formally entered into the following contracts, to-wit:

BID GROUP I	FREHNER CONSTRUCTION CO.
BID GROUP II	BOMBERG & WHITNEY

WHEREAS, after making of such contracts, said Board of Commissioners determined what portion of the costs of such work, including advertising, appraising, engineering, legal, printing and other proper incidental costs should be assessed against and paid by the property specially benefitted in said Improvement District, to-wit:

\$487,382.40

and

WHEREAS, the City Engineer, pursuant to directions contained in the resolution of said Board of Commissioners, duly passed, adopted and approved on the 5th day of January, 1977, has prepared an assessment roll which contains, among other things, the name of each last known owner of each lot or parcel of property to be assessed, a description of each lot or parcel to be assessed, and the amount of the proposed assessment thereon, apportioned on an area basis as more particularly set forth in Section 4 of Ordinance No. 1769 and

WHEREAS, said Board of Commissioners has determined, and does hereby determine, that the lots or parcels of property in said City which are specially benefitted by the improvements installed in said District, and only those lots or parcels of property which are so specially benefitted, are included on said assessment roll.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the City of Las Vegas, Nevada, at a regular meeting thereof held on the 5th day of January, 1977, as follows:

SECTION 1. That the assessment roll on Las Vegas, Nevada, Special Improvement District No. 417 has been examined, is tentatively approved, and is hereby ordered to be filed in the Office of the City Clerk and numbered Roll No. 1-1977.

SECTION 2. That Wednesday, the 2nd day of February, 1977 at 10:00 A.M., in the Commission Chambers at City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, be, and the same hereby is, fixed as the time and place when said City Commission will hear and consider objections to said assessment roll by the owners of property specially benefitted by the improvements in "Las Vegas, Nevada, Special Improvement District No. 417," and proposed to be assessed, by any party interested in the regularity of the proceedings in making such assessments, and by all parties aggrieved by such assessment.

SECTION 3. That the City Clerk shall give notice of such hearing by mailing a copy thereof, postage prepaid, registered or certified mail, at least 20 days prior to such

hearing, to the last known address of each last known owner of property within said District whose property will be assessed; and by publishing a copy thereof in the Las Vegas Review Journal, a newspaper published in the City of Las Vegas, Nevada, and of general circulation in said City of Las Vegas, at least once each week for three consecutive weeks, by three weekly insertions, the first publication to be at least 15 days prior to the date of said hearing and not less than 14 days to intervene between the first publication and the last publication; and said notice shall state that such assessment roll is on file in the Office of the City Clerk, the date of filing same, the time and place at which said Board of Commissioners will hear and consider objections to said assessment roll by the owners of property specially benefited by the improvements in "Las Vegas, Nevada, Special Improvement District No. 417," and proposed to be assessed, by any party interested in the regularity of the proceedings in making such assessments, and all parties aggrieved by such assessments. Such notice shall be in substantially the following form, to-wit:

NOTICE OF FILING OF ASSESSMENT ROLL FOR LAS VEGAS  
NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 417 OF THE  
OPPORTUNITY TO FILE WRITTEN OBJECTIONS TO THE ASSESS-  
MENTS CONTAINED THEREIN, AND OF THE PROTEST HEARING  
THEREON.

NOTICE IS HEREBY GIVEN, that the assessment roll for Las Vegas, Nevada  
Special Improvement District No. 417 in and of the City of Las Vegas, Nevada, has  
been prepared by the City Engineer of said City, that same was filed in the Office  
of the City Clerk on January 5, 1977, and that since said time said assessment  
roll has been and now is on file therein and is available for examination during  
regular office hours by any interested person. Said Improvement District consists of:

The improvements shall include the installation of standard four inch (4")  
concrete sidewalks, five feet (5') in width, with a five inch (5") Type II  
gravel base; a street lighting system consisting of mercury vapor luminaires,  
steel standards, including concrete bases and underground circuits, along  
Miller Avenue, Blankenship Avenue, Bartlett Avenue, Balzar Avenue, Lawry  
Avenue, Hassell Avenue, and Hart Avenue from approximately 70 feet east of  
the centerline of Highland Drive to Revere Street ("H" Street) along Lexington  
Street, Concord Street, and LaSalle Street from approximately 69 feet north of  
the centerline of Lake Mead Blvd. to approximately 69 feet south of the center-  
line of Carey Avenue; along the west side of Revere Street from a point approxi-  
mately 165 feet north of the centerline of Lake Mead Boulevard to approximately  
70 feet south of the centerline of Carey Avenue. All improvements are to include  
the necessary installation, removal and relocation of any and all utilities and appur-  
tenances that are deemed necessary to complete same, as more particularly shown  
on the plats, diagrams, and plans of the work and the locality to be improved, now  
on file in the Office of the City Clerk.

Such areas include all property abutting said improvements in said  
assessment unit and situate within those boundaries designated in Section 3 of  
Ordinance No. 1769 for the assessment unit.

The Board of Commissioners of said City will meet to hear and consider  
objections to said assessment roll by the owners of said property specially benefitted  
by the improvements in said District, and proposed to be assessed, by any party  
interested in the regularity of the proceedings in making such assessments,  
and by all parties aggrieved by such assessments, on Wednesday, February 2, 1977,

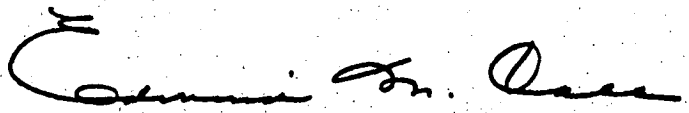
at 10:00 o'clock A.M., at the City Hall in said City. The owner or owners of any property which is assessed in such assessment roll, whether named or not in such roll, may, not less than three (3) days prior to said hearing, file with the City Clerk his or her objections in writing.

Said assessments shall be due and payable at the office of the City Treasurer within thirty (30) days after the ordinance levying the assessments becomes effective without interest and without demand; or all or any part of such assessments may, at the election of the owner, be paid thereafter in ten substantially equal annual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the date of publication of said ordinance at a rate or rates which shall not exceed seven per centum (7%) per annum. Penalties shall be due for delinquencies, and installments may be prepaid.

Any objection to the regularity, validity or correctness of the proceedings, of said assessment roll, of the estimated maximum benefits, of each assessment contained therein, and of the amount thereof levied on each tract and parcel of land, shall be deemed waived unless presented at the time and in the manner herein specified.

At the time and place so designated for hearing such objections, said Board of Commissioners shall hear and determine all objections which have been so filed by any party interested in the regularity of the proceedings in making such assessment, and the correctness of such assessment, or of the amount levied on any particular tract or parcel of land to be assessed, and said Board of Commissioners shall have the power, in its discretion, to revise, correct, confirm or set aside any assessment and to order that such assessment may be made de novo.

DATED this 5th day of January, 1977.

  
Edwina M. Cole, City Clerk

995

SECTION 4. That the owner or owners of any property which is assessed in such assessment roll, whether named or not in such roll, may, within three days prior to the date of the hearing, file with the City Clerk his or her objections in writing to said assessment.

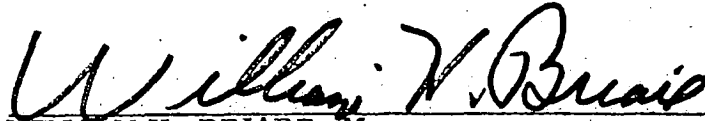
SECTION 5. That all action (not inconsistent with the provisions of this resolution) heretofore taken by said City and the officers of said City directed toward the advertisement herein prescribed be, and the same hereby is, ratified, confirmed and approved.

SECTION 6. That the officers of the City of Las Vegas be, and they are hereby, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.


SECTION 7. That all resolutions, or parts thereof, in conflict with the provisions of this resolution, are hereby repealed.

SECTION 8. That if any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

PASSED, ADOPTED AND APPROVED this 5th day of January, 1977.

  
WILLIAM H. BRIARE, Mayor

ATTEST:

  
Edwina M. Cole, City Clerk

R E S O L U T I O N

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

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

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

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

Schedule 14-I, Page 5, be amended to include the following as designated through streets:

Stewart Avenue - from Main Street to Nellis Boulevard

Schedule 14-II, Page 8, be amended to include the following as required stops:


Arville Street at Pennwood Avenue

Schedule 25-I, Page 44, be amended to include the following as speed limit 30 miles per hour:

Alta Drive - from Highland Drive to westerly City limits

PASSED, ADOPTED AND APPROVED this 5<sup>th</sup> day of January, 1977.

ATTEST:

  
Edwina M. Cole, City Clerk

  
WILLIAM H. BRIARE, MAYOR

FIRE & RESCUE  
SERVICES  
COOPERATIVE  
AGREEMENT  
Approved

COOPERATIVE AGREEMENT - FIRE & RESCUE SERVICES

(See Pages 86 and 87 - Agreement)

Mr. Lovell: The next item is not on the agenda; however, in my memo to you January 3, you have a copy of the automatic aid agreement for fire protection and rescue services. It is ready to be adopted unless you have a particular question.

Commissioner Leavitt: I have a question on that. Now, I only know what I read in the newspapers, but it seems there was a big deal about this, it was the first time it has ever been done. During the consolidation meetings, the County and the City of Las Vegas entered into an agreement to cover this, didn't they?

Mr. Adams: We did a cooperative agreement which is still honored.

Commissioner Leavitt: It came about as a result of the consolidation meeting. It is one of the things that we accomplished during that time. Now everybody is saying this is the first time it's ever happened. Actually, what is happening here is you are bringing North Las Vegas into the agreement. I just want to get the record straight because...

Mr. Adams: That's true, we recognized that we had a cooperative agreement before.

Commissioner Leavitt: It already has between the City and the County, but it sounded like it was the first time it's ever been done and it isn't what happened. I just want to set the record straight. This is simply a case of bringing the City of North Las Vegas in the same contract that the City and County has had since the consolidation hearings. We did some things in consolidation that were constructive.

Mayor Briare: Anything else. Did someone move to adopt?

Commissioner Leavitt: I so move.

Mayor Briare: The motion is to adopt. Cast your votes. The motion is approved.

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

BILL NO.  
76-86  
1st Reading  
& Referred

AMENDING TITLE XI, CHAPTER I, SECTION 6, SUBSECTION (E)1 OF THE MUNICIPAL CODE ENTITLED "SETBACKS" TO ALLOW ROOFS TO BE ATTACHED TO MAIN BUILDINGS ON CORNER LOTS IF CERTAIN REQUIREMENTS ARE MET.

Mayor Briare: Who requested this?

Mr. Adams: This is one I think there was an error in the way one of our ordinances came out and we have to make a change. I'd go right directly to a recommending committee.

Bill entitled "AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, SECTION 6, SUBSECTION (E)1 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, ENTITLED "SETBACKS" TO ALLOW ROOFS TO BE ATTACHED TO MAIN BUILDINGS ON CORNER LOTS IF CERTAIN REQUIREMENTS ARE MET; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF" was read by title by City Attorney Carl Lovell.

Page 85  
Minutes  
Regular Meeting  
City Commission  
January 5, 1977

Mayor Briare referred Bill No. 76-86  
to a Recommending Committee consisting of  
Commissioners Christensen and Leavitt.

TENTATIVE AUTOMATIC AID AGREEMENT FOR  
FIRE PROTECTION AND RESCUE SERVICES

THIS AGREEMENT, made and entered into this 21st day of December, 1976, by and between the COUNTY OF CLARK FIRE DEPARTMENT, by L.O. HAWKS, CHIEF, and the CITY OF LAS VEGAS DEPARTMENT OF FIRE SERVICES, by J. D. MILLER, DIRECTOR, and the CITY OF NORTH LAS VEGAS FIRE DEPARTMENT, by FRANK LARSON, CHIEF.

W I T N E S S E T H :

WHEREAS, pursuant to authority vested in the County of Clark Fire Chief and City of Las Vegas Director of Fire Services by virtue of Paragraph 5 of the Mutual Assistance Agreement approved January 6, 1976, and the authority vested in the City of North Las Vegas Fire Chief, it is mutually agreed as follows:

NOW, THEREFORE, TO FURTHER THE BEST INTERESTS OF THE PEOPLE OF THE ENTITIES INVOLVED IN THIS AGREEMENT, IT IS HEREBY AGREED BY AND BETWEEN EACH AND ALL OF THE PARTIES HERETO, AS FOLLOWS:

1. There is hereby created an automatic aid between the County and City Fire Departments that will allow the nearest fire suppression and rescue units and manpower to be utilized at the scene of an emergency occurring within the established running areas of those units. During the tenure of this Agreement, emergency units shall automatically be provided and dispatched to fires and emergencies closest to their respective stations.

Further, City and County units shall be provided and dispatched simultaneously into areas of mutual interest and protection both in City and County areas on a first alarm basis.

2. Officers of each of the parties designated as officer-in-charge by their respective Departments shall have the authority to request additional assistance hereunder and each of the parties hereto shall notify the others of such officers.

3. Upon request for assistance or automatic assistance hereunder, an appropriate Battalion Chief of the requesting party or recipient party shall respond to such dispatch for supervisory and administrative purposes.

4. The effective date of this Agreement shall be January 1, 1977.

5. This Agreement shall remain in effect indefinitely unless terminated by any party upon thirty (30) days' written notice of intent to terminate to the other parties. Such thirty (30) day period shall be computed from the date of receipt of notice by the other parties.

6. Termination of this Agreement by any one party shall not void this Agreement between the remaining parties.

7. A map shall be created and agreed upon by all involved parties designating areas of responsibilities covered by this Agreement

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first hereinabove written.

CITY OF LAS VEGAS DEPARTMENT OF FIRE SERVICES

By

  
J. D. MILLER, DIRECTOR


COUNTY OF CLARK FIRE DEPARTMENT

By

  
L. O. HAWKS, CHIEF

CITY OF NORTH LAS VEGAS FIRE DEPARTMENT

By

  
FRANK LARSON, CHIEF

Commissioner Christensen: This is a question, does the ordinance now read that you can't attach a room to a main building on a corner lot? There's going to be a lot of corner lots with funny looking buildings if you can't put a roof on them.

Mr. Adams: I don't recall. I know there was a language problem involved. One of the lots couldn't do it and the others could. I think that what's it amounts to. You can do it on an interior lot and you can't do it on a corner.

REPORTS FROM RECOMMENDING COMMITTEES

BILL NO.  
76-61  
No Action

AMENDING TITLE XI, CHAPTER 3 - REGULATIONS FOR "ON-PREMISE" AND "OFF-PREMISE" SIGNS  
Committee: Commissioners Leavitt and Christensen  
(12/1/76)

Commissioner Leavitt: In regards to the ordinances regulating on-premise and off-premise signs, you will recall that I had previously made a motion that our Planning Director amend this ordinance to correlate with the County Ordinance as much as possible and to run that ordinance past the Beautification Committee. We haven't been able to accomplish that. I think what we are going to need is a complete new ordinance. I would like to see this matter...

Mayor Briare: If we don't take any action on this today, then it dies.

Commissioner Leavitt: I don't recommend any action.

BILL NO.  
76-73  
Adopted

AMENDING TITLE IV, CHAPTER 5 - re "HOUSING CODE"  
Committee: Commissioners Woofter and Christensen  
(12/1/76)

Commissioner Christensen: This, as I understand this ordinance, we talked about it. This ordinance primarily is the one this Commission requested putting the Board of Zoning Adjustment as the Housing Appeals Board because we have to appoint members of the Housing Appeals Board every year and they haven't had a meeting in three years cause there hasn't been a necessity for it. So, in order to eliminate a board that was doing nothing, and the law requires that we have the board, we have asked for this ordinance to combine the two. That's what this ordinance does and I recommend approval.

A Bill entitled "AN ORDINANCE TO AMEND TITLE IV, CHAPTER 5, SECTIONS 8(A), 10(A), 10(C), 2(E), 2(F), 5(A), 5(B) and 5(C) RELATING TO THE HOUSING CODE, TO BRING THE HOUSING CODE IN CONFORMITY WITH THE BUILDING CODE SO THAT THE HOUSING CODE IS NOT MORE RESTRICTIVE, TO ESTABLISH THE BOARD OF ZONING ADJUSTMENT AS THE HOUSING APPEALS BOARD, TO ESTABLISH A SPECIFIC LIST OF DEFICIENCIES WHICH WILL CONSTITUTE SUBSTANDARD CONDITIONS, TO ESTABLISH A STAFF TECHNICAL REVIEW COMMITTEE WHICH SHALL HAVE THE AUTHORITY TO MAKE RECOMMENDATIONS TO THE BUILDING OFFICIAL, AND ESTABLISH A LIST OF MINOR NON-HAZARDOUS DEFICIENCIES WHICH SHALL CONSIST OF THE GENERAL PROVISIONS OF THE HOUSING CODE INTO SPECIFICS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH, AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO" was read by title by City Attorney Carl E. Lovell.

Mayor Briare: Commissioner, your motion is to adopt the ordinance?

Commissioner Christensen: That's correct. Move to adopt.

BILL NO. 76-73  
Continued

Mayor Briare: Any comments? Cast your votes. The motion is approved, the ordinance is adopted.

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

BILL NO.  
76-76  
Adopted

RE PARKING EXEMPTION PERMITS  
Committee: Mayor Briare and Commissioner Christensen  
(12/1/76)

Mayor Briare: On this bill relative to parking exemption, there were, by previous ordinance, so many of these granted, it not only became cumbersome, but probably a bit of a disservice to the City because of too much leniency. The recommendation of the City Manager was to tighten this up to the point where anybody that has a parking exemption permit, instead of considering it a status symbol, will have to justify to the City Manager that they are, indeed, entitled under the ordinance to have such a permit.

Commissioner Christensen: The only thing that bothered me about the ordinance is that I notice that Commissioner Lurie is driving his dad's car today and he had to put a parking sticker on in order to drive it because he uses it some time, this would limit him so that he couldn't do that any more. Because it specifically states he has got to be a member of the government group and/or working for his employer who is a member of the government group, or the news media. I don't think... In other words, what I am saying there are times when this doesn't fit that could create a problem with a boot. Under this ordinance, he couldn't drive his dad's car and park it down there.

Mayor Briare: I kept asking myself the questions, when I was thinking about this, as a matter of principal, that we are talking about a nickel. If you don't put a nickel in the parking meter, you get a ticket and it's going to cost you \$2. I'll give you an example, Commissioner, this is in all due respect to Mr. Art Lurie who I have great affection for, my wife has an exempt sticker, but the only reason she has an exempt sticker is because that used to be the only car that I could drive around.

Commissioner Christensen: I have four of them, because I never know which car I'm going to be driving. But the point is, they are all owned by me. If I'm at work, and by ordinance and statute and state law, this is a part-time job. I'm not worried about the parking meter. I'm worried about parking in City Hall. If I'm at work and have to use my dad's car to come down here to a special meeting, I can't park in City Hall.

Mayor Briare: Perhaps this ordinance needs some study because I was never of the impression this had anything whatsoever with parking in the lot. I got a traffic ticket on my car, which is a city car, and has a parking exemption, I got a \$4 fine that I had to pay for parking in the parking lot. I didn't park in my right place. This is only for those things so you don't have to pay a nickel if you park in an exempt meter.

Commissioner Christensen: That's not true because these stickers are used for parking at City Hall as well as at meters.

Commissioner Leavitt: My daughter came down once to bring me something I had requested her to bring, and parked in my stall, and she got a ticket, parked in my stall. The only way you can park in my stall is to have that thing on the back bumper.

Mr. Adams: As long as you have a City Hall sticker...

Mayor Briare: That's different. That's a different sticker.

Mr. Adams: As long as you have a City Hall sticker which, and in the case of the Mayor and Commissioners, we actually make the same sticker apply.

Mayor Briare: You mean I can park any where on the City Hall property and not be ticketed?

Mr. Adams: No, sir. You park in your slot because there is a slot there for you.

Mayor Briare: I'm not going to argue with Commissioner Christensen on this thing. I think it is being abused right now.

Commissioner Lurie: I believe the ordinance is correct. Everybody who has a sticker ought to justify it and make a request for an exemption sticker.

Commissioner Christensen: The ordinance lists exactly who can make requests. And it limits the people who can make requests. I think they should be justified too. There's no question in my mind. I have seen news media people with parking exemption stickers who don't even have a news service, have a radio station. Strictly music radio station, but because they have a radio station, they have a parking sticker and I think that is wrong. I think they should be justified. But not only does this ordinance require them to be justified, this ordinance also requires that they be a member of a certain group in order to even ask for parking exemption. I think that's where you run into problems, because I have run into problems now. There are many times when I wouldn't have to take my car to work, but I have to take it to work in case I have to come down to City Hall cause there is no other way I can get down here.

Commissioner Leavitt: Are you suggesting that we don't change the ordinance or for further study, or where are we at?

Commissioner Christensen: To be honest with you, I'm sorry I didn't pursue this ordinance further when I first saw it. Because I would have liked to have amended it before today, but if we don't pass it today it fails. So, if you want to pass the ordinance, I'll support it, but I think you should know it is restrictive and it is restrictive in our case also, to where it is going to create another problem for us. We are going to become more of a step-child in City Hall than we are now.

Mr. Adams: That particular problem of the Mayor and Commissioners can be solved. That can be taken care of.

Commissioner Christensen: Is there a possibility that we could arrange for some kind of a thing a person could attach to a car temporarily that is permanently assigned to the person, and not necessarily the car, so that whatever car he is driving he can display that in the window when he parks in a spot at City Hall, so if I have to borrow a car from next door to come down here to a meeting, I can stick that in the window. The way it is now, I have to call ahead and have them go down and get a temporary sticker and meet me in the basement with it in order to park any other car. I never know what car I'm going to be in.

Mr. Adams: That particular problem we can solve and that's one example of how it could be done.

Mayor Briare: Commissioner, could I suggest that we have unanimous consent on this ordinance today, because if we don't pass by a majority then people who have exempt stickers, notwithstanding whether they are being granted leniently or restrictively, or what are in problems right now, because they all expired on December 31.

Commissioner Christensen: I move for adoption of the ordinance.

Commissioner Lurie: Every application should come before this Board so that we can see just exactly who's getting these parking exempt stickers. Since we have to ask all the time to find out who has them, let's have every application to come before this Board so everybody knows who has a parking exempt sticker in the City of Las Vegas.

Mayor Briare: If this ordinance is adopted, then any amendments or changes would be perfectly in order by any of the Commissioners that want to have them so drawn.

A Bill entitled "AN ORDINANCE TO AMEND TITLE 10, CHAPTER 3, SECTION 12 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY DELETING THE EXISTING SECTION 12 ENTITLED "PARKING METER EXEMPTION PERMITS", AND ADDING A NEW SECTION ENTITLED "PARKING EXEMPTION PERMITS"; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH, AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO" was read by title by City Attorney Carl E. Lovell.

Mayor Briare: The motion is to adopt as read. Any comments?

Commissioner Christensen: I have one comment I would like to make. The County Commissioners are involved in this also, and I think that we should withhold their stickers until we get our parking passes at the airport.

Mayor Briare: Any other comments? Cast your votes. The motion is approved.

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

BILL NO.  
76-78  
Adopted

CREATING SPECIAL IMPROVEMENT DISTRICT NO. 419 (Cashman Drive, Sunrise, Lacy Lane, etc.)  
Committee: Commissioners Woofter and Leavitt.  
(12/1/76)

Commissioner Leavitt: Move for adoption.

A Bill entitled "AN ORDINANCE CREATING LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 410; ORDERING THE IMPROVEMENT OF CERTAIN STREETS AND PARTS THEREOF; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING ACTION HERETOFORE TAKEN RELATIVE TO SAID DISTRICT; AND PROVIDING FOR RELATED MATTERS" was read by title by City Attorney Carl Lovell.

Mayor Briare: The motion is to adopt as read. Comments?

Commissioner Christensen: I have to abstain on this, since I live on Lacy Lane.

Mayor Briare: Commissioner Christensen will be so recorded. The motion is approved.

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

CREATING OFFICE FOR A "HEARING OFFICER" TO CONDUCT  
ALL FUTURE SHOW CAUSE/LICENSE REVOCATION HEARINGS  
Commissioners Woofter and Lurie  
(12/1/76)

Commissioner Lurie: I discussed this with Commissioner Woofter. He does have some amendments, but he doesn't want the ordinance to die today and he recommended to me he would like to have it moved out and then make the necessary amendments at a later date. So move.

Mayor Briare: Who makes the appointment of the hearing officer?

Mr. Lovell: This Board.

Mayor Briare: The motion is to have it read and adopt. This is creating the position and then at such time...

Commissioner Leavitt: I have one question. Are you sure that, in your own mind, by creating this position you are not delegating the responsibility the Board has itself unconstitutionally.

Mr. Lovell: Yes, I'm satisfied we are not.

Commissioner Leavitt: You are satisfied that we have the authority to appoint a hearing officer and that this is a legitimate legal to conduct a show cause hearing as we have been doing in the past.

Mr. Lovell: Yes.

Commissioner Leavitt: And then he makes a report to us and we make the final decision, something similar to a master, is that right? And you're convinced in your mind that this is completely constitutional, no problems there?

Mr. Lovell: Yes.

Mayor Briare: This is an enabling act, right?

Mr. Lovell: Yes.

A bill entitled "AN ORDINANCE TO AMEND TITLE V OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY ADDING CHAPTER 43, PROVIDING FOR THE APPOINTMENT OF A HEARING EXAMINER AND DEPUTY EXAMINER BY THE BOARD OF CITY COMMISSIONERS TO CONDUCT HEARINGS CONCERNING THE DENIAL, NONRENEWAL, SUSPENSION, OR REVOCATION OF BUSINESS LICENSES, AND TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH" was read by title by City Attorney Carl Lovell.

Mayor Briare: The motion is to adopt as read. Any comments? The motion is approved.

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

Mayor Briare: Perhaps in the next 30 days or so, the Commission will have some nominations for an

examiner and deputy examiner. Mr. Adams, maybe some-  
time in the next couple of weeks or so you might  
circulate a memorandum of some sort.

BILL NO.  
76-84  
Abeyance

AMENDING "NEWS RACK" ORDINANCE NO. 1843 AND CHANGING  
THE EFFECTIVE DATE THEREOF

Committee: Commissioners Leavitt and Christensen  
(12/15/76)

Commissioner Leavitt: We would like to hold this,  
your Honor. We have another amendment to the ordinance.  
No action is required; we can still take action at  
the next meeting.

Mayor Briare: If there are no objections, it will  
be held.

REPORTS FROM STUDY COMMITTEES

Commissioner Leavitt: On the Study Committees, in  
regards to Item #E which is an ordinance that was to  
be prepared concerning the public utility license.  
Some questions has arisen regarding the City of Las  
vegas in the event an annexation takes place and we  
pass this ordinance, and I would like to state that  
the Study Committee still has this ordinance and,  
of course, as soon as any annexation takes place, it  
will be moved out with a recommendation to be passed.  
The ordinance was drafted for that specific purpose  
and in the event an annexation took place, that the  
public utility franchise fee in the City of Las Vegas  
would be repealed in the event on an annexation.  
That's the whole purpose it has been held in Study  
Committee all this time is to determine to see what  
happens to annexation.

GOLF ASSOCIATION  
LEASE  
Progress Report  
Only

Committee: Commissioners Lurie and Leavitt.

Commissioner Leavitt: In regards to Item H, the Golf  
Association Lease, Mr. Lurie and I met with the  
members of the Golf Association and the City Manager  
was there, and the City Attorney, last night. We  
still need some additional time on that. We are  
looking into the concession contracts with the pro  
as well as the lease.

Mayor Briare: Thank you, Commissioner. Anything  
else. I was handed a copy of a memo relative to  
refunding of some fees to what is referred to as  
adult rated bookstores. My first impression was the  
City Attorney's Office ordered the licensing depart-  
ment to refund those fees; however, it would appear  
that the memorandum indicates that they have advised  
them to return. Is there any further legislative  
determinations to be made on this?

Mr. Lovell: The Supreme Court made a judicial  
decision on this particular issue and due to the fact  
that books, regardless of their nature, are protected  
by the first amendment of the United States Constitution,  
the Nevada Supreme Court, in view of U. S. Supreme  
Court decisions, indicated that we could not, or any  
government, could not discriminate between one book  
as opposed to another one until there was a conviction  
of or a determination that it was obscene after a  
trial in court. Consequently, we cannot, the court  
stated, charge \$50 for one bookstore and \$500 for what  
we would call an adult bookstore if they are both the  
same and the only remedy we would have is a conviction  
or a determination in court of obscenity.

Page 93  
Minutes  
Regular Meeting  
City Commission  
January 5, 1977

There being no further business to come before the  
Board, at the hour of 12:15 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*

WILLIAM H. BRIARE, MAYOR

ATTEST:

*Betty Jo Winter*

BETTY JO WINTER, CPS  
ASSISTANT CITY CLERK

APPROVED BY REFERENCE at a Regular Meeting of the  
Board of City Commissioners held on the 20<sup>th</sup> day  
of April, 1977.