

M I N U T E S

Las Vegas, Nevada  
March 2, 1977

A REGULAR MEETING of the Board of City Commissioners of the City of Las Vegas, Nevada, held this 2nd day of March, 1977, was called to order by His Honor, Mayor William H. Briare at the hour of 9:00 A.M. with the following members present:

|              |                     |
|--------------|---------------------|
| Mayor        | William H. Briare   |
| Commissioner | Paul J. Christensen |
| Commissioner | Myron E. Leavitt    |
| Commissioner | Ron Lurie           |
| Commissioner | Roy A. Woofter      |

STAFF PRESENT

|   |                         |
|---|-------------------------|
| City Manager                                    | W. E. Adams, P.E.       |
| Deputy City Attorney                            | Richard Koch            |
| Director of Personnel<br>& Employee Relations   | Robert McPherson        |
| Director of Municipal<br>Services               | J. C. Cathcart          |
| Director of Funds,<br>Coordination & Projects   | Bruce W. Spaulding, AIP |
| Director of Public<br>Services                  | Laurence Hampton, P.E.  |
| Director of Community<br>Planning & Development | Don J. Saylor, AIP      |
| Director of Business<br>Activity                | Ila M. Britt            |
| Director of Cultural<br>Services                | Harold P. Foster        |
| Director of Parks &<br>Recreation Services      | Richard Campbell        |
| Municipal Court Clerk                           | Karen Blanton           |

INVOCATION AND  
PLEDGE OF  
ALLEGIANCE

The Invocation was given by Rev. Bill Roush, Child Evangelism Fellowship Committee, Bethany Baptist Church, Boulder City, Nevada:

Father, this morning we thank You. We thank You we can gather together in a free country and govern ourselves, and we pray for these men as they go over the affairs today. I just commit them to you and thank You that You give them wisdom, guidance and direction from You. And, for those others in these chambers, Heavenly Father, we might just, even in this matter of governmental business be glorifying You. For all these things, we give You the praise and our glory in Jesus' name. Amen.

Pledge of Allegiance.

CITY MANAGER

W. E. ADAMS, P.E.

CITY POLICY  
MANUAL

Referred to  
Recommending  
Committee -  
Committee  
of the Whole

Mr. Adams: The first item on the agenda is a City Policy Manual in which we have included a copy of those items that we are aware of dealing with the policies that have been established by the Board of City Commissioners in the past and up to the date that we are aware of. The City Attorney has suggested that it be adopted by ordinance and then modified as each policy item comes on at the request of the Commission. We would suggest that with the New Bill section that the ordinance be placed in recommending committee. That would give us sufficient time, then, for all of you to study the Policy Manual and any of those things that you feel need to be added or any changes that need to be made, then we could make the adoption by ordinance and then have it in effect for

all of the City staff to know exactly the policy they are operating under.

Mayor Briare: I had a note here that I wanted to refer this to a Study Committee and I would like to ask if there are any Commissioners that particularly want to be on this. The Mayor is going to serve as the chairman of this Study Committee. This is an instance where I think it would be of value of volunteer for a committee like this, because I think it is quite important that these things be updated.

Commissioner Lurie: I'll serve on the Committee, Mayor.

Mayor Briare: In fact, what I think I'll do is refer it to a Committee of the Whole and we'll have some discussions with the City Manager on it.

Mr. Adams: The next item is one that Commissioner Woofter wishes to speak to you on the Cashman Field.

Commissioner Woofter: Mr. Mayor and members of the Commission. I have furnished you copies of three proposed plans in regards to Cashman Field. To bring you up to date, we have had several meetings of the Clark County Convention Authority Board, and more particularly, a subcommittee that I chair which is the Sports Complex Committee which, if you recall Mr. Mayor, I was given permission by you and members of the Commission to go forth with a possible proposal of making use of our City land which is called Cashman Field and possibly the Convention Authority joining in a joint venture, so to speak, as far as renovating Cashman Field into a community proposed recreation project. You might note the three plans that I have submitted to you. They are entitled Schemes 1 through 3. Scheme 1 is more or less an update that was submitted by Don Saylor of our staff to the Clark County Convention Authority Board to look over, which we consider the master plan for Cashman Field. You will note there is more or less a baseball, soccer, softball complex which is up on the screen. It is sort of a multi-purpose complex in which the soccer field overlaps into the softball and the baseball complex. You will also note that it is fairly extensive as far as the seating capacity is concerned in that the baseball stadium which would be the southwesterly corner of the Cashman Field complex which would seat 18,000 and the softball complex which would make use of the existing concrete structure that we now see at Cashman Field which would seat 14,000. Then the soccer complex which would overlap, which could naturally be turned over to football during that season, which would seat 10,000 and the parking capacity which would be overall to accommodate 10,000. Now, with this plan, Mr. Jack Miller, who is the architect for the Clark County Convention Authority, along with myself and members of the Board, we made use of this and came up with scheme 2 which I think myself is more feasible. Because, there was certain criticism in respect to scheme 1 in that it would accommodate more or less the adult side of the community, and as brought out, possibly the professional sports aspect. In which we hope that possibly a minor league ball club would see fit to come to Las Vegas as part of their farm system and play ball here if we built such a complex. However, we certainly did not, I feel, accommodate the needs of the community, in that we certainly want to make this a community project as well as consideration for any professional sports and adult sports. That is why scheme 2 is proposed, Mr. Mayor and members of the Commission. This is the one I really think would accommodate the community, in that, as you will note, the baseball and the softball and

REPORT  
Cashman  
Field

and the soccer is divided up. You'll note that even though it doesn't say football, but soccer could certainly accommodate football during the season. You will notice that the seating capacity is much smaller than the original master plan scheme 1. Baseball, seating capacity of 7,000; softball, 6,000; soccer, 3,000. Also, you will note the track around the soccer complex and that is proposed for the bicyclists and moto-cross enthusiasts. You will note that it has a 3,000 seating capacity. Also, there's room for 12 tennis courts down in the lower right hand part of the screen and up above beneath the Elks Building Complex you will notice there is room to accommodate other minor sports such as handball and racquetball. I feel this here, Mr. Mayor and members of the Commission, would be something that we should look into further in that this field, or this complex, would certainly be used each and every evening during the season where all these sports are involved. As you can see, 75 percent of the complex would be utilized by the community and the baseball complex, certainly we would hope that we would have a minor league ball club, but that would still only be utilized by the minor league ball club 50 percent of the time, but the other 50 percent they would naturally be on the road. But, we could be using that full time with American Legion baseball and adult baseball. As you note, this is sort of a ball park figure, so to speak, the estimated cost would be \$2,782,000, the estimated cost to build such a complex. The Convention Authority as a whole, and the Sports Complex Committee as a whole, put input into this. They certainly went on record in favor 100 percent that such a complex is needed for the community; however, they felt that they would like to look into other sites other than Cashman Field before they made a decision on whether to go forward with this. Secondly, they wanted some more facts and figures as far as the financial arrangement that would be merged into as far as their involvement and the City's involvement. Mr. Mayor, I think you brought this up and other members of the Commission, they also would like a rough idea of what the maintenance cost would be of such a complex and who would be responsible for the maintenance costs. So, that's the way it was left with the Convention Authority, as well as asking me to report back to the members of the Commission and you, Mr. Mayor, as well as reporting back to the Parks and Recreation Advisory Board, as well as other interested parties in the community to more or less submit these plans and get their ideas and suggestions before we finalize such. At this time, Mr. Mayor, I would like consideration to possibly, since this is a major project, and certainly I want everybody in the community to be involved before we finally decide on one particular scheme for Cashman Field or whatever, if there would be a consideration made by you and the members of the Commission, to possibly appoint a special advisory committee in regards to Cashman Field so we can really get this project on the way. Because I feel what you've advised me, as well as other members of the Commission, this is long overdue as far as doing something with the 40 some acres as far as Cashman Field lying dormant in the community.

Mayor Briare: Thank you, Commissioner. That certainly has been an excellent report. I think we had an experience here just a couple of weeks ago where the City participated in a program for soccer that drew 1200 or 1500 kids, plus their families from out of the City. So, there is no question that a program such as you outlined here would serve two purposes. Number one, it would serve a need for the people of Las Vegas and also Clark County, but also it would be appropriate if the Convention Center would enthusiastically support this program. Of course, when you say enthusiastically, that means they are going to put

bucks into it. There's nothing that shows enthusiasm better than that, Commissioner. Because there's always such a great need and a great attraction for Las Vegas for sporting enthusiasts. It's one of the many why they want to come here to the City, if they can come here and see their kids play soccer or see their baseball team or their softball championship game. It has a great potential and it certainly would put that property to some good use.

Commissioner Leavitt: I just had a couple of questions. I wondered in your estimates here, does that include any lighting?

Commissioner Woofter: Yes, it includes the lighting.

Commissioner Leavitt: I understand what would happen is that the City would just give the property to the Convention Authority, they would have control over the scheduling. Or would the City still maintain control.

Commissioner Woofter: They would just supply the funding as far as building the structures and more or less it would be controlled by the City, the Recreation Department.

Commissioner Leavitt: You ask about maintenance cost. Does that mean the City would maintain it or the Convention Authority would maintain it.

Commissioner Woofter: There was a question raised and I didn't get a clarification by our legal counsel, Mr. Dickerson of Convention Authority, that he does not feel at this time the Convention Authority under the statutes would be allowed to contribute to the maintenance costs of such a structure.

Commissioner Leavitt: In all probability, that would be a City cost and the cost of the utilities, the power and so forth, would be City cost.

Commissioner Woofter: That's correct. I might mention I forgot scheme 3 which the staff is so kind to put up there, this is just an enlarged plan as far as the seating capacity I would say of scheme 1. I might mention too, scheme 2 even though it is lower seating capacity, it still is set up in such a way the seating capacity would be increased when the need arises.

Commissioner Christensen: I have one question. I've been involved on a committee to stabilize the conditions at the old Fort which is down there, which is the oldest standing building in the state of Nevada. Our access to that particular Fort is completely landlocked and our only access to it is through a small pathway coming in from the corner of the 3,000 seat bleachers. Was that considered in your master plan as to where the parking was going to be for the Fort and whether we are going to be able to get in there anymore or whether that was going to completely seal that off, or what?

Commissioner Woofter: Paul, I can't really answer that question. Even though I am certain the consideration was given that that Fort would certainly remain there. This is a rough draft, I might add, and...

Commissioner Christensen: They at one time had some rather grandiose plans of what they were going to do in behind that Fort where on scheme 2 the soccer field sits. The only parking they have is right there because of the path which goes into that Fort which is completely surrounded by Elks Club property is a foot-path. You can't even drive to the Fort.

Commissioner Woofter: I think when the final plans are finalized, that would certainly be given consideration.

Commissioner Christensen: That certainly should be given consideration because that is the oldest standing building in the state of Nevada today.

Commissioner Lurie: On this project, about three years ago I requested a similar package be presented to the Mayor and Commission on a multi-purpose sports complex and now that the idea has sort of changed where the sports complex will be located downtown behind the Union Plaza I certainly would support this development of Cashman Field. I believe the original idea of the Convention Authority being involved with Cashman Field and giving the City the money to purchase Cashman Field was to be used for specifically recreation and I believe that Commissioner Woofter, with his schemes here, has covered just above every activity that I believe the people of Las Vegas show an interest in. Especially with the soccer, the softball, the American Legion hardball and maybe a semi-pro baseball team. I believe that with the Convention Authority's support and help as far as financing and the City maintaining a project of this size, it would benefit all the residents of Southern Nevada. I can remember when Cashman Field was developed and they had these baseball games, as well as rodeos. I was kind of disappointed at the time when previous boards recommended taking everything down instead of putting money into refurbish it. I feel that if we decide to go ahead with this, we should have our Funds Coordination, Bruce Spaulding, to check as far as federal funds to be used to help develop this as well as the tax dollars from the Convention Authority.

Commissioner Leavitt: In view of the statements that were made regarding maintenance and utility costs, I would like to have the City Manager check into this and give us some kind of estimate as to what the utility costs would be on this. I assume it also includes the lighted tennis courts, lighted softball and baseball field, and then also some kind of estimate on maintenance costs. We have to know what we are talking about on a building budget item, you are going to have that every year. In all probability, utility rates are going to go up.

Mayor Briare: Thank you very much, Commissioner Woofter. I would like to ask, Commissioner, if you would perhaps submit a list of people you feel would be able to serve with you as chairman of the committee to further the project that you have presented to us here this morning and if there is any way possible, Commissioner, I would appreciate it if you would include the newest member of the City Recreation Advisory Board, Mr. Don Marshall, who is the commissioner of Youth Soccer and I know that one of the first things that he would suggest to you, that for a while, all those cars you got parked there, they could sure build some more soccer fields.

RESOLUTION  
Adopted

Commissioner Lurie: I have a resolution I would like to read and have the Board adopt. This Resolution reads:

WHEREAS, the need for whole blood in the lifesaving treatment of the sick and injured is continually increasing in our community due to our population growth and the increasing availability locally of specialized medical care and facilities; and

WHEREAS, the blood needs of 15 hospitals in Las Vegas and nearby communities are provided by Nevada

Blood Services which depends entirely upon the support of volunteer donors for maintenance of our community's blood program; and

WHEREAS, employees of the City of Las Vegas are among those citizens who have benefitted directly from our community blood program, and are among those organizations dedicated to the support of this vital service; and

WHEREAS, Nevada Blood Services will provide a mobile unit for the convenience of city employee blood donors on Friday, March 4, in the second floor police auditorium at City Hall, from 12 noon to 5 p.m.; and

WHEREAS, it is proper that official recognition be given our community's blood program and all volunteer donors who make possible this lifesaving program;

NOW, THEREFORE, WE, the Board of Commissioners of the City of Las Vegas, Nevada, at a regular meeting this 2nd day of March, 1977, by this Resolution do hereby commend Nevada Blood Services and those employees of the City of Las Vegas for their support and cooperation.

Commissioner Lurie: I would move that this resolution be adopted.

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

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

(See Page 7 of these Minutes - Resolution)

RESOLUTION  
Adopted

Mayor Briare: There is a resolution before you that I would ask your consideration for memorializing our Clark County Delegation in the 1977 session of the State Legislature to adopt appropriate laws that would provide for a redistribution of entertainment tax revenue to cities in Clark County that are hard pressed for budget dollars. They would be distributed on perhaps a more proportionate basis as described in the resolution that you have before you. I would ask if the Commission has any favorable moods towards this resolution.

Commissioner Lurie: I support the resolution and I hope the Legislature will feel the same way that this Board feels as far as the tax dollar. I know the entertainment tax that you are speaking of in the resolution, I believe in Clark County we pay over \$8 million into the treasury of the State and we really don't received any of that money back. I would support the Legislature redistributing that particular tax dollar back to Clark County.

Mayor Briare: It kind of boils down to this. If we have a tendency, and I think this Board has demonstrated on several occasions, not to ask for new taxes, then there has to be some redistribution of the old taxes. It would seem for many, many years this has gone into the state coffers and certainly they should continue to go into state coffers because there are other parts of this state other than Clark County, but nevertheless, there certainly is reason to believe that it should be looked upon in a more favorable manner toward the highly populated Clark County. We could adopt all of the resolutions we want from now until the end of this legislative session and that doesn't

RESOLUTION

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WHEREAS, employees of the City of Las Vegas are among those citizens who have benefitted directly from our community blood program, and are among those organizations dedicated to the support of this vital service; and

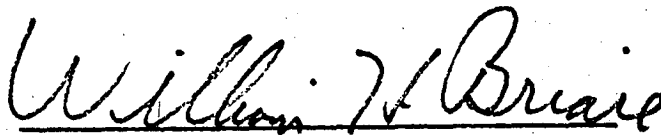
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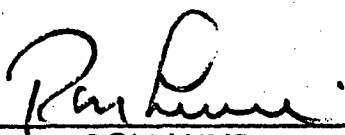
NOW, THEREFORE, WE, the Board of Commissioners of the City of Las Vegas, Nevada, at a regular meeting this 2nd Day of March, 1977, by this Resolution do hereby commend Nevada Blood Services and those employees of the City of Las Vegas for their support and cooperation.

PASSED, ADOPTED AND APPROVED this 2nd Day of March, 1977

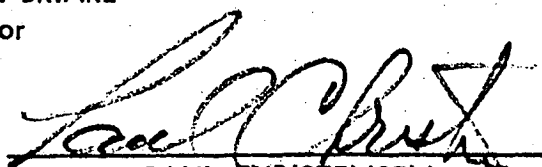
IN WITNESS WHEREOF, we have hereunto affixed our signatures this 2nd Day of March, 1977.



WILLIAM H. BRIARE  
Mayor



RON LURIE  
Commissioner



PAUL CHRISTENSEN  
Commissioner

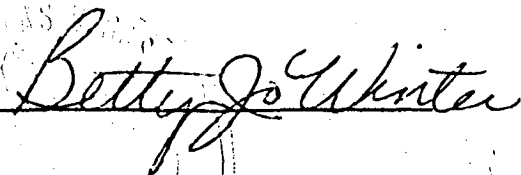


ROY WOOFER  
Commissioner



MYRON LEAVITT  
Commissioner

ATTEST:



mean we are going to get anything, but if we don't ask, there is, certainly we can't criticize the Legislature for not looking into it.

Mr. Adams: I wanted to advise you that the Clark County Commission did adopt that resolution.

Commissioner Lurie: Move for the adoption of the resolution.

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

(See Page 9 of these Minutes - Resolution)

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

Mayor Briare: I think the cities of North Las Vegas, Henderson, Boulder City would be asked to join in a resolution of this nature.

Commissioner Christensen: The comments about not necessarily getting anything by adopting resolutions are well taken and it brings to mind a resolution we adopted two weeks ago and forwarded to the County Commission and I wonder if we have had any response on that or whether we were being ignored on that Police funding resolution that was adopted two weeks ago.

Mr. Adams: I have had nothing on it, Commissioner.

Commissioner Christensen: Kind of like the rent in City Hall.

Mayor Briare: I would imagine if everybody is recording this particular Commission session that there might be some notation made that we have not had any response to Commissioner Christensen's resolution and that maybe that might cause...

Commissioner Christensen: We continually hear about the costs and so forth and we are rapped sometimes for worrying about costs instead of worrying about getting the job done, and that's part of the job. We are called babies because we think it's wrong that the County Commission exists rent free in City Hall. Since the County Commission represents all of the people, and I agree with that, it's a regional government that represents all of the people, so perhaps we should draft such a resolution, and I would request one, that the County Commission spread that wealth around and take a month here, then a month in Henderson City Hall, month in Boulder City City Hall, and a month in the North Las Vegas City Hall, and spread that wealth around and that opportunity to serve with our better commissioners in the same building rent free.

Commissioner Woofter: I think what Commissioner Christensen is alluding to deserving consideration, I think it should be just common courtesy at least for the Board of County Commissioners to respond.

Mayor Briare: While the subject is here, it is kind of interesting and I totally concur with Commissioner Christensen that the suggestion that this is an argumentative matter between the City and the County, and we're worrying about whether it should be 45¢, or 30¢ or 65¢, its a matter when you equate those portions of a dollar into an annual budget, you're talking about thousands and thousands and thousands of dollars and it just goes to show you that the

R E S O L U T I O N

WHEREAS, the political entities of Clark County have been concerned for some time with the manner of distribution of the Nevada State Entertainment Taxes; and

WHEREAS, in 1976, the businesses and citizens of the political entities of Clark County paid to the State of Nevada approximately eighty percent (80%) of the total state entertainment tax revenues; and

WHEREAS, the distribution or expenditure of such funds by the State of Nevada is not commensurate to the sources from which such tax proceeds are derived; and

WHEREAS, the political entities of Clark County are in great need to have a more equitable distribution of such funds in order to meet the problems of rapid urban development.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Las Vegas, hereby request and urge the Clark County Delegation of the 1977 Session of the Nevada State Legislature to prevail upon such legislative body to adopt the appropriate laws that will provide for a dispersal of entertainment tax revenues that relates more equitably to the sources from which such revenues are derived.

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

\_\_\_\_\_  
WILLIAM H. BRIARE Mayor

ATTEST:

\_\_\_\_\_  
Assistant City Clerk

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Regular Meeting  
City Commission  
March 2, 1977

ACTION TAKEN

*Approved by*  
*City Commission*

*3/2/77*

\_\_\_\_\_  
Date

City officials take the position that these thousands and thousands and thousands of dollars belong to the taxpayers of the City of Las Vegas. We don't take it lightly and if we are to be criticized for "arguing" or "bickering" we're not doing it because we enjoy arguing or bickering, we're doing it because we feel responsibility to the people of the City of Las Vegas. When you talk about the 50's and 60's of thousands of dollars, think for a minute what you could do with the money that would go toward a project such as Commissioner Woofter suggested this morning, or think what it could do for any type of a project that might be something that otherwise we wouldn't be able to have. Any other comments?

Commissioner Lurie: I just have one on Commissioner Christensen's comments, you know the County Commission has always said in the spirit of cooperation they would like to work with the City Commission and a couple of the County Commissioners have requested a meeting to sit down around the table to discuss some of our mutual problems. Maybe we should remind them about these type of things, the rent the first item we would like to discuss, it might not be a bad idea. I think out of common courtesy, as Commissioner Woofter mentioned, we should have an answer to that resolution and they should not ignore the fact that they are here not paying any rent, tenants at will.

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DEPARTMENT OF FINANCIAL MANAGEMENT

MARVIN A. LEAVITT, DIRECTOR

See Page 11 of these Minutes - Annotated Agenda

REPORT

Commissioner Lurie: Mayor, I had one other item on the City Manager's agenda. I would like to report on the meeting I had with the Legislature on Monday concerning Tule Springs. I was in Carson City with the Community Development Director, Don Saylor, and we met before the Senate Finance Committee to discuss the makeup of the bill for the State to take over Tule Springs and develop it into a state park. We had a very good meeting. The State has, in the bill there will be \$1,400,000 set aside for the park through the bond which the voters approved for the state, and there will also be another \$600,000 of federal money put into the first phase of development. So, we're looking at \$2 million for the first phase of development which actually the City had planned about \$1 million for the first phase. We are looking at just about double of what the City had anticipated for the first phase of development. This committee was chaired by Senator Lamb and the bill was being supported by the entire Clark County Delegation at the Legislature so hopefully this bill will be ready and I will report further when the bill comes out from the bill drafter.

Mayor Briare: Thank you very much, Commissioner.

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DEPARTMENT OF PERSONNEL AND EMPLOYEE RELATIONS

ROBERT MC PHERSON, DIRECTOR

(See Pages 12 thru 14 of these Minutes - Annotated Agenda



| ITEM  | Commission Action                                |  | Department Action                    |
|---|--|--|--------------------------------------|
| I. (d) DEPARTMENT OF PERSONNEL &<br>EMPLOYEE RELATIONS<br><br>BOB McPHERSON, DIRECTOR<br><br>AUTHORIZATION TO FILL POSITIONS<br><br><u>Federally funded</u> | Approved<br>Items 1 Thru 16<br>Lurie - Unanimous |  | Director<br>Authorized<br>to Proceed |
| <u>Dept/Class</u>   | <u>Monthly Salary</u>                            | <u>Justification</u>   |                                      |
| (1)<br>PS/Eng. Services<br>Drafting Aide<br>(replace vacancy)<br>Until 6/30/77  | 758  | Assists Civil<br>Engineer respon-<br>sible for Parks &<br>Recreation design<br>projects doing entry<br>level drafting, mapping<br>and miscellaneous<br>utility coordination. |                                      |
| (2)<br>MS/Facilities Support<br>Custodian<br>(replace vacancy)<br>Until 6/30/77   | 686  | Performs custodial<br>duties at the Senior<br>Citizens, Reed Whipple<br>and Dula Recreation<br>Centers on a 7 day basis.   |                                      |
| (3)<br>Parks & Rec. Services/<br>Recreation<br>Jr. Recreation Leader<br>(replace vacancy)<br>Until 6/30/77  | 721  | To assist in coordi-<br>nating programs and<br>activities at the<br>Teen Center.   |                                      |
| (4)<br>Human Resources<br>Intermediate Clerk-2<br>(create new position)<br>Title I funding  | 637  | Provide clerical<br>assistance in the<br>In-take and Assessment<br>Unit.   |                                      |
| (5)<br>Human Resources<br>Human Resources Planner<br>(create new position)<br>Title I funding   | 1019   | To organize and coordinate<br>activities under the<br>new Title VI program.  |                                      |
| (6)<br>Human Resources<br>Senior Clerk<br>(create new position)<br>Title I funding  | 686  | Provide clerical<br>assistance verifying<br>status of applicants<br>and reporting requirements.  |                                      |
| (7)<br>Fire Services<br>Jr. Clerk<br>(replace vacancy)<br>Until 6/30/77   | 429  | To be utilized as runner<br>for driving Fire Prevention<br>and Administrative vehicles<br>for mechanical servicing<br>and cleaning.  |                                      |

| ITEM   | Commission Action                          | Department Action   |
|--|--|---|
| I. (d) DEPARTMENT OF PERSONNEL &<br>EMPLOYEE RELATIONS   |  |   |
| <u>Reimbursable positions</u>  |  |   |
| <u>Dept/Class</u>  | <u>Monthly Salary</u> <u>Justification</u> | See Page 4  |
| (8)<br>Business Activity<br>Special Inspector<br>Temporary -<br>Until 3/10/77                        | 879  | Required by law<br>as on site inspector<br>for going out of<br>business sale.<br>Reimbursed by business<br>conducting the sale.                                   |
| (9)<br>PS/Bldg. & Safety<br>Special Inspector-3<br>Temporary - Until<br>8/16/77<br>8/23/77<br>9/1/77 | 1474                                       | Assigned as on the<br>site inspectors as<br>required by law.<br>Job sites are the<br>Holiday Inn, El Cortez<br>and Valley Hospital.<br>Reimbursed by contractors. |
| (10)<br>Senior Citizens<br>Sr. Citizens Instructor<br>Temporary -<br>Until 9/3/77                    | 777  | To teach beginning<br>and advanced yarn arts.<br>Funding thru Saints &<br>Sinners organization.   |
| <u>City funded</u>   |  |   |
| (11)<br>PS/Eng. Services<br>Sr. Engineering Asst.<br>(replace budgeted<br>vacancy)                   | 1070                                       | Assisting Electrical<br>Engineer in the areas<br>of street lighting<br>improvements and other<br>electrical facilities.   |
| (12)<br>MS/Facilities Support<br>Custodian<br>(replace budgeted<br>vacancy)                          | 686  | To perform custodial<br>services at one or more<br>of the Recreation<br>Centers.  |
| (13)<br>PS/Bldg. & Safety<br>Building Inspector<br>(replace budgeted<br>vacancy)                     | 1070                                       | To conduct inspections<br>on commercial and<br>residential construction<br>throughout the city.   |
| (14)<br>PS/Bldg. & Safety<br>Electrical Inspector<br>(replace budgeted<br>vacancy)                   | 1070                                       | To provide electrical<br>inspection services that<br>is being paid for by<br>permit applicants.   |

| ITEM  | Commission Action     | Department Action   |
|---|-----------------------|---|
| I. (d) DEPARTMENT OF PERSONNEL &<br>EMPLOYEE RELATIONS  |                       |   |
| <u>City funded (cont'd)</u>   |                       |   |
| <u>Dept/Class</u>   | <u>Monthly Salary</u> | <u>Justification</u>  |
| (15)  |                       |   |
| Parks & Recreation<br>Services<br>Director of Parks<br>& Recreation Services<br>(create new position) | 1754                  | Responsible for developing, directing and administering comprehensive programs in the areas of Parks & Recreation Services to satisfy the rapidly growing total community needs.  |
| (16)  |                       |   |
| Parks & Recreation<br>Services/Recreation<br>Supervisor of Recreation<br>(replace budgeted vacancy)   | 1405                  | Responsible for planning and supervising the functional areas of Recreational Sports, Golf Course special events and activities of a variety of community oriented programs at the Dula, Doolittle and Teen Center recreational facilities. |

See Page 4

Commissioner Lurie: Would like to have Mr. Dick Campbell stand up and be recognized as the new Director of our Recreation Department.

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DEPARTMENT OF MUNICIPAL SERVICES

J. C. CATHCART, DIRECTOR

See Page 16 of these Minutes - Annotated Agenda

-----  
DEPARTMENT OF BUSINESS ACTIVITY

ILA M. BRITT, DIRECTOR

See Pages 17 thru 23 of these Minutes - Annotated Agenda

LIQUOR & RETAIL  
TOBACCO - New  
Circle K  
Approved

Mayor Briare: Is there a representative of Circle K?

Mr. Jerome Snyder: I attorney on behalf of Circle K Corporation. I have with me today Mr. Bob Hutchinson who was recently appointed as the chief executive officer, chairman of the policy board. I would indicate to you, Circle K Corporation has in excess of 1100 stores in 11 western states. Last year they had a gross in excess of \$262 million and have chosen Nevada as one area to substantially expand their operation and I think they will be a welcome addition to Las Vegas and to Clark County, and the general state of Nevada as a whole.

Commissioner Lurie: When are they planning on getting under construction?

Mr. Snyder: Tomorrow. If this Board sees fit to approve them.

Commissioner Lurie: I move for approval of Item F.

Mayor Briare: Any comments? Cast your votes. The motion is approved. Welcome to Las Vegas.

LIQUOR & RETAIL  
TOBACCO - Approval  
of New District  
Manager  
Approved

Mayor Briare: Is there a representative of 7-Eleven Stores?

Mr. Joe Brown, Suite 70, Valley Bank Plaza: I have with me Richard Evans who seeks your approval as District Manager for Southland Corporation.

Commissioner Lurie: Move for approval.

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

PRIVATE DETECTIVE  
LICENSE - NEVADA  
PRIVATE PATROL  
Abeyance

Commissioner Woofter: Are the new proposed owners present?

(No response.)

Mayor Briare: Mrs. Britt, were they aware that their license was coming up?

Mrs. Britt: Steve Carson was notified. I believe the other gentlemen are in Reno.

Mayor Briare: Well, maybe they ought to come to Las Vegas next meeting.

| ITEM  | Commission Action  | Department Action   |
|---|--|---|
| <p>I-f. <u>DEPARTMENT OF MUNICIPAL SERVICES</u></p> <p><u>J. C. CATHCART, DIRECTOR</u></p> <p>1. <u>PURCHASING AND CONTRACTS STAFF</u></p> <p>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> <p>1. 4,000 Gallons Traffic Paint (Public Services - Traffic Division)</p> <p>2. 12 Each Hydraulic Controlled Seats For Three-Wheel Street Sweepers (Public Services - Street Division)</p> <p>3. Repair Parts for Sprinkler Systems (Parks and Recreation Services - Parks Division)</p> <p>4. Replacement Heads and Parts for Sprinkler Systems (Parks and Recreation Services - Parks Division)</p>   | <p>Items 1 thru 4<br/>         Approved<br/>         Lurie - Unanimous</p> | <p>Director<br/>         Authorized<br/>         to Proceed</p> |
| <p>*B. <u>AWARD OF BIDS</u></p> <p>1. Bid #76.123 - Traffic Signal Installation - Sahara and Burnham - 50% STATE OF NEVADA FUNDED: 50% REGIONAL STREETS AND HIGHWAYS COMMISSION FUNDED - ALTERNATE BID ONLY (Public Services - Traffic Division)</p> <p>2. Bid #77.4 - Herbicides and Chemical Weed Killers (Parks and Recreation Services - Parks Division and Golf Course Division)</p> <p>3. Bid #77.6 - Expendable Office Supplies for a Six-Month Period from Date of Notice to Proceed (Municipal Services - Purchasing and Contracts Staff)</p> <p>4. Bid #77.9 - One (1) Each Sprayer, Trailer Mounted (Parks and Recreation Services - Purchasing and Contracts Staff)</p> | <p>Items 1 thru 4<br/>         Approved<br/>         Lurie - Unanimous</p> | <p>Director<br/>         Authorized<br/>         to Proceed</p> |
| <p>C. <u>PURCHASE ORDER APPROVAL</u></p> <p>Request Purchase Order approval to Econolite Corp., Anaheim, CA, in the amount of \$4,674.60 for replacement signal heads and repair parts. Sole Source. (Public Services - Traffic Division)</p> <p>Page 16<br/>         Minutes<br/>         Regular Meeting<br/>         City Commission<br/>         March 2, 1977</p>  | <p>Approved<br/>         Lurie - Unanimous</p>                             | <p>Director<br/>         Authorized<br/>         to Proceed</p> |

ITEM

Commission Action

Department Action

I-g. DEPARTMENT OF BUSINESS ACTIVITY

ILA M. BRITT, DIRECTOR

\*CONSENT AGENDA

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

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

Items 1 thru 19  
 Approved  
 Lurie - Unanimous

Director  
 Authorized to  
 Issue

1. CITIZENS FOR SURVIVAL, INC. -- general solicitations
2. FRATERNAL ORDER OF EAGLES #1213 -- raffle tickets; tickets to a Western Jamboree, Firefighters Salute, Polka Party, and Barn Dance
3. EASTER SEAL SOCIETY FOR CRIPPLED CHILDREN AND ADULTS OF NEVADA, INC. -- general solicitations; sweepstakes tickets; golf tournament; telethon
4. POODLE CLUB OF LAS VEGAS -- a rummage sale
5. SALVATION ARMY, WOMEN'S AUXILIARY -- a bazaar
6. EPSILON SIGMA ALPHA INTERNATIONAL, ALPHA GAMMA CHAPTER #3718 -- tickets to a spaghetti dinner and fashion show
7. GERMAN AMERICAN SOCIAL CLUB OF NEVADA -- tickets to the Sixth Annual Mardi Gras Ball
8. GOLDEN GLOVES OF NEVADA, INC. -- tickets to the Golden Gloves Tournament; sale of advertising space in program
9. GIRL SCOUTS OF AMERICA, TROOP 187 -- sale of handmade spice ropes
10. LAS VEGAS CHAPTER OF SWEET ADELINES, INC. -- tickets to a show titled "Mississippi Mem'ries"

ITEM

Commission Action

Department Action

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

\*A. CHARITABLE SOLICITATIONS PERMITS  
 (cont'd)

See Page 8

11. LAS VEGAS EMBLEM CLUB #114 -- raffle tickets; tickets to a Paisano Dinner; tickets to a pot luck dinner; a bake sale
12. OUR LADY OF LAS VEGAS CHURCH, WOMEN'S GUILD -- a rummage sale
13. SOUTHERN NEVADA MEMORIAL HOSPITAL, WOMEN'S AUXILIARY -- tickets to Daffy-Dilly luncheon; Westland Mall Garage Sale
14. ST. JOSEPH'S CATHOLIC SCHOOL-- a school carnival
15. REGINA HALL AUXILIARY -- a bingo party
16. JUNIOR MESQUITE CLUB -- raffle tickets; tickets to a dinner/dance
17. THEATRE ARTS SOCIETY, INC. -- tickets to a variety show
18. B.P.O. ELKS # 1468 -- raffle tickets; sale of Helldorado buttons
19. NORTH LAS VEGAS CHAMBER OF COMMERCE -- sale of booth space

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

Family Child Care Home

1. SHARON K. ADAMS  
 4424 Parkchester Circle  
 4 children days  
 4 children nights

Approved  
 Lurie - Unanimous

Director  
 Authorized  
 to Proceed

ITEM

Commission Action

Department Action

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

\*C. GAMING -- Additional

1. FREMONT HOTEL, INC.

Fremont Hotel & Casino  
 200 E. Fremont  
 6 - "21" games  
 1 - Craps

2. MONEY TREE, INC.

Money Tree Casino  
 2466 Las Vegas Blvd South  
 1 - "21" game

3. SCOTT PLAZA, INC.

Union Plaza Hotel & Casino  
 # 1 Main Street  
 1 poker table

4. TOM JAGGERS

Cornet Store  
 401 Fremont Street  
 2 slots

5. BALLY DISTRIBUTING CO.

Foxy's Firehouse Casino  
 2423 Las Vegas Blvd So  
 1 slot

Items 1 thru 5  
 Approved as  
 Requested  
 Lurie - Unanimous

Director  
 Authorized  
 to Proceed

D. LIQUOR -- Change of Ownership

1. \*MR. PORTERHOUSE  
 1401 Las Vegas Blvd South  
 Tavern License

From: Las Vegas Oriental, Inc.  
 Alfred Yung-Hsiang  
 Wee, Pres  
 Benjamin Ming Hwang,  
 Secy/Treas

To: The Sting, Inc.-  
 Bette Ann Ball, Pres,  
 Sole Officer, & Stock-  
 holder

Approved subject to  
 Conditions  
 Lurie - Unanimous

Same as above

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

ITEM

Commission Action

Department Action

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

E. LIQUOR -- New

1. MINIMART MARKET  
 630 Las Vegas Blvd South  
 Beverage Off-Sale

David Gelbart  
 Elaine Gelbart

Approved  
 Lurie - Unanimous

Director  
 Authorized  
 to Proceed

F. LIQUOR & RETAIL TOBACCO -- New

1. \*CIRCLE K STORE # NA 0542  
 NE corner Charleston/Pecos  
 Beverage Off-Sale

- \*CIRCLE K STORE # NA 0695  
 NW corner Alta/Valley View  
 Beverage Off-Sale

Circle K Corporation --  
 Frederick Hervey, Chairman/Pres  
 J. Winslow Smith, Pres of the  
 Policy Board/Director  
 John Muir Kipp, Secy/Director  
 Jack Rich, Treas/Director  
 Hugh K. Frederick, Director  
 Raymond F. Hayes, Director  
 William J. McDuffee, Director

Approved subject  
 to Conditions  
 Lurie - Unanimous

Director  
 Authorized  
 to Proceed

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

G. LIQUOR & RETAIL TOBACCO --  
Approval of New District Manager

1. 7-ELEVEN STORES  
 District # 2052  
 Beverage Off-Sale

Southland Corporation --  
 Richard Donald Evans, District  
 Manager

Locations:  
 4950 W Charleston      2409 Tam Dr  
 1602 W Oakey            1101 E Bonanza  
 1517 Laurelhurst       6016 W Chas.  
 3720 Vegas Drive       3033 Arville  
 2502 Teddy Drive       6950 W Chas.  
 6103 Clarice            2220 W Chas.  
 4800 W Washington     1740 Fremont  
 1000 Torrey Pines       1001 E Chas.  
 431 Rue 13

Approved  
 Lurie - Unanimous

Director  
 Authorized  
 to Proceed

ITEM Commission Action Department Action

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

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

1. \*DESERT INN LIQUORS  
 1503 Las Vegas Blvd South  
 General Liquor
- Gaming: Business Owned: 6 slots  
 United Coin: 5 slots
- From: John Abajian, 100%
- To: Fred R. Jacoby, 100%

Approved subject  
 to Conditions  
 Lurie - Unanimous

Director  
 Authorized  
 to Proceed

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

I. LIQUOR, GAMING & RETAIL TOBACCO --  
 Approval of Key Employee

1. FREMONT HOTEL/CASINO  
 200 East Fremont Street
- Fremont Hotel, Inc. --  
 James D. Powers, General Mgr/  
 Casino Mgr

Approved  
 Lurie - unanimous

Director  
 Authorized  
 to Proceed

J. LIQUOR -- Request for Extension of  
 Inactive Status

1. BRUCE'S LIQUORS  
 2027 North Revere  
 Package Liquor/Beer Bar
- Bruce's Liquors, Inc.--  
 Allan Kelly, Pres  
 Charlotte Kelly, Secy/Treas

Items 1 and 2  
 Approved  
 Lurie - Unanimous

Director  
 Authorized  
 to Proceed

(Closed 11-2-76. Extension for  
 1-1-77 thru 1-5-77 aprpd 12-15-76;  
 extension for 1-6-77 thru 3-6-77  
 aprpd 1-5-77. Request for  
 extension of inactive status:  
 3-7-77 thru 5-5-77.)

2. DAVID'S PLACE  
 2127 West Charleston Blvd  
 Supper Club

David I. Silverman, 100%

(Approved 1-5-77. Request for  
 60-day extension of inactive  
 status for: 3-6-77 thru 5-4-77.)

ITEM

Commission Action

Department Action

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

K. RETAIL TOBACCO -- New

1. VILLANI'S ITALIAN DELI  
 240-D North Jones

Villmoor, Inc. --  
 Joseph Villani, Pres 35%  
 Lloyd A. Alsgaard, VP 30%  
 Virgil Moore, Secy-Treas 35%

Approved  
 Lurie - Unanimous

Director  
 Authorized  
 to Proceed

L. PRIVATE DETECTIVE LICENSE --  
Change of Location

1. SAND ASSOCIATES  
 300 South 4th Street - Suite  
 #1600

Lila Sand, 100%

From: 302 South 4th Street

Approved  
 Lurie - Unanimous

Same as Above

M. PRIVATE DETECTIVE LICENSE --  
Change of Location - Change of  
Corporate Officers

1. NEVADA PRIVATE PATROL, INC.  
 3355 W. Spring Mt Road # 267

From: 1111 Las Vegas Blvd So.  
 # 317

Steve Carson, Pres  
 William Woodward, V.P.  
 Donald Warren, Secy/Treas  
 William Brian, Director

To: James T. Johnson, Pres  
 Elvis A. Walker, V.P.  
 Britt Johnson, Secy/Treas  
 Steve Carson, Agent

Abeyance

March 16 Agenda

N. SECONDHAND LICENSE -- Additional  
Location

1. A to Z Mart  
 1216 South Main

Allen P. Stewart, sole owner,  
 100%

Approved  
 Lurie - Unanimous

Director  
 Authorized  
 to Proceed

| ITEM   | Commission Action   | Department Action   |
|--|---|---|
| <p>I-g. <u>DEPARTMENT OF BUSINESS ACTIVITY</u><br/>           (cont'd)</p>   |   |   |
| <p>O. <u>PAWNSHOP LICENSE &amp; FIREARM'S PERMIT-<br/>           Change of Corporate Officers</u></p>  |   |   |
| <p>1. STONEY'S LOAN &amp; JEWELRY CO.<br/>           126 South 1st Street</p> <p>From: Pearlkron, Inc.<br/>           David Pearlmutter, Pres<br/>           Henry Kronberg, Secy/Treas<br/>           Lillian Kronberg, V.P.</p> <p>To: Pearlkron, Inc.<br/>           Henry Kronberg, Pres<br/>           Lillian Kronberg, Secy/<br/>           Treas</p> <p>2. PIONEER JEWELRY &amp; LOAN CO.<br/>           111 North 1st Street</p> <p>From: Larita, Inc.<br/>           Henry Kronberg, Pres<br/>           Rita Pearlmutter, V.P.<br/>           David Pearlmutter, Secy/<br/>           Treas</p> <p>To: Larita, Inc.<br/>           David Pearlmutter, Pres<br/>           Rita Pearlmutter, V.P.,<br/>           Secy/Treas</p> | <p>Items 1 and 2<br/>           Approved<br/>           Lurie - Unanimous</p> | <p>Director<br/>           Authorized<br/>           to Proceed</p> |
| <p>P. <u>LIQUOR -- Request for Extension of<br/>           Inactive Status</u></p>   |   |   |
| <p>1. CHANCES R., INC.<br/>           132 Las Vegas Blvd. So.<br/>           Tavern License</p> <p>Chances R., Inc.<br/>           Nicholas R. Bobrick, Pres. - 70%<br/>           Wanda J. Wells, Secy/Treas - 30%</p> <p>(Closed 1/3/77. Request for 60-day<br/>           extension of inactive status for:<br/>           3/5/77 thru 5/3/77)</p>  | <p>Approved<br/>           Woofter - Unanimous</p>                            | <p>Same as above</p>  |

Commissioner Woofter: Is there anybody here on this item?

Mayor Briare: Is there a representative of Chances R present? Would you come forward. Are you Wanda Wells?

Wanda Wells: Yes, sir.

Commissioner Woofter: This is the operation directly across from Central Telephone Company. What's the need for an inactive status, the building is still functioning isn't it?

Wanda Wells: I'm not quite sure, just enough time to get some things together.

Commissioner Woofter: You mean financially?

Ms. Wells: Yes.

Commissioner Woofter: Move to approve.

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

Mayor Briare: Mr. Adams, I am kind of curious, not on this particular extension of time, but on others that we have had, Bruce's Liquor for example, what would happen if after eight or nine requests they were denied, and not Bruce's Liquor, any liquor store?

Mr. Adams: It normally will run out at the end of the year anyway. The Commission has the authority to grant it for a year on the extension. They generally have a problem, they've lost financing or have lost the lease or something.

Commissioner Woofter: In line with that, would it possible if Mrs. Britt or maybe Mr. Crow could furnish us with a list of all the inactive licenses at this present time. I would just, for informational purposes, like to see a list.

Commissioner Christensen: And why they are inactive.

Mayor Briare: I have often wondered, you know from past history going back years ago it is always kind of amusing the way liquor licenses are handled in some communities. It seems like they are walking around with something in their hand or in their pocket and here's a license that they can go here or go there with. Do you have a list of applicants that are in the wings waiting to get a license?

Mrs. Britt: Yes, sir.

Mayor Briare: How long is that list?

Mrs. Britt: I would say there are probably 25 people that have requested to be on the list.

Mayor Briare: What would be the one who is there the longest?

Mrs. Britt: Two years.

Mayor Briare: It is surprising, isn't it, that a person who is number one on the list waiting isn't at the meetings when all of these extensions of time are given.

Commissioner Woofter: I notice that Commissioner Christensen and myself are on a committee you appointed in regards to looking at the liquor gaming laws that

promise to get going on this. It's been held in abeyance for some time. In this train of thought, I know that my home state of Wyoming, they have had quite a bit of concern, it is more of a less populated state than Nevada is, and certain hotel/motel chains are just starting to move in certain sections of Wyoming such as Holiday, Ramada, and on down the line. I was advised just recently by representatives that they are having this problem up in Wyoming where they have these licenses, so to speak, in their hip pocket to sell. And, these large organizations trying to get in to open up and create more business, and they are faced with this problem of "fine, before you can open up your restaurant and tavern, you've got to buy an existing license." Surprisingly, an ordinance that we acted upon in which an investor shows they have put approximately \$350,000 into building a new structure, they are considering that now at the Wyoming State Legislature as an avenue to eliminate possible hold-ups, so to speak, as far as a liquor license.

Commissioner Lurie: I want to direct something to you, Ila, through the Mayor, concerning liquor licenses and the problem that I see creeping up on the City of Las Vegas as far as neighborhood taverns going to topless go-go girls, waitresses working in these establishments. To me this is just a small problem now, it is going to get to be a large problem. I know we have a resolution that was passed back in 1966 prohibiting this topless waitresses in liquor establishments. I think that it is time, I have noticed four or five bars in driving around the City that have gone to this, and I think it's time the City Manager, City Attorney, and this Board pass some type of ordinance prohibiting this. The County had a problem out there. It took them three months to close up a business, and it took the business eight hours to get it reopened concerning topless and bottomless activity that was going on in that establishment. This is just something I can see it taking place like it did in California, in Los Angeles, the topless and bottomless bars, and I think we have to do something about it. I want your department to work on it, and with the Manager and with the Attorney's Office. I don't know how the other Commissioners and Mayor feel about it, but I just don't think that we want this type of activity taking place in our City, and it is just creeping up on us.

Mayor Briare: Thank you, Commissioner.

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DEPARTMENT OF PUBLIC SERVICES

LAURENCE HAMPTON, P.E.

(See Pages 26 and 27 of these Minutes -  
Annotated Agenda)

Commissioner Lurie: I have one item for you, Larry. I'm getting a lot of calls from people who live in the Rainbow area that ask me to do something about cutting Alta all the way through. I have instructed the people we are working on it, but I would like a report from your department to this Board on what is taking place as far as getting that cut through. There is some problem in the area as far as transporting the children in that area to the schools to Rose Warren and Adcock because Smith is overcrowded, and with the construction of the expressway and having to go clear around Charleston and then back around, it is creating a problem.

ITEM Commission Action Department Action

I-(h). DEPARTMENT OF PUBLIC SERVICES

LAURENCE HAMPTON, P.E., DIRECTOR

\*CONSENT AGENDA

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

\*A. APPROVAL OF SUBDIVISION PLATS

1. It is recommended that the Robarts Estates final plat be approved. All engineering designs have been checked and accepted. Fees have been paid, bond posted, and agreements signed for this subdivision.

2. It is recommended that the Lewis Homes-Smoke Ranch Estates No. 1 final plat be approved subject to posting of bond and signing of agreements within thirty days. All engineering designs have been checked and accepted.

\*B. RELEASE OF SUBDIVISION BONDS

1. All offsite improvements in Park Bonanza East No. 6-A subdivision have been completed in accordance with agreements and city standards. All work has been inspected by the Public Works, Fire, Electrical, and Sanitation Departments. It is recommended that the improvements be accepted for this subdivision.

2. All offsite improvements in Lewis Homes-Las Vegas Unit No. 8 subdivision have been completed in accordance with agreements and city standards except for the reconstruction of a valley gutter at the intersection of East Washington Ave. and Marion Drive. A \$2,000 cash bond has been posted for the valley gutter, reinstallation of which is pending construction of a water line on the Washington Avenue alignment by the Water District. It is recommended that the improvements be accepted for this subdivision and the major bond released.

\*C. RIGHT OF WAY ITEMS

1. Grant Deed  
 From: William W. Boyd, a married  
 To: City of Las Vegas  
 For: Portion SW-1/4, Sec. 13, T19S, R60E Elkhorn Rd., Leon, Severance Lane. Dedication. Land Division (2/17/77)

Items 1 and 2  
 Approved  
 Lurie - Unanimous

Clerk  
 Authorized  
 to Proceed

WITHDRAWN

Item 2 Approved  
 Lurie - Unanimous

Same as above

Items 1 thru 3  
 Approved  
 Lurie - Unanimous

P/S to Proceed



Mr. Hampton: I would be happy to give you a detailed report. Just briefly, however, we are negotiating with Mr. Lied on the right-of-way and we will push that negotiation to hopefully a speedy conclusion.

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DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT

DON J. SAYLOR, AIP, DIRECTOR

Z-1-77  
Approved

ZONE CHANGE - Z-1-77 - HERSCHEL C. CLARK

Mr. Saylor: This involves property on Santa Paula, just south of Oakey. The front lot on Oakey is zoned P-R and is being used as such. This application involves the two lots immediately to the south. Mr. Clark owns a series of six lots from Oakey south. These two in question were zoned P-R about the same time the one on Oakey was, but he has had difficulty in finding tenants under the P-R zoning. He is now asking for the R-4 so he can put them back to apartment house use. At the Planning Commission meeting, one of the tenants in the lot immediately south of the existing P-R objected very strenuously to the change on the basis that it would be very detrimental to his operation if he had to vacate the premises. The Planning Commission then took the position of recommending that the furthest lot south be zoned R-4 at this point in time, and that the applicant should keep the P-R zoning on this parcel until he had completely vacated the P-R uses on it, at which time he could come back in and ask that be reverted back.

Mayor Briare: Did you wish to make some comments, sir?

Herschel Clark: Yes, I am the owner of the property and I have here a record of my occupancy record for the last three years in these two buildings. The tenant that came in and requested the change, his lease expired the first of February. The lease expired the last of February and he had 60 days prior to his lease to renew his lease. He didn't renew his lease. I went in to collect his rent, the last of February, and I went in to see him about six days after his last rent was due and I didn't expect to collect his rent because I expected him to be using his last month's rent because he hadn't renewed his lease, and he hadn't asked to renew his lease, and he hadn't paid his rent, so I didn't even go in to collect his rent. He is the one that appeared against me to change these back and he is one of two occupants in the four suite building. The other two suites have been vacant for approximately a year. I have been unable to lease them. I have been unable to lease the offices in the third building. I moved too fast, I was premature, I admit it, I made a mistake, but I would like to back up to the second building and hold the second building in apartments until such time as it warrants changing them to offices. I have these records, if the Commission would like to look them over.

Mayor Briare: It's nice that you bring all these records here, but we are talking about the economics, we are talking about the planning. You naturally feel that the best use of that property, and it is compatible with the area, to use it for the purposes you want, and Mr. Clark, that's what the Planning Commission recommended. They recommended approval on that.

Commissioner Leavitt: What about this lot 2? Mr. Clark indicates that the person that was involved in Lot 2 no longer wants to protest it, is that what you are saying?

Mr. Clark: That's right.

Commissioner Leavitt: And that was excepted, that Lot 2 was excluded, because of the protest, wasn't it?

Mr. Saylor: Planning Commission excluded the lot immediately south of the corner lot and said it should stay P-R until it is vacated. They did recommend approval on the third lot south.

Commissioner Leavitt: Is it vacated now?

Mr. Clark: It will be vacated. The other tenants, there are only two offices occupied. The other tenant has already made arrangement to move and the one that appeared, which will be the only tenant that left in the building, his lease has expired and he can move any time. He has no lease and has no intention of renewing his lease, and I don't want to renew his lease anyway.

Commissioner Christensen: So is it your desire to change them both back?

Mr. Clark: Yes, to change them both back.

Mayor Briare: As soon as you get rid of that tenant, you are not going to come back and ask for P-R again, are you?

Mr. Clark: No.

Mayor Briare: Mr. Saylor, is this good planning?

Mr. Saylor: We kind of think we are playing games, first it was R-4, then P-R, then he comes back for R-4 and he is saying that in the future he is going to come back again for P-R.

Mayor Briare: If I'm around, I'm going to look at it pretty good.

Mr. Clark: I won't come back for P-R.

Mr. Saylor: What the Planning Commission felt was fine, let's keep this one P-R and go to R-4 on this which should take care of the situation for quite a few years.

Mr. Clark: It won't take care of the situation. They are all going to be vacant, including Lot 2. I'm losing both tenants...

Commissioner Lurie: Were you 100% occupancy when you had them leased out?

Mr. Clark: I'm 100% occupancy on the apartments.

Commissioner Lurie: You should have never changed.

Mr. Clark: I know I made a mistake and now I'm trying to correct it.

Commissioner Christensen: Is there any change in the building whatsoever?

Mr. Clark: No. The inspectors were out and they found no violations in any of them.

Commissioner Christensen: What we are talking about here is you're not allowed to live in a P-R and you're not allowed to conduct business in a residential. So he wants to go back to the residence so he can use the buildings rather than keep them vacant as P-R.

Commissioner Leavitt: The only question I'm concerned about is whether that Lot 2 is now vacant or will be vacant.

Z-1-77  
(Continued)

Mr. Clark: They will be vacant in the next 30 days, not over 60 days.

Commissioner Leavitt: If we revert this back to R-4, how much time will he have to vacate it?

Mr. Saylor: He will not be able to use it for apartment use until all the offices are out.

Mr. Clark: Until all the offices are out, I won't put any apartments in there.

Commissioner Leavitt: I understand, again, that the only reason the Planning Commission rejected the application on Lot 2 was because of the protest.

Mr. Clark: One tenant.

Commissioner Leavitt: I move that we approve the application and delete the requirement condition #1; in other words, approve both lots.

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

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

(See Page 31 of these minutes - Annotated  
Agenda for conditions)

Z-2-77  
Approved

ZONE CHANGE - Z-2-77 - FIRST WESTERN SAVINGS ASSOCIATION

Mr. Saylor: The next item is the application of First Western for a change in zoning on property on the east end of the City, north of Charleston and east of Lamb. The entire parcel, property involved runs all the way to the flood control ditch on the east which is near Nellis. First Western is proposing extensive residential development in the area. You will see at the northwest corner of the slide that there is existing single family development. The piece in question is to allow an R-PD zoning which means smaller lots, 45 X 100, I believe, and common walls. This is done, of course, to cut down on the cost of development. In connection with this, however, and in connection with their proposal to develop the remainder of the vacant property, it's become very apparent that there is a very strong demand for some open space in the form of a park. This was discussed at the Planning Commission meeting. There is no proposal for open space in the parcel under the zoning application; however, First Western has indicated a strong willingness to work with the City in providing a park area elsewhere in the development, and with that understanding the Planning Commission has recommended approval according to the conditions set forth on the agenda.

Mayor Briare: There were no written protests or no protests at the meeting?

Mr. Saylor: Right.

Commissioner Leavitt: Where is the flood channel?

Mr. Saylor: To the east.

Commissioner Lurie: Where's the park going to go?

Applicant: As soon as we get our topography and soils test back, we'll be able to determine where we'll put the park.

| ITEM  | Commission Action   | Department Action  |
|---|---|--|
| <p>I-(i) DEPARTMENT OF COMMUNITY PLANNING &amp; DEVELOPMENT<br/>           DON J. SAYLOR, AIP, DIRECTOR</p>   |   |  |
| <p>A. <u>ZONE CHANGE - Z-1-77 - HERSCHEL C. CLARK</u></p>   |   |  |
| <p>Property located at 1707 and 1711 Santa Paula Drive, on the east side of Santa Paula Drive, between Oakey Boulevard and St. Louis Avenue.<br/>           From: P-R (Professional Offices &amp; Parking)<br/>           To: R-4 (Apartment Residence)<br/>           Proposed Use: Two 4-plex apartment units.</p>  | <p>Approved as recommended by Planning Commission except delete Condition #1<br/>           Leavitt - Unanimous</p> | <p>Clerk to Notify Director Authorized to Proceed</p>  |
| <p>Planning Commission unanimously recommends APPROVAL subject to the following conditions:</p>   |   |  |
| <ol style="list-style-type: none"> <li>1. Application be amended to exclude Lot 2, Block A, Beverly Green Tract #2, (1707 Santa Paula Drive).</li> <li>2. Parking layout to conform to the requirements of the Traffic Engineer.</li> <li>3. Replace damaged and raised sidewalk as required by the Department of Public Services.</li> <li>4. All advertising signs on Lot 3, Block A, Beverly Green Tract #2, (1711 Santa Paula Drive) to be removed as required by the Department of Community Planning and Development.</li> <li>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.</li> <li>6. 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> <li>7. Conformance to the plot plan to reflect the above conditions.</li> <li>8. Conformance to code requirements and design standards of all City departments.</li> </ol> |   |  |
| <p>PROTESTS: 1</p>  |   |  |
| <p>B. <u>ZONE CHANGE - Z-2-77 - FIRST WESTERN SAVINGS ASSOCIATION</u></p>   |   |  |
| <p>Property generally located on the north side of East Charleston Boulevard, between Lamb Boulevard and Nellis Boulevard.<br/>           From: R-1 (Single Family Residence) and R-3 (Limited Multiple Residence)<br/>           To: R-PD7 (Residential Planned Development)<br/>           Proposed Use: Medium Low Density Residential Planned Development.</p>  | <p>Approved as Recommended by Planning Commission<br/>           Lurie - Unanimous</p>                              | <p>Clerk to Notify Director Authorized to Proceed</p>  |
| <p>Planning Commission recommends APPROVAL (3-1 vote), subject to the following conditions:</p>   |   |  |
| <p>continued . . . .</p>  |   | <p>Page 31<br/>           Minutes<br/>           City Commission<br/>           Regular Meeting<br/>           March 2, 1977</p> |

Z-2-77  
(Continued)

Commissioner Lurie: I move for approval.

Mayor Briare: Comments? Cast your vote. The motion is approved.

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

(See Page 33, Item B of these Minutes -  
Annotated Agenda for conditions)

Z-3-77  
Approved

ZONE CHANGE - Z-3-77 - FRANK & PATRICIA MC CORMICK

Mr. Saylor: This property is located right across from the other parcel we were talking about with Mr. Clark. The request is to go P-R on it. We have allowed that pattern along Oakey. The property to the north of it is R-2, duplexes. This is a plot plan of the proposed utilization. Oakey, Rexford, this is the lot in question. Planning Commission recommends approval. There was one letter of protest.

Commissioner Lurie: This is just the opposite. This is right across the street from the property we just changed back to R-4 and on this side of Oakey, on the north side, I don't believe there is any P-R. This would be opening the door to changing the characteristic of that street. It's on the east side of that street also, isn't it.

Mr. Saylor: It's on the west side of Rexford.

Commissioner Lurie: It backs up to that 7-Eleven Store on the corner.

Commissioner Leavitt: It's next to the 7-Eleven store, isn't it.

Mr. Saylor: Yes.

Commissioner Leavitt: Across the street we still left it P-R.

Mr. Saylor: The lot on the corner, on the south side, Mr. Clark's property is still P-R. That is being used for offices. It is the lots behind we changed. Now, as far as staff is concerned, of course, we don't plan to carry that pattern further east into the R-1 area. This is still in the multi-family. It would appear the logical place to stop it, because once you get past there, then it's R-1.

Commissioner Leavitt: That Rexford area is all multiple housing back there.

Mr. Saylor: It is all R-2 zoning.

Mr. Frank McCormick: I didn't have any particular statement outside to answer any question you may have. Our big objections is being right next door to 7-Eleven. With school children going down to Parker school, they have to make a pit stop there to and from school, as well as the neighbors coming across the yard. It makes it virtually impossible for rental. My wife and I have lived there for the past six years and we have had three tenants, four tenants in the last three years for the front duplex and we ourselves intend to move out and it would be asking a lot of someone else to live there if we can't.

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Mayor Briare: The recommendation of the Planning Commission is for approval.

Commissioner Leavitt: Move for approval.

| ITEM  | Commission Action   | Department Action   |
|---|---|---|
| I-(i) DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT<br>CONTINUED   |   |   |
| Z-2-77 continued . . .  |   |   |
| <ol style="list-style-type: none"> <li>1. Resolution of Intent be restricted to a twelve (12) month time limit.</li> <li>2. The street connecting Marion to Charleston to be 60 ft. in width.</li> <li>3. That an additional street opening be provided somewhere in the general vicinity between Lot 26 and Lot 15 in Block 1.</li> <li>4. Due to the increased density under the proposed development and in accord with the philosophy of the Planned Unit Development zoning, open space in the form of a park site to be made available within the confines of the overall development plan of the area between Stewart Avenue and Charleston Boulevard, east of Marion.</li> <li>5. Conformance to the plot plan to reflect the above conditions.</li> <li>6. Conformance to code requirements and design standards of all City departments.</li> </ol> | See Page 18   |   |
| PROTESTS: 0   |   |   |
| ZONE CHANGE - Z-3-77 - FRANK & PATRICIA<br>McCORMICK  |   |   |
| Property located at 1614-1616 Rexford Place, on the northwest corner of Oakey Boulevard and Rexford Place.<br>From: R-2 (Two Family Residence)<br>To: P-R (Professional Offices & Parking)<br>Proposed Use: Offices   | Approved as recommended by Planning Commission<br>Leavitt<br>Lurie voted "no" | Clerk to Notify<br>Director<br>Authorized to Proceed                      |
| Planning Commission unanimously recommends APPROVAL, subject to the following conditions:   |   |   |
| <ol style="list-style-type: none"> <li>1. Resolution of Intent be restricted to a twelve (12) month time limit.</li> <li>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.</li> <li>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.</li> <li>4. Removal and replacement of 250 sq. ft. of sidewalk along Oakey Boulevard frontage as required by the Department of Public Services.</li> </ol>  |   | Page 33<br>Minutes<br>City Commission<br>Regular Meeting<br>March 2, 1977 |
| continued . . . . .   |   |   |

Z-3-77  
(Continued)

Mayor Briare: Any comments on the motion? Cast your vote. Motion is approved.

Motion carried by the following vote:  
Commissioners Leavitt, Christensen,  
Woofter, and Mayor Briare voting aye;  
Commissioner Lurie voted "no".

(See Page 35 & 36 of these Minutes - Annotated  
Agenda for conditions)

Z-4-77

ZONE CHANGE - Z-4-77 - KENDALL E. JONES, ET AL

Mr. Saylor: This is application of Jones, et al for a change in zoning from P-R to C-1. It is in connection with the medical complex located on Maryland Parkway on the west side. There is commercial zoning to the south of it. This is the parcel in question (referring to map). The reason for the commercial is to have a pharmacy that is available to the public which is not permitted in a P-R zone. Planning Commission recommends approval. There were no protests.

Commissioner Leavitt: Move for approval.

Mayor Briare: Are you Mr. Jones? You are the owner of the building?

Dr. Jones: One of the owners.

Mayor Briare: Are you going to be in the building, or are you going to lease it out.

Dr. Jones: In the suite so-called as the pharmacy, we would be leasing that out to another firm. We have been operating that pharmacy as a group and due to some circumstances, the doctors desire now not to operate it. We have a tentative sale for the pharmacy with a lease.

Commissioner Leavitt: There is an existing pharmacy there now?

Dr. Jones: There is an existing pharmacy for the patients of the doctors.

Mayor Briare: How is the landscaping around there.

Mr. Saylor: It is very good.

Commissioner Lurie: You mean a person who does not have a doctor in your complex cannot purchase at the presenttime in that pharmacy.

Dr. Jones: According to the use permit, the wording does prohibit it; however, it has never been enforced.

Mayor Briare: Commissioner Leavitt's motion is to approve. Any other comments? Cast your votes. Motion is approved.

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

(See Page 36 of these Minutes - Annotated  
Agenda for conditions)

Z-5-77

ZONE CHANGE - Z-5-77 - R. B. CLINE, SPROUL HOMES OF NEVADA

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Mr. Saylor: This is the application of Sproul Homes for a change in zoning from R-1 to C-1 for a small parcel of land in connection with their proposed commercial complex at Charleston and Antelope. They find they need additional parking. They are asking permission to add a small parking lot to the north

| ITEM   | Commission Action  | Department Action  |
|--|--|--|
| I-(i) DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT<br>CONTINUED  |  |  |
| <del>Z-2-77 continued . . .</del><br><del>1. Resolution of Intent be restricted to a twelve (12) month time limit.</del><br><del>2. The street connecting Marion to Charleston to be 60 ft. in width.</del><br><del>3. That an additional street opening be provided somewhere in the general vicinity between Lot 26 and Lot 15 in Block 1.</del><br><del>4. Due to the increased density under the proposed development and in accord with the philosophy of the Planned Unit Development zoning, open space in the form of a park site to be made available within the confines of the overall development plan of the area between Stewart Avenue and Charleston Boulevard, east of Marion.</del><br><del>5. Conformance to the plot plan to reflect the above conditions.</del><br><del>6. Conformance to code requirements and design standards of all City departments.</del> | <p>See Page 18</p>   |  |
| <p style="text-align: center;">PROTESTS: 0</p>   |  |  |
| C. ZONE CHANGE - Z-3-77 - FRANK & PATRICIA McCORMICK   |  |  |
| <p>Property located at 1614-1616 Rexford Place, on the northwest corner of Oakey Boulevard and Rexford Place.<br/>           From: R-2 (Two Family Residence)<br/>           To: P-R (Professional Offices &amp; Parking)<br/>           Proposed Use: Offices</p>   | <p>Approved as recommended by Planning Commission<br/>           Leavitt<br/>           Lurie voted "no"</p> | <p>Clerk to Notify<br/>           Director Authorized to Proceed</p>   |
| <p>Planning Commission unanimously recommends APPROVAL, subject to the following conditions:</p>   |  |  |
| <ol style="list-style-type: none"> <li>1. Resolution of Intent be restricted to a twelve (12) month time limit.</li> <li>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.</li> <li>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.</li> <li>4. Removal and replacement of 250 sq. ft. of sidewalk along Oakey Boulevard frontage as required by the Department of Public Services.</li> </ol>   |  |  |
| <p style="text-align: center;">continued . . . .</p>   |  | <p>Page 35<br/>           Minutes<br/>           City Commission<br/>           Regular Meeting<br/>           March 2, 1977</p> |

ITEM

Commission Action

Department Action

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

Z-3-77 continued . . .

5. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
6. Construction of a 6' masonry wall along the rear (north) property line abutting the residential property as required by the Department of Community Planning and Development.
7. No office use shall start on the property until all residential use has ceased.
8. Conformance to the plot plan to reflect the above conditions.
9. Conformance to code requirements and design standards of all City departments.

PROTESTS: 1

See Page 18

D. ZONE CHANGE - Z-4-77 - KENDALL E. JONES, ET AL

Property generally located on the west side of South Maryland Parkway, between Sahara Avenue and St. Louis Avenue.

From: P-R (Professional Offices & Parking)  
 To: C-1 (Limited commercial)  
 Proposed Use: Offices and retail sales.

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

1. Parking layout to meet the requirements of the Traffic Engineer.
2. Conformance to the plot plan.
3. Conformance to code requirements and design standards of all City departments.

PROTESTS: 0

Approved as  
 Recommended by  
 Planning  
 Commission  
 Leavitt - Unanimous

Clerk to Notify  
 Director  
 Authorized  
 to Proceed

~~ZONE CHANGE - Z-5-77 - R. B. CLINE, SPROUL  
 HOMES OF NEVADA~~

~~Property generally located on the west side of Antelope Way, 250 feet north of Charleston Boulevard.~~

~~From: R-1 (Single Family Residence)  
 To: C-1 (Limited Commercial)  
 Proposed Use: Parking Lot~~

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

- ~~1. Resolution of Intent be restricted to a Twelve (12) month time limit.~~

continued . . . . .

~~Approved as  
 Recommended by  
 Planning  
 Commission  
 Lurie - Unanimous~~

~~Clerk to Notify  
 Director  
 Authorized  
 to Proceed~~

Z-5-77  
(Continued)

of it. This area to the west and north is undeveloped at the present time. They do have a subdivision pattern on it, however, and this lot would back up to the homes in here. Furthermore, the commercial will be built before the homes.

Mayor Briare: There were no protests?

Mr. Saylor: No.

Commissioner Lurie: I move for approval.

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

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

See Page 38 & 39 of these Minutes - Annotated  
Agenda for conditions.

Z-38-74  
Approved

REINSTATEMENT - STATE OF NEVADA, DEPARTMENT OF HIGHWAYS

Mr. Saylor: This is the zoning involved on the freeway remnants between the freeway and the railroad tracks. The resolution of intent ran out. They are asking for a reinstatement and are also asking that we go to ordinance on these pieces. It is in accord with the General Plan. Planning Commission recommends approval.

Commissioner Lurie: Move for approval.

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

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

See Page 39 of these Minutes - Annotated  
Agenda for conditions.

CV-1-74  
Approved

REVIEW - ECHOES OF FAITH MINISTRIES

Mr. Saylor: This is the church counseling service located in the old Sheriff's Posse Building. They are asking permission for a temporary use of a trailer on the property as a classroom. Planning Commission recommends approval on the basis that it comes back to you for their annual review on the overall use.

Mayor Briare: How long is temporary?

Mr. Saylor: There is two restrictions here. Until they building a permanent building, but you also have an annual review in October.

Commissioner Leavitt: Move for approval.

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

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

See Page 39 & 40 of these Minutes - Annotated  
Agenda for conditions.

| ITEM   | Commission Action  | Department Action  |
|--|--|--|
| <p>I-(i) DEPARTMENT OF COMMUNITY PLANNING &amp; DEVELOPMENT<br/>           CONTINUED</p>   |  |  |
| <p>Z-3-77 continued . . .</p> <p>5. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.</p> <p>6. Construction of a 6' masonry wall along the rear (north) property line abutting the residential property as required by the Department of Community Planning and Development.</p> <p>7. No office use shall start on the property until all residential use has ceased.</p> <p>8. Conformance to the plot plan to reflect the above conditions.</p> <p>9. Conformance to code requirements and design standards of all City departments.</p> | <p>See Page 18</p>   |  |
| <p>PROTESTS: 1</p>   |  |  |
| <p>D. <u>ZONE CHANGE - Z-4-77 - KENDALL E. JONES, ET AL</u></p>  |  |  |
| <p>Property generally located on the west side of South Maryland Parkway, between Sahara Avenue and St. Louis Avenue.<br/>           From: P-R (Professional Offices &amp; Parking)<br/>           To: C-1 (Limited commercial)<br/>           Proposed Use: Offices and retail sales.</p>   | <p>Approved as Recommended by Planning Commission<br/>           Leavitt - Unanimous</p> | <p>Clerk to Notify<br/>           Director Authorized to Proceed</p> |
| <p>Planning Commission unanimously recommends APPROVAL, subject to the following conditions:</p>   |  |  |
| <p>1. Parking layout to meet the requirements of the Traffic Engineer.</p> <p>2. Conformance to the plot plan.</p> <p>3. Conformance to code requirements and design standards of all City departments.</p>  |  |  |
| <p>PROTESTS: 0</p>   |  |  |
| <p>E. <u>ZONE CHANGE - Z-5-77 - R. B. CLINE, SPROUL HOMES OF NEVADA</u></p>  |  |  |
| <p>Property generally located on the west side of Antelope Way, 250 feet north of Charleston Boulevard.<br/>           From: R-1 (Single Family Residence)<br/>           To: C-1 (Limited Commercial)<br/>           Proposed Use: Parking Lot</p>  | <p>Approved as Recommended by Planning Commission<br/>           Lurie - Unanimous</p>   | <p>Clerk to Notify<br/>           Director Authorized to Proceed</p> |
| <p>Planning Commission unanimously recommends APPROVAL, subject to the following conditions:</p>   |  |  |
| <p>1. Resolution of Intent be restricted to a Twelve (12) month time limit.</p>  |  |  |
| <p>continued . . . .</p>   |  |  |

ITEM

Commission Action

Department Action

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

Z-5-77 continued . . .

2. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
3. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.
4. The same wall proposed for the shopping center be extended along the west and north line of the parking area.
5. Conformance to the plot plan to reflect the above conditions.
6. Conformance to code requirements and design standards of all City departments.

PROTESTS: 0

See Page 19

F. REINSTATEMENT - Z-38-74 - STATE OF NEVADA,  
 DEPARTMENT OF HIGHWAYS

Request for reinstatement of several parcels of land generally located east of the east right-of-way line of Interstate 15 between West Wilson Avenue and West Washington Avenue to "M" zoning.  
 Original Approval: 10-2-74  
 No extensions

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

1. The reinstatement to "M" zoning to be effected by Ordinance.
2. Submittal of a plot plan and proposed use for approval by the Planning Commission and City Commission.
3. Conformance to code requirements and design standards of all City departments.
4. Provide all necessary off-site improvements.

Approved as Recommended by Planning Commission  
 Lurie - Unanimous

Clerk to Notify Director Authorized to Proceed

G. REVIEW - CV-1-74 - ECHOES OF FAITH MINISTRIES

Review to allow the use of a trailer for classrooms on property located at 1401 E. Washington, C-V zone.

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

1. Approval to be on a temporary basis and the trailer to be removed when permanent facilities are constructed on the property.

Approved as Recommended by Planning Commission  
 Leavitt - Unanimous

Clerk to Notify Director Authorized to Proceed

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continued . . . . .

| ITEM   | Commission Action  | Department Action  |
|--|--|--|
| T-(i) DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT<br>CONTINUED  |  |  |
| Item "G" (CV-1-74) continued . . .   | See Page 20  |  |
| 2. Approval of the temporary trailer to be reviewed in conjunction with the annual status review to be conducted by the City Commission on October 19, 1977.   |  |  |
| <del>N. PLOT PLAN REVIEW - Z-30-75 - FIRST FEDERAL SAVINGS OF NEVADA (GARY VAUSE)</del>  | <del>Approved subject to Conditions<br/>           Woofter<br/>           Commissioner Lurie<br/>           and Mayor Briare<br/>           voted "no"</del> | <del>Clerk to Notify<br/>           Director<br/>           Authorized<br/>           to Proceed</del> |
| <del>Plot Plan Review to allow a child care facility at the southwest corner of West Charleston Boulevard and Rancho, C-D zone.</del>  |  |  |
| <del>Planning Commission unanimously recommends DENIAL because they felt the proposed child care facility would not be a compatible use at this particular location and because the proposed use involved outside activity which was in violation of the criteria set forth under the C-D zoning regulations.</del>  |  |  |
| <del>PROTESTS: 15</del>  |  |  |
| <del>I. TENTATIVE MAP - STEWART PLACE UNITS 3, 4 &amp; 5</del>   | <del>Approved as recommended by<br/>           Planning Comm.<br/>           Lurie - Unanimous</del>   | <del>Clerk to Notify<br/>           Director<br/>           Authorized<br/>           to Proceed</del> |
| <del>Property generally located on the south side of Stewart Avenue, between Lamb Boulevard and Marion Street, R-1 zone.</del>   |  |  |
| <del>Owner: First Western Savings<br/>           Subdivider: Dasco, Inc.<br/>           No. of Acres: 45.7 No. of Lots: 207</del>  |  |  |
| <del>The Planning Commission unanimously recommends APPROVAL subject to the following conditions:</del>  |  |  |
| <del>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.</del> |  |  |
| <del>2. The stub street between Lot 1, Block 9 and Lot 11, Block 8 to be 60 ft. in width.</del>  |  |  |
| <del>3. That there be a redesign of the lot lines of the cul-de-sac in Block 4, and if necessary, a redesign of the property on the east side of Marion if it is determined that the proposed park site will incorporate any of the property in this tentative map.</del>  |  |  |
| <del>4. Street names shall be provided in accord with the City's Street Name Policy.</del>   |  |  |
| <del>5. Subject to all conditions of City departments and State Subdivision Statutes.</del>  |  |  |

APPEAL FILED BY SIDNEY M. LEDERMAN on application of  
GAROLD GARDNER -- V-103-76

Mayor Briare: This is the time now for the public hearing on an appeal filed by Sidney Lederman on the application of Garold Gardner. Is Sidney Lederman here?

Mr. Sidney Lederman indicated he was present.

Mr. Saylor: This involves the property out on West Charleston, on the north side of West Charleston. This is the lot in question between Cashman and Campbell. This is the plot plan of the property. It had some units on it when the C-D zoning was approved. The front building was changed to a commercial use. Mr. Lederman is asking permission to occupy the rear building which is quite secluded from the front as his residence, and under the provisions of the C-D zoning, of course, no residential occupancy is allowed. That's why he applied for a variance. The Board of Zoning Adjustment denied that application and he has appealed to you. There were two protests at the BZA meeting.

Commissioner Leavitt: May I ask a clarification. In effect, he wants to have his residence in the C-D zone?

Mr. Saylor: Right, he wants to live on the property.

Mayor Briare: Where do you live now, Mr. Lederman?

Mr. Lederman: In Charleston Heights. I live west of Decatur. In October, I appeared before this Board and we went through all the procedures we had to go through and at that particular time, the Board approved my living on the rear of that property because they had excluded the back end of it since that house sits back 170' off the street. It is not even seen from the street. That was in October. Then I proceeded to spend money improving the property, blacktopping and planting, and running sprinklers, and new roofs and all of that, and then in December, I received a letter from the Commission saying that I was not allowed to do this. I already had done everything that I was supposed to have done according to the rules and regulations, or whatever was required by the City Commission or the Department of Building and Safety. I appeared before the Variance Committee because they told me I would have to apply for a variance, which I did and then I found because there were two objections to that, at that particular time, one was Mr. Christensen who owns a piece of property on the corner and somebody by the name of Payne. I have here a petition which was signed now by Ms. Payne which the Board is welcome to look at that they have no objection whatsoever to me living there, and Mrs. Payne who had signed that objection, deposition, said that she did not previously understand the facts that the home was to be used personally by Mr. and Mrs. Lederman. Then, there is another property owner which is across the street, which is Hanley, they own the property right directly across the street. They have signed this petition. They have no objections to me living there. One of the nicest pieces of property on the street, one of the most improved pieces of property on the street is a piece of property which is owned by Mrs. Gann which is Blanda's Beauty Shop which is probably the nicest piece of improvement on all of Charleston Boulevard. Mrs. Gann was supposed to have been here this morning. She said she had no objection whatsoever to me living across the street. As a matter

of fact, she was tickled to death that I had bought the property and she was glad that whoever was there was not there anymore. I have pictures of both sides of the street. I have pictures of the rear of the property, which the Board is perfectly welcome to look at, and see just what the rear of this is and why I would like to live back there.

Mayor Briare: The back part of the house is a swimming pool?

Mr. Lederman: Swimming pool and a house. The only way this property can be... The house sets 170' back of the road. The only thing is that with the improvements, there are only three people that have really improved that property on that particular street, and that is the Custom Leather Shop, myself and Blanda's. The other people that are residents that live there take care of their property. There is a piece of property owned by Herbst. Tom Weisner owns a piece of property. I have not been able to get ahold of him.

Commissioner Lurie: He was in touch with us protesting.

Mayor Briare: Mr. Saylor, when you discussed the types of things Mr. Lederman is trying to do... Generally, under planning matters, Mr. Saylor, in the instance of a situation like Mr. Lederman has what is the objection to allowing a person to live there. I can understand generally you don't want to have residential use in a commercial area.

Mr. Saylor: That's a general philosophy.

Mayor Briare: All of these buildings at least for several years were approved or disapproved on a one to one basis. Each application came in separately and distinctly. Of course, when you asked to have this zoned, when you asked for the variance in the first place, you weren't living there at the time.

Mr. Lederman: No. I could not live there at the time.

Mayor Briare: Generally, Don, what is the objection?

Mr. Saylor: That overall philosophy of not mixing uses. The other one is in connection with the C-D zone, we hope that eventually all of the property will be redeveloped rather than the conversion of houses into commercial, like some of it further east has been done and we feel that the mixed occupancy may prolong that possibility. On the other hand, we have got to say to you, of course, the variance is for the express purpose of looking at each individual situation on its own merits.

Commissioner Lurie: Why can't you divide the property in two, build a wall across the property, with an entrance going back to the residence, have the front part C-D and the back part R-1.

Mr. Saylor: We have looked into that possibility. When he first made his application, but you can't do that type of thing. In other words a residential lot has to have a certain amount of frontage on the street and there is no way that could be done in this case. In other words, if the rear part were kept under the residential zone he would have to have 65' or whatever frontage on the street. There wasn't any way to work that. We thought that would be a way to go.

Mayor Briare: Mr. Lederman, you, yourself intend to live there.

Mr. Lederman: Just my wife and me. There are people living there that are not moving from that location for a long, long time. The Hanleys have small children. I spoke to them yesterday. They are going to be there twenty years before their kids grow up before they move out of there.

Mayor Briare: My personal opinion, Mr. Commissioners, is that there is no harm done here; however, I can understand the general philosophy as Mr. Saylor has just pointed out. It is probably totally illegal, but I know that I would be sympathetic to put in the restriction that as long as the Lederman's, since they are the owners of the property, as long as they live there, but if they should want to rent it out to somebody or if they should sell the property or something like that. If there should be consideration of this application, Mr. Koch, is that a possible condition to put on it, it can only be used for residential purposes by Mr. and Mrs. Lederman?

Mr. Lederman: That is exactly what was approved.

Mayor Briare: Yes, but you know that was done in error.

Mr. Lederman: The application proposed by the applicant to be for his tenure. Tenure can have many meanings. I would not have spent all the money.

Mr. Koch: I really can't do it offhand. I'll be happy to check it out in five minutes if you would like.

Mr. Saylor: To a variance you can apply it specifically to a person. In this case you could apply it just to Mr. Lederman's occupancy.

Mayor Briare: Any other questions or comments?

Commissioner Christensen: I would like to ask a couple of questions of Mr. Saylor. That property backs up to the homes that front on Hastings. All those people were notified of this, right?

Mr. Saylor: Of the variance, right.

Commissioner Christensen: And you didn't get any protests from them. The people you got the protests from were south of Charleston.

Mr. Saylor: One was in the C-D zone here and Mr. Christensen owns a vacant piece on the south side of Charleston.

Commissioner Christensen: Is that C.K. Christensen.

Mr. Lederman: You will have to excuse me, Commissioner. I asked him if he was related to you and he said no, I am one of the poor Christensens. All that I know is that he owns half of Charleston Boulevard. He's a very fine gentleman. As a matter of fact, I quote when we left here after the meeting, he did say, he and his wife, "I will admit you have improved the property but if we let you move in here, then we'll have a bunch of wormy people moving in." Well, \$100,000 is not a wormy person.

Mayor Briare: Is there anyone else who wishes to appear on this application?

(No response)

Mayor Briare: Then, we'll declare the public hearing closed, and ask what the pleasure of the Board is.

Commissioner Christensen: This is a classic example

of what the variance is for because the normal situation is no residence in a C-D zone, and this is the prime reason we have a variance to get around these things. It is interesting to me that the people who are living around his residence don't really care because they were all notified and there was no protest. The only protest is from the south side of the street where they don't really know whether there is a residence back there or not because they can't see it. Under the circumstances, since the people that are most closely affected are not objecting to it, I see no reason why we should object to it, if we put the condition on that you suggested, that it be for Mr. Lederman only, and that once Mr. Lederman's residence ceases that that variance is quashed, I would move that we grant it on that basis.

MOTION

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

Motion carried by the following vote:  
Commissioner Christensen, Lurie and  
Leavitt voting aye; Commissioner Woofter  
voted "no", Mayor Briare abstained.

Mr. Saylor: This involves the property at the southwest corner of Charleston and Rancho and the proposed child care facility. You will remember it was before you at your last meeting for a reinstatement of the C-D zoning. At that time, the owners' representative indicated they had no specific use. The plot plan for the proposed nursery has gone to the Planning Commission. They have recommended denial. It is essentially the same operation that was before you previously. There were some 15 protests, both in writing and some in attendance at the Planning Commission meeting.

Mayor Briare: I believe the Commission is probably aware, and they recall many of the arguments both for and against this particular project. Mr. Saylor, are we in the proper legal posture because of the argument we had at the last meeting as to what specific action was to be taken. There seemed to be an argument as to what day of the week it occurred, or it expired.

Mr. Saylor: The previous actions on granting the variance are null and void according to the attorney. So, the procedure being followed now; first of all, you reinstated the zoning at the last meeting. This is permission to have the child care facility at this location, but again because of the C-D zoning requirement of no outside activity, if you approve this action today, they will then file an application for a variance to have the outside activity. That will have to go before the Board of Zoning Adjustment and to this Board if appealed.

Mayor Briare: Any other questions? Mr. Vause, Mr. Hamilton, are you going to make any comments that would serve your application.

Gary Vause, 3221 Burton Avenue, Las Vegas, Nevada: I am here today with my partner, Don Hamilton. We are also representing the applicant, First Federal Savings and Loan. I know your time is valuable and you have a lengthy agenda. We have been before this Board now four times and each time you have approved this facility and this use. It was through a fluke, a technicality in the law or however you wish to explain it, that you acted on the last part of the zoning and the previous resolution of intent to rezone to C-D had expired. I would be happy to answer any of your questions, or I am prepared to make a presentation, but I think for the sake of brevity, knowing that there are people in attendance who wish to speak, I will be happy to defer until they have to answering your questions.

Mayor Briare: Are there any questions?

(No response)

Mr. Vause: I would like to point out that every specific objection or question that was posed, we answered and we answered in great detail.

Mayor Briare: Is there anyone in the audience that wishes to speak in opposition to this application?

Michael Kirch, 2324 Sherman Place: I have been before you before. I just want to reiterate a couple of very small points. This is not a vindictive protest by the property owners of the area. To a man, all 15 of the property owners, both on Charleston and Sherman Place, do not want and have signed a petition and protest against this particular request. The

original request that went through by the Savings and Loan to amend was approved for a Savings and Loan by the people of the area. In the same situation, Planning Commission has totally requested that this be turned down because this particular business is not compatible to the neighborhood. We are talking about tax dollars of residents. Property values range between \$70,000 and \$100,000 a piece on homes. On that particular street, the property values are in excess of \$100,000 and we have 15 protests of individuals that own property between \$70,000 and \$100,000 plus.

Commissioner Woofter: I have one question at this present time. A legal thinking, in the respect that I think, Mr. Chadburn, that there is a suit pending against the Board in regards to this rezoning.

Mr. Chadburn: That's been dismissed.

Mike Chadburn, 2318 Sherman Place: I live directly in the rear of this property. I have additional authorization from four additional property owners. I think we must address ourselves to the C-D zoning. This business is not compatible with C-D zoning. There are, as Mr. Kirch stated, \$100,000 homes in that area. Unfortunately, mine isn't one of them. But, roughly a half a block away, \$100,000 homes. The businesses along Charleston, along that part of it, are keeping up with the C-D, are compatible with that area. The plot plan includes a play area which is outside activity which is not with C-D zoning. The plot plan does not have enough parking for this facility. It has spaces for 11 people and with 100 children in that day care facility, you have to have one instructor for the first 20, an additional instructor for the next each 15. There's going to be offices upstairs. That's additional parking. We've been told that the people have to come in and stop and physically take their children to the door. There isn't enough room on that lot. The traffic flow, to get in and off, it just isn't feasible. The C-D zoning is a specific designed zoning to protect the property owner, to protect the nice commercial, designed commercial area. This day care facility doesn't fit in. An attractive financial deal shouldn't be basis to overturn a zoning matter. These people that have protested are long time residents of Las Vegas. One of them sat on the Planning Commission at one time. They have helped Las Vegas, they have watched it grow, they've planned, and they have assisted the City fathers right down the line. It's gone before Planning, the people that you recommended to assist you to decide these matters. It was denied. It went before Zoning Adjustment to see if in fact the outside play area would be compatible. It was denied. It was so-called a fluke that it was overturned. Unfortunately, it was distasteful, but a law suit had to bring that on, and I question whether the property owners rights would have been upheld if the law suit hadn't been filed, which has since been dismissed. Now we are back to Planning again, and Planning Commission unanimously denied this request. I would certainly ask you, Commissioners, to take into consideration the property owners, and the recommendations of your own people that you have chosen to assist you in this matter and uphold the denial of this plot plan.

Mayor Briare: Thank you, Mr. Chadburn. Are there any questions from the Commission from Mr. Chadburn? Anyone else wish to speak?

Richard Baughman: I own property just adjacent to there, 2325 West Charleston. At one time, I and my

partner owned that property. We sold it after looking around for several uses for it. To be honest with you, there were very few uses that could be used on that property that we could see that would be compatible to the property and the properties in the immediate area. We were approached by the Savings and Loan Association. It did look like it was a good compatible use for the C-D zone in that area. We contacted the property owners and they said they didn't have any problems with that. We went ahead and filed for C-D zoning for a proper use in that area. Now, these property owners want to change that use. The C-D zoning that will now be used is going to have to come up for a variance in order to put on the child care center. We don't think that is going to be appropriate. Whatever you approve today is going to have to come back before you for additional variances and I can't see where that would be really a hardship which I think a variance is required for unusual situations or a hardship. I don't think what they are asking today you can see right in the immediate future they are going to have problems with it.

Commissioner Christensen: Is your house the one just west of this piece of property?

Mr. Baughman: It's two doors to the west.

Mayor Briare: Mr. Vause, you indicated that you had responded to every objection that was put forth. Did you wish now to make any response to Mr. Chadburn's list of objections.

Mr. Vause: I can, first of all, the 100 kids, 100 children, at the last meeting of Planning. Incidentally, Planning staff recommended approval. They asked me how many children and I said 100. I can't say really how many there would be. I didn't want to say some figure like 80 and have the particular party who sued the City come back and sue me because the license is for 81. It is designed for 100 or whatever number is allowed under the law. As you know, your City license inspector will come in, measure the play area and the inside area, and make a determination according to the provision of law as to how many we could be licensed for. It very possibly could end up that we would be licensed for somewhere between 80 and 100. It is my understanding that it probably will be less than 100. That's where the 100 children came from. I can well appreciate there is a lot of high emotions running from the people that live nearby, especially if they are not familiar with our business. As you recall, we discussed this, I thought, in great detail at our previous meeting before this same City Council. Unfortunately, if the zoning at the Planning Commission meeting where this zoning was considered, the chairman made a statement that to me automatically showed his position that he was prejudiced against us, because he used the example "100 children, why that would be a terrible traffic jam." He said, "Why, I take my daughters to dancing class and there are only 30 kids, and there is a traffic jam there." I would agree that that would be so, if you in fact had 100 kids or something similar to that, there at the same time. If you recall, back on the sign-in sheets at our school, the Las Verdes School, which is on the corner of Las Verdes and El Camino, just a half a block from Sahara, I told you the habits of our parents. They don't all come at the same time. For instance, from 6:30 and 7:00 a.m. five students; between 7:00 and 7:30, an additional 12; between 7:30 and 8:00 an additional 24; between 8:00 and 8:30, an additional 14; between 8:30 and 9:00, an additional 14; between 9:00 and 9:30, five; between 9:30 and 10:00, 12. There is no way, that in the wildest stretch of your imagina-

tion, could you construe there to be, approximately every other minute or two every three minutes, that there would be a traffic jam there. I have heard the loose use of measurement and somewhere somebody, made some sort of a representation that there were 18', for the life of me I don't know what he was talking about. However, I went out and measured the front of our Las Verdes school and as I figure it, maybe Mr. Saylor can help, that building in that setback of 10', is that 52'?

Mr. Saylor: Are you talking about the setback from Charleston?

Mr. Vause: No, from the west property line.

Mr. Saylor: It is 10' on the plot plan from the building to the property line.

Mr. Vause: Ok, the building and the setback, is that 52'?

Mr. Saylor: It is either 52' plus 10 or 52' is the entire dimension.

Mr. Vause: That would leave 38', correct. Then what's the setback here?

(Inaudible)

Mr. Vause: We have almost the same situation as the Las Verdes school except we have fewer parking spaces. As you know, the Camelot Health Spa came and we used to have the whole parking lot, and they came and fenced off all the additional parking so that now we have approximately the same situation, except two fewer parking spaces and an easement that runs along the side. I sat out there and watched the cars. They don't usually park in the parking spaces. You can tell them to, you can put signs up, but they are going to pull up in front, jump out, take their children in, they're going to pull out. I have yet to see more than six to eight cars there at the same time, and I would swear to that in a court of law, that that is a true statement. So, the reason I bring this up is to point out that there is not a traffic jam created by us. If there is a traffic jam, it already exists, we're no part of it. I do agree that that's a busy street and it's a busy intersection. That's why it has been considered before for such things as a 7-Eleven Store, a Service Station, and other higher commercial uses. I think we all would agree that it will never be a residence. Briefly, we can see that there are \$100,000 homes four houses away, I don't see where we are going to interfere with their enjoyment of their homes whatsoever. Let me tell you something, at 7:00 in the evening, this was back last fall, I stood there across the street and talked to a resident, who is also C-D zoned, maybe it isn't. We were standing out front while he watered his yard and we could not carry on a conversation at 7:00 in the evening because of the noise of the traffic. I have stood across the street from our school, and you can hear the children, but it is nowhere near the volume of that traffic, believe me. Incidentally, we did submit a letter to you at one of the previous hearings from your own Child Welfare Officer that said we never had, he'd never received a complaint from any of the neighbors about our activities or the operation of our school. I heard this talk about the long-time residents, and I appreciate that, but I'm a long time resident too, and I would like to point out I'm not a Johnny-Come-Lately. I've lived here all my life; I've been in business

here since I graduated from college, and my father was here before me, and I consider myself to be an asset to this community; I've worked very hard in the community. I have worked in a lot of charitable organizations, and so on and so forth. There is not enough room... That was the specific objection I just heard. I suppose we answered it. The question about the protesters, if you recall, one of the comments that was made initially when we appeared before you, go talk to the neighbors. My partner and I went out, I believe it was an August after, it was 113 degrees out and we walked up and down Charleston and the street that abuts it, Sherman Place, and we knocked on doors and we talked to every resident that was there. We could not find one resident who was opposed to it. Granted, somebody comes along who lives in the neighborhood who says we don't want this do we, and they'll sign a petition because they don't want to be bad neighbors. I know that that occurs and I know that that happens and there was a school teacher who was outside who said he had no objection. Now, whether he has subsequently signed a petition or not, I don't know. Mr. Hansen who owns the clothing store said he had no objection. He lived closer to it than some of the protesters that were signed on the petition. There was a house that was close by that had house-sitters in it and then the lady next door, directly next door said put anything you want in there, and she subsequently changed her mind.

Mayor Briare: Let's don't get into a situation where they say it is, and you say it isn't. They've gathered names on petitions. Any questions by the Commission? What's the pleasure of the Board?

Commissioner Woofter: I have a couple of comments. I think everybody in the audience, as well as the Commission, has to agree with one of Mr. Vause's statement, that is definitely going to be commercial. No regree to go back into residential area, as far as this particular corner. I have had certain reservations in the past in regards to in regards to the traffic situation, and I still do, and I am a little bit concerned in that regard. Supposedly, from what Mr. Vause said, it shouldn't create an increase. I can see with the plans that we've already seen that were submitted to us, that this certainly would be more of an asset than another service station complex, or a 7-Eleven on down the line, which would really I believe create much more of a traffic hazard. Assuming them, and like Mr. Vause says, I am well acquainted with them and well acquainted with Mr. Chadburn, I certainly have had a lot of, like I say, reservation, but if they say, and they've been in business for a long time in the community that they can definitely create an asset for that corner, I have to go along with their reassurance because I can see a lot more of a liability being placed on that corner than the proposed child care center. Therefore, I make a motion to approve the application.

MOTION

Mayor Briare: Motion is to approve. Are there any comments on the motion. The motion is to approve the plot plan.

Commissioner Lurie: I have a question concerning the applicants. The last time it was before us, I voted against it, not because of the applicants, or the integrity of operating a child care facility, I'm in favor of child care facilities, I believe that we need child care facilities. I feel they picked a bad location. Mr. Vause's statements about traffic, he is comparing apples to oranges in mentioning the Las Verdes location to the Charleston location. I think it is a dangerous corner for persons trying to enter

that location or leaving the location and my vote is going to be no based on the fact that I believe it is going to be a serious problem for the City if this matter is approved for the traffic. Between 7:00 and 9:00 that is one of the busiest intersections in the City and I think we are going to create a real problem by having this application approved.

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

Motion carried by the following vote:  
Commissioners Woofter, Leavitt and Christensen voting aye; Commissioner Lurie and Mayor Briare voting "no".

Mayor Briare: Before we go on to the next item, we are very pleased to have with us this morning, gentlemen of the Commission and ladies and gentlemen, some very nice people who are visiting our community called "Up with People". You can't get a better name like that, especially when you come to a civic meeting such as we are having right now. I would like to ask if Sherry Mealhow would be kind enough to come forward. Sherry, I am going to call on you to introduce the members of your group that are here, and if you would, because I know that you are going to do it a lot better than I, if you would tell us a little bit about your people.

Sherry Mealhow: First of all, I would like to introduce our cast director for Cast D which is one out of six casts now travelling international. This is Mr. Jean Roach from Riverside, California. We do have with us several other cast members from various parts of the country and the world. I will attempt to introduce them; perhaps Mr. Roach will be able to help me. First of all, we have Vicki Spencer, Tom Bodoff, Pat Walsh, Stephanie Scott, Steve Barton, Ann Beddick, and Moe Copenrack. Basically, you said you were interested in a little bit of background on Up with People. Up with People is a non-profit educational organization which travels throughout the world giving a two hour musical. We were here in Las Vegas last year at the Convention Center and this year we are performing in Henderson this evening. So, basically we thought we would come down, introduce ourselves to you, perhaps get to know you a little bit better, and also we would like to present the Mayor with our album and our program. I also have a pin I would like to present to you.

Mr. Roach: Also, for the other elected members of the City government, we would like to invite you the performance tonight, and we will have two tickets for each of the nine of you of the elected officials, which includes the judges and a few other folks, all together. For the nine of you, there will be two tickets each waiting at the door and we would invite you to come.

Ms. Mealhow: The show time is at 7:30 so we'll be waiting for you all at the Henderson Civic Center.

Mayor Briare: How long are you going to be here in town?

Ms. Mealhow: We're leaving Friday morning for our next City which is Kingman.

Mayor Briare: Have you been enjoying Las Vegas.

Ms. Mealhow: Very much.

Mr. Roach: A little too much for my financial account.

Mayor Briare: Well, you can always look at it this way, Gene. You didn't lose any money, you just left it on deposit with us. You are welcome to come back any time and either add to or withdraw from. Sherry, thank you so much and Gene, and you fine performers, I'm sorry if we had a little better control of the lighting system around here, we would have put the spotlight where it properly should be. It's awfully nice to have you here. I hope that you can come back. I know that we have one Las Vegas that is privileged to be in one of your groups. Judy Gilday is in another group over in Canada.

Ms. Mealhow: The last I heard they were in New Mexico. We also had two young people from Las Vegas last year I traveled with.

Mayor Briare: Thank you very much. You certainly are good will ambassadors for your organization and we are delighted to have you here. Thank you for the pin and the record. Are there any questions you might have?

Tom Bodoff: I notice this morning you were discussing some problems on zoning. Do you have problems with the gambling.

Mayor Briare: Tom, we don't get involved so much in gaming, except as you heard us going through rather rapidly on a portion of the agenda, that dealt with the adding slot machines, and changing names, and so forth. Because, there are very stringent rules in the State of Nevada. We couldn't make them any more strict than what they already are, and that's primarily controlled by the State Gaming Commission and also the Gaming Control Board. It is an echelon in government different from City government. However, we are very interested in the preservation of all the requirements that are necessary to be in the gambling business, so you might say it this way, that they are severely restricted in their freedom of operation, because it is a sensitive type business; it's very important to our economy and they are watched very carefully.

Mr. Bodoff: Are the gentlemen who serve on the Gaming Commission elected officials?

Mayor Briare: No, they are appointed by the Governor. The State Gaming Commission and the Gaming Control Board. They are appointive positions as opposed to elected. Could you tell us where you are all from?

Vicki Spencer: I'm from Billings, Montana.

Tom Bodoff: \_\_\_\_\_, Minnesota.

Pat Walsh: Philadelphia, Pennsylvania.

Stephanie Scott: Ambler, Pennsylvania.

Steve Barton: Boston, Massachusetts.

Ann Beddick: The Phillipines.

Moe Copenrack: Napa, California.

Gene Roach: Riverside, California.

Mayor Briare: Is there any truth to the rumor that because of the light rainfall this year, that the wine crop is going to be not so good?

(Inaudible)

Commissioner Lurie: Las Vegas don't have to worry. Wonder World Liquor is well supplied.

Mayor Briare: Sometimes on meetings such as we have before the City Commission, you can tell by the size of this Chambers, that sometimes we have a lot of people here. Other times, depending on what kind of agenda and what matters to be discussed, we might not have as big a crowd. I'm kind of sorry that we didn't have something that would have been of more interest to the citizens, because I know they would have been very happy to be here so that they too could have had the privilege of meeting you young people. Lots of good luck to you.

TENTATIVE MAP  
STEWART PLACE  
UNITS 3, 4, 5  
Approved

Mr. Saylor: This is part of the general area we discussed with you previously when they asked for the zone change. It is the development of property west of Marion. Three units, 3, 4 and 5. The proposed park site we are talking about would be east of Marion. It doesn't fall within this particular segment. Planning Commission recommends approval subject to the conditions set forth on the agenda. There is a little over 200 lots involved in this unit.

Commissioner Leavitt: I move for approval of this application.

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

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

See Page 53 of these Minutes - Annotated  
Agenda for conditions.

TENTATIVE MAP  
WOODLAND HILLS  
(REVISED)  
Approved

Mr. Saylor: Planning Commission has recommended approval subject to the conditions on the agenda. It's for 140 lots. This is the parcel located east of the Muni golf course, that vacant piece.

Commissioner Lurie: Does that wall go along Washington? I thought at one time there were cul-de-sacs there. Did they change the design?

Mr. Saylor: This is Washington, Commissioner, and there is one cul-de-sac coming off. All of the lots side on, with the exception of this one.

Commissioner Lurie: I move for approval of the tentative map.

Mayor Briare: Any comments or questions? Cast your votes. Motion is approved.

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

See Page 54 of these Minutes - Annotated  
Agenda for conditions.

Z-100-64  
Approved

PLOT PLAN REVIEW - EARL E. RUSSELL

Mr. Saylor: This is property located in the downtown area under the general resolution of intent. Plot plan is in order. Planning Commission recommends approval.

Commissioner Lurie: Move for approval.

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

Motion carried by the following vote:

| ITEM  | Commission Action  | Department Action  |
|---|--|--|
| <p>I-(i) DEPARTMENT OF COMMUNITY PLANNING &amp; DEVELOPMENT<br/>           CONTINUED</p>  |  |  |
| <p><del>Item "G" (CV-1-74) continued . . .</del></p> <p>2. Approval of the temporary trailer to be reviewed in conjunction with the annual status review to be conducted by the City Commission on October 19, 1977.</p>  | <p>See Page 20</p>   |  |
| <p>H. <u>PLOT PLAN REVIEW - Z-30-75 - FIRST FEDERAL SAVINGS OF NEVADA (GARY VAUSE)</u></p> <p>Plot Plan Review to allow a child care facility at the southwest corner of West Charleston Boulevard and Rancho, C-D zone.</p> <p>Planning Commission unanimously recommends DENIAL because they felt the proposed child care facility would not be a compatible use at this particular location and because the proposed use involved outside activity which was in violation of the criteria set forth under the C-D zoning regulations.</p> <p style="text-align: center;">PROTESTS: 15</p>  | <p>Approved subject to Conditions<br/>           Woofter<br/>           Commissioner Lurie<br/>           and Mayor Briare<br/>           voted "no"</p> | <p>Clerk to Notify<br/>           Director<br/>           Authorized<br/>           to Proceed</p>   |
| <p>I. <u>TENTATIVE MAP - STEWART PLACE UNITS 3, 4 &amp; 5</u></p> <p>Property generally located on the south side of Stewart Avenue, between Lamb Boulevard and Marion Street, R-1 zone.<br/>           Owner: First Western Savings<br/>           Subdivider: Dasco, Inc.<br/>           No. of Acres: 45.7      No. of Lots: 207</p> <p>The Planning Commission unanimously recommends APPROVAL subject to the following conditions:</p> <ol style="list-style-type: none"> <li>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.</li> <li>The stub street between Lot 1, Block 9 and Lot 11, Block 8 to be 60 ft. in width.</li> <li>That there be a redesign of the lot lines of the cul-de-sac in Block 4, and if necessary, a redesign of the property on the east side of Marion if it is determined that the proposed park site will incorporate any of the property in this tentative map.</li> <li>Street names shall be provided in accord with the City's Street Name Policy.</li> <li>Subject to all conditions of City departments and State Subdivision Statutes.</li> </ol> | <p>Approved as recommended by Planning Comm.<br/>           Lurie - Unanimous</p>  | <p>Clerk to Notify<br/>           Director<br/>           Authorized<br/>           to Proceed</p> <p style="text-align: right;">Page 53<br/>           Minutes<br/>           City Commission<br/>           Regular Meeting<br/>           March 2, 1977</p> |

ITEM

Commission Action

Department Action

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

J. TENTATIVE MAP - WOODLAND HILLS (REVISED)

Property generally located east of the Municipal Golf Course, between Vegas Drive and Washington Avenue, R-1 zone.

Owner: Harold & Mary Shydler

Subdivider: Crestmont Corporation

No. of Acres: 39.2+ No. of Lots: 140

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. Minor redesign of Lot 8, Block 4.
3. Redesign of Cresthill Court to provide for 51 ft. dedication at the north end abutting the parcel labeled "not a part".
4. Redesign of the Oaktree Lane/Briarglen Lane intersection and the intersection of Briarglen Lane/Woodbridge Drive to the satisfaction of City requirements.
5. Provide a 25 ft. radius on Lot 7, Block 4.
6. Street names shall be provided in accord with the City's Street Name Policy.
7. Subject to all conditions of City departments and State Subdivision Statutes.

Approved as  
 Recommended by  
 Planning Comm.  
 Lurie - Unanimous

Clerk to Notify  
 Director  
 Authorized  
 to Proceed

~~K. PLOT PLAN REVIEW - Z-100-64 - EARL E. RUSSELL~~

~~Property located at the southwest corner of Garces Street and 4th Street (under ROI to C-2) to allow the existing buildings to be converted to offices.~~

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

- ~~1. 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.~~

~~Approved as  
 recommended by  
 Planning Comm.  
 Lurie - Unanimous~~

~~Same as above~~

Commissioners Lurie, Leavitt, Christensen, Woofter, and Mayor Briare voting aye; noes, none.

See Pages 56 and 57 of these Minutes - Annotated Agenda for conditions.

Z-36-75  
Approved

REINSTATEMENT - B. V. PROVENZANO, PARKCHESTER ESTATES #4

AND  
TENTATIVE MAP  
PARKCHESTER  
ESTATES #4  
Approved

Mr. Saylor: The next item involves a subdivision and the reinstatement of zoning for Mr. Provenzano in connection with the Parkchester estates out on West Vegas Drive. You can see the property on the screen. The strip there that he has applied for R-1 zoning on; however, the approval was only for the southern part of it. That has expired. He has asked for reinstatement of it to allow a subdivision. The Parkchester Estates is immediately to the east and then there is vacant R-3 and commercial, and further up there is apartments. It includes the south little over 400 feet of this strip. Six lots are involved on each side of the street. The reason why it was amended to that only southern portion, there are some problems in terms of circulation and drainage further north. Planning Commission has recommended approval of the reinstatement and of the tentative map of these lots. If you do approve it, we would like that 410 removed and deal with the six lot depth rather than getting that precise with it.

Mayor Briare: There were no problems in the beginning?

Mr. Saylor: No.

Commissioner Christensen: Mr. Saylor, isn't this the one that we had a problem with the off-sites at one time?

Mr. Saylor: I don't believe so. I think it was one of the other developments.

Commissioner Christensen: It's the same developer, though, and we had a problem with the off-sites and had to foreclose, pick up the bond, or something, do the off-sites ourselves. There is something in my mind about that, and I'm trying to recall it. It had to do with an R-PD development, if I recall.

Mr. Saylor: The R-PD is the property to the north. We have quite a few problems on that in connection with that development which never really got off the ground. I don't know, Commissioner, if we ever did get to the point of asking performance on the bond or not.

Deborah Elliot: I'm a local realtor here for 17 years. I happen to live in Parkchester estates. I am aware of the property that lies behind which did have problems before and it is a stagnation and it does look very bad back there. It looks more like tenements across from Stonehaven. It wouldn't affect me, I'm really not against condominiums, but possibly the construction of them, what they will look like, because once they are on where those cul-de-sacs back in there are, are like eyesores. They look like tenement houses.

Commissioner Christensen: This is R-1 zoning in this particular piece.

Mr. Saylor: The R-PD is farther to the north. That is not a part of the application at all. These are going to be single family homes.

Ms. Elliot: I know that property in question, because I had it listed when Mr. Provenzano purchased the property, and there was a drainage problem there. My

ITEM Commission Action Department Action

I-(4) DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT  
 CONTINUED

J. TENTATIVE MAP - WOODLAND HILLS (REVISED)

Property generally located east of the Municipal Golf Course, between Vegas Drive and Washington Avenue, R-1 zone.  
 Owner: Harold & Mary Shydler  
 Subdivider: Crestmont Corporation  
 No. of Acres: 39.2+ No. of Lots: 140

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. Minor redesign of Lot 8, Block 4.
3. Redesign of Cresthill Court to provide for 51 ft. dedication at the north end abutting the parcel labeled "not a part".
4. Redesign of the Oaktree Lane/Briarglen Lane intersection and the intersection of Briarglen Lane/Woodbridge Drive to the satisfaction of City requirements.
5. Provide a 25 ft. radius on Lot 7, Block 4.
6. Street names shall be provided in accord with the City's Street Name Policy.
7. Subject to all conditions of City departments and State Subdivision Statutes.

Approved as Recommended by Planning Comm. Lurie - Unanimous

Clerk to Notify Director Authorized to Proceed

K. PLOT PLAN REVIEW - Z-100-64 - EARL E. RUSSELL

Property located at the southwest corner of Garces Street and 4th Street (under ROI to C-2) to allow the existing buildings to be converted to offices.

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

1. 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.

Approved as recommended by Planning Comm. Lurie - Unanimous

Same as above

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 March 2, 1977

ITEM

Commission Action

Department Action

I-(4) DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT  
 CONTINUED

Z-100-64 continued . . .

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

See Page 22

L. REINSTATEMENT - Z-36-75 - B. V. PROVENZANO, PARKCHESTER ESTATES #4

Reinstatement of property generally located on the north side of Vegas Drive, between Decatur Boulevard and Stonehaven Drive to R-1 zoning.

Original Approval: 10-1-75  
 No previous extensions

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

1. Extension of time to be for a period of one year on the Resolution of Intent.
2. Subject to all conditions of approval under the original approval of Z-36-75.

Approved as recommended by Planning Commission except Condition #2 on initial approval of Z-36-75 which shall be amended to include the word "approximately" preceding the 410' Lurie - Unanimous

Clerk to Notify  
 Director  
 Authorized  
 to Proceed

M. TENTATIVE MAP - PARKCHESTER ESTATES #4

Property generally located on the north side of Vegas Drive, between Decatur Boulevard and Stonehaven Drive.

Owner: Subdivider - Parkchester Estates, Inc.  
 No. of Lots: 12 No. of Acres: 2.83

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. Satisfaction of the requirements under the zoning application, Z-36-75.

Approved as recommended by Planning Commission  
 Lurie - Unanimous

Clerk to Notify  
 Director  
 Authorized  
 to Proceed

continued . . .

concern was mainly just to find out what type of construction was going up there.

Commissioner Lurie: I would move for approval with the recommendations that the Planning Commission set forth, and also with the recommendation of Mr. Saylor mentioned. What was that?

Mr. Saylor: Not to tie the zoning into a specific figure of 410'.

Commissioner Lurie: That would be my motion.

Mayor Briare: Mr. Saylor, Commissioner Christensen brought up a problem that existed some time back. Is it still a problem? Is it still the same developer?

Mr. Saylor: I don't know if Provenzano still has that or not.

Mr. Provenzano: No, I haven't. Home Savings.

Mayor Briare: Was the problem transferred to someone else then?

Mr. Saylor: I presume they got the property back.

Mayor Briare: The point I'm trying to get to, is if there is a problem in that area and it was caused by this developer, then it should behoove then he or someone other than the City and other than the residents that bought property there, to correct the problem. I think this is an unanswered question. If there was a subdivision bond guaranteeing certain improvements, I think it should be looked into. I don't like to go ahead and proceed with a developer to allow him to go ahead and develop, when there is problems from previous developments. Mr. Provenzano, could you enlighten us. I don't want to be pointing a finger at you unless it's in order, and if it's in order, I'll point it. What seems to be the problem?

Mr. Provenzano: There is no problem. All of the improvements were put in. We ran out of money and we couldn't go any further and I own three of the five houses we built there, which were the models. It didn't proceed any further.

Mayor Briare: I don't know if that is a satisfactory answer. Is the problem still in existence. I'm trying to determine if there is a problem, and if there is, is it still in existence.

Mr. Saylor: Larry isn't here, and I can't speak for Public Services.

Commissioner Lurie: At this time, until you can get ahold of Mr. Hampton to see if that problem has been resolved, I'll withdraw the motion.

Mayor Briare: We're going to hold this in abeyance for a minute. (Continued on Page 67)

PETITION OF VACATION - B. E. LUCAS, ET AL

Mr. Saylor: This is to set date for public hearing.

Mayor Briare: The date will be set for April 6, 1977 at 10:00 A.M.

VACANCIES ON BOARDS AND COMMISSIONS

See Page 60 of these Minutes - Annotated Agenda

Mayor Briare: Do we have any recommendation on the Senior Citizens Advisory Board. Commissioner Ron Lurie is reappointed. Mr. Martini has indicated he is not going to be able to serve another term.

Commissioner Lurie: Tom Mulroy gave us some recommendations.

Mayor Briare: Would the Board care to follow Mr. Mulroy's recommendations. If there is no objections then we will reappoint Commissioner Ron Lurie and follow the recommendations on the others. Commissioner, I think that we are all indebted to you because you have served very faithfully on that board. The way you can tell if a person serves faithfully, is if there's no flack and there certainly has been no flack on that Board. So, you must certainly must have some strong influence. We appreciate it. Just to show you how much we appreciate it, you are reappointed for another year of problems.

Commissioner Lurie: Tom Isola's appointment expires March 20, 1977.

Mayor Briare: The vacancy that would be created on the Beautification Committee by March 20, 1977, Commissioner Woofter has requested that Tom Isola be reappointed. Are there any comments? On Commissioner Woofter's recommendation, Mr. Isola is reappointed for a term on the Las Vegas Metropolitan Beautification Committee. Commissioner Lurie and I are going to bring another matter up in a few minutes, so we won't conclude our discussions on the Metropolitan Beautification Committee until a little later.

-----  
CITY ATTORNEY - CARL LOVELL, JR.

RESOLUTION  
Adopted

Mr. Koch: The first item is a resolution allowing for the addition and correction of schedules pertaining to Title X.

Commissioner Leavitt: Move for approval of the resolution.

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

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

See Page 61 of these Minutes - Resolution

RESOLUTION  
Adopted

Mayor Briare: The approval of Flamingo Road design. What's this, Mr. Adams, do you know?

Mr. Adams: This is that standard agreement with the Regional Streets and Highways. That's a direction on the Rainbow Boulevard.

Commissioner Christensen: Where does Flamingo hit the City. Is it way out west?

Mayor Briare: This is the requirement, whenever anything is done by the Regional Streets and Highway Commission, it has to be ratified by each Board.

ITEM

Commission Action

Department Action

III. VACANCIES ON BOARDS & COMMISSIONS

A. SENIOR CITIZENS ADVISORY BOARD

Terms of Office of the following members expire 3/3/77:

- 1) Walter R. Martini
- 2) Jacqueline McKinney
- 3) Joe Cordova
- 4) Commissioner Ron Lurie

NOTE: The above members were initially appointed to serve a 1-year term of office, per Ordinance No. 1809 adopted 3/3/76 creating this Board. Following this initial period, all members are to be appointed to a 3-year term of office.

Commissioner Lurie reappointed.

City Manager to Proceed

Approved motion to follow recommendations of Tom Mulroy on the remaining members

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

Terms of Office of the following members will expire as indicated:

- 1) Tom Isola 3/20/77
- 2) Bill Hardy 4/7/77
- 3) Mrs. Reese Roberts 4/7/77

Tom Isola re-appointed

Clerk to Notify

Bill Hardy and Mrs. Reese Roberts Abeyance

3/16/77 Agenda

R E S O L U T I O N

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

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

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

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

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

Las Vegas Boulevard - from Gass extending north a distance of forty-five feet (45')

Schedule 25-III, Page 47, be amended to include the following as speed limit 45 miles per hour:

Lone Mountain Road - from Rancho Drive to westerly City limits

PASSED, ADOPTED AND APPROVED this \_\_\_\_\_ day of

March, 1977.

ATTEST:

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

\_\_\_\_\_  
BETTY JO WINTER, CPS  
ASSISTANT CITY CLERK

Commissioner Lurie: Move for approval.

Mayor Briare: Comments? Cast your votes. Motion is approved, resolution is adopted.

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

(See Page 63 thru 65 of these Minutes -  
Resolution)

COOPERATIVE  
AGREEMENT NO. 70  
Approved

COOPERATIVE AGREEMENT NO. 70 COVERING THE ACQUISITION  
OF RIGHT-OF-WAY BY THE NEVADA HIGHWAY DEPARTMENT FOR  
THE CONSTRUCTION OF RAINBOW BOULEVARD BETWEEN CHARLESTON  
BOULEVARD AND SAHARA AVENUE (REGIONAL STREET AND  
HIGHWAY COMMISSION)

Commissioner Lurie: Move for approval.

Mayor Briare: Any comments on the motion? Cast your  
votes. Motion is approved, the agreement is approved.

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

BILL NO.  
77-10  
1st Reading  
& Referred

A Bill entitled: "AN ORDINANCE TO AMEND MAJOR STREET  
PLAN ADOPTED BY ORDINANCE 1537 ON OCTOBER 6, 1971, BY  
REALIGNING MARION DRIVE FROM STEWART AVENUE TO  
CHARLESTON BOULEVARD; PROVIDING OTHER MATTERS PROPERLY  
RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS  
OF ORDINANCES IN CONFLICT THERewith" was read by  
Title by Deputy City Attorney Koch.

Mayor Briare referred Bill No. 77-10 to  
a recommending committee consisting of  
Commissioner Christensen and Commissioner  
Leavitt.

Commissioner Christensen: I would like to bring some-  
thing up again in regards to these ordinances. I have  
been for four years now, 3-1/2 years now, trying to  
get some kind of a vehicle that would give us the  
origin of these bills, and I still haven't got it.  
We've gone over so many different things, and we've  
got a special sheet that's supposed to go with these  
new ordinances to indicate who asked for the ordinance  
and why. I can't understand why it's so hard to get  
that information. What I'd really like to know about  
all ordinances that are introduced is that who asked  
for them and why, because that could satisfy a lot  
of questions that you have regarding the ordinance.  
The first thing I see here is this ordinance and I  
wonder now why do we have to do that and just exactly  
what does it do. A simple explanation as requested  
by Regional Streets and Highways by Mayor Briare let's  
me know that all I have to do is ask somebody on the  
Regional Streets and Highways and they can answer my  
question about this ordinance. Without that informa-  
tion, I know nothing. It's that way with every  
ordinance we come up with, we can never seem to get  
with a copy of the ordinance, which I have here, but  
I don't have the cover sheet saying who asked for it,  
and I never get that cover sheet. I don't really need  
that cover sheet. All I want to know somewhere on here  
who asked for it and why. Two questions. Three and  
a half years I've been trying to get it. We've gone  
through umpteen different procedures and I still can't  
seem to find out who and why.

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Mayor Briare: On Ordinance 77-11, which is coming up  
next, you'll find out who and why, but on ordinance  
77-10, Mr. Adams could you respond to that and in the  
future, let's be sure that that is included on the

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

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

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

WHEREAS, the Department of Highways has proposed a new route in the county of Clark along a general alignment as shown on the map attached hereto, and more particularly described as a portion of a federal-aid urban highway known as FAU-592, Flamingo Road in Las Vegas, from Eastern Avenue easterly to U.S. 95, a distance of 2.938 miles, more or less; and

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

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

NOW THEREFORE, BE IT RESOLVED by the city commission of the city of Las Vegas, that pursuant to the said NRS 408.290 hereinbefore mentioned, approval is hereby given to the location and design of the hereinbefore-described federal-aid urban highway.

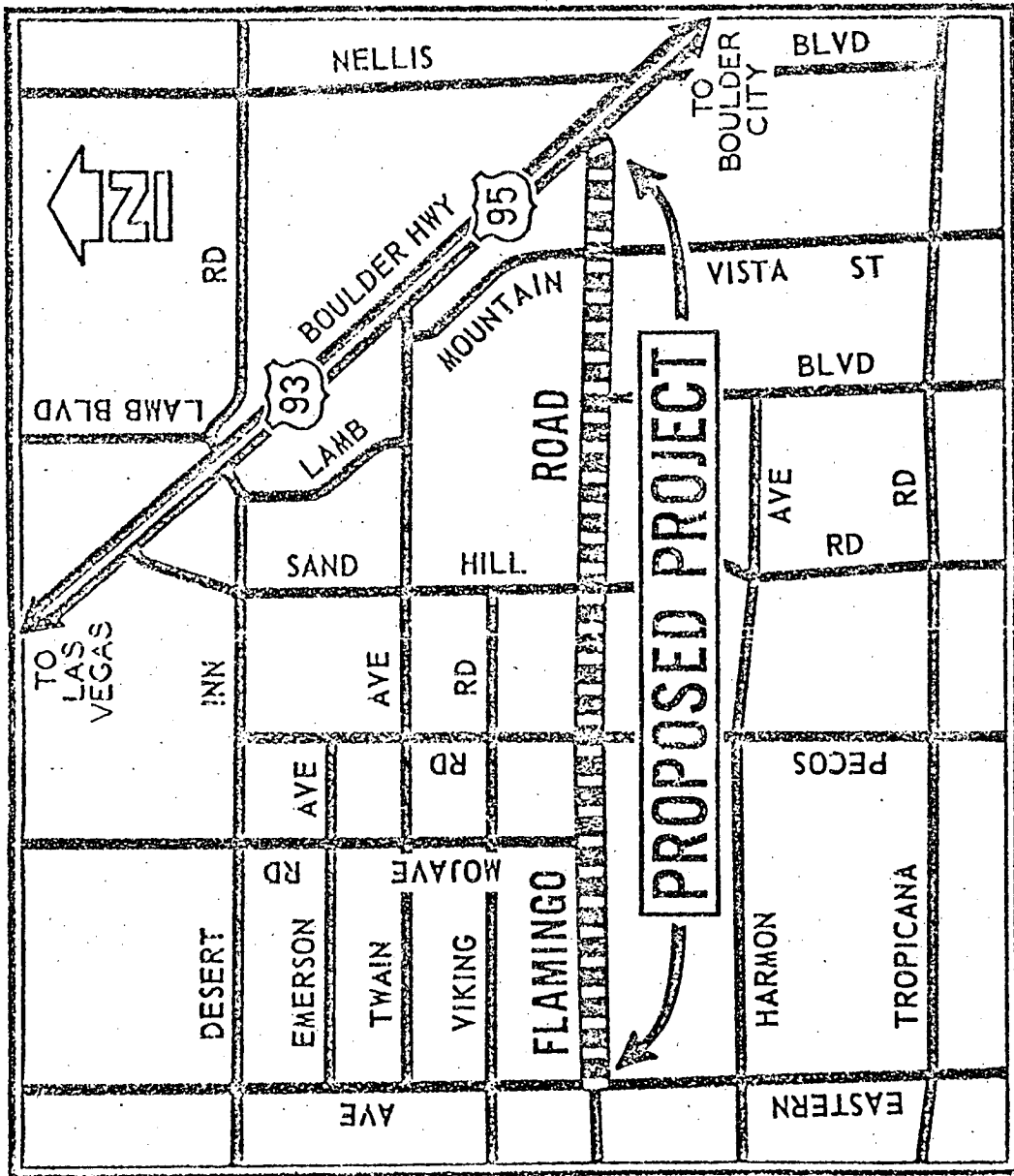
DATED this 2nd day of March, 1977.

ATTEST:

CITY COMMISSION OF THE CITY  
OF LAS VEGAS

Betty J. White  
City Clerk  
(10310)

William N. Brune  
Mayor



65

agendas, or if you cannot include it, or if it's unknown, just don't even bother putting it on. That's my feeling about it too.

Mr. Adams: I'm convinced this is Planning Commission isn't it Don, for realignment of major street plan.

Mr. Saylor: That's right. It came before you before it got to the ordinance. It is in connection with Marion Drive which is on this alignment in the City, and then because of the Charleston Boulevard being the range line change, it's at this point in the County. This is to realign it in accord with this pattern to meet on the south side of Charleston. When we send the ordinances up, we always indicate the origin of it.

Commissioner Christensen: That's a requirement now at my request, that they come up with the origin on it. Unfortunately, it doesn't get to the Commissioners. Now I'm on a committee for this ordinance, I don't know where it came from. Now I do, but it would have been a lot easier if it had said from the Planning Department, so I could call Don Saylor and say what's this ordinance about. He showed me on the picture, now I know.

Mr. Adams: I have one more suggestion. I agree with you. I get the cover sheet and I've got that all marked and it goes out originally. I can see where they're getting peeled because it is normally considered to be a memorandum. So, immediately for those bill numbers, I'm going to give the form to the attorney and in that area, it will say who sponsors and where it came from.

Commissioner Christensen: That's all we need.

BILL NO.  
77-11  
Referred to  
Study  
Committee

Mayor Briare: Ordinance 77-11, I don't know if anybody else requested it, but I requested it for the purpose of making it a little bit easier for citizens who seem to be called upon so many times to go to a Planning Commission meeting, or to a Board of Zoning Adjustment meeting, and then are called upon to be continued to another meeting, then they come to this Board and come to a meeting, and the appeal process that is presently in existence allows a person for any reason whatsoever they might have, which might even pertain to the subject question, to get an appeal which triggers a public hearing, triggers notices going out, it triggers a whole lot of things. The intent of this ordinance and I intend to refer it to a Study Committee, not a recommending committee, the intent of this ordinance is to before an appeal is to be considered that there be grounds stated as to what is the reason for the appeal, and what is different that will be presented to the Commission at the appeal time that has not already been submitted. It would be more like a court system, where an attorney would submit grounds for appeal to a higher court, that have some merit. Also, it sets a procedure so that we don't get caught in a situation like we did not too long ago where we had to have a special meeting in order to hear an appeal because of the odd dates of the year. I don't recall, Bill, I think this probably stems from a request that I made a long time ago. I don't know if any of the other Commissioners joined with me or not, but in any event...

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Mr. Adams: It is that request, and as I recall...

Mayor Briare: And also it helps to expedite the agendas so that we have a little better control of the timing. I'm going to refer it to a Study Committee consisting of Mayor Briare and Commissioner Leavitt.

BILL NO.  
77-12  
Referred to  
Committee  
of the Whole

Mayor Briare: Bill No. 77-12 has already earlier in the morning been referred to a Committee of the whole Commission with Mayor Briare as the chairman.

Commissioner Leavitt: I have a request, the City Attorney has requested that the ordinance involving the newsracks be amended to include a provision therein as to the disposition of the content of the newsrack which is in violation. In other words, what to do with the newspapers and the newsrack itself. They have requested that ordinance be put on this morning. I would like that referred to a Recommending Committee.

Mayor Briare: Who was on the original committee?

Commissioner Leavitt: Commissioner Christensen and I, and I was the chairman.

BILL NO.  
77-13  
1st Reading  
& Referred

A Bill entitled, "AN ORDINANCE TO AMEND TITLE IX, CHAPTER 12 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, 1960 EDITION, TO PROVIDE FOR THE RETURN OF THE CONTENTS OF A NEWS RACK TO THE OWNER UPON ITS REMOVAL FOR VIOLATING THE CITY CODE; TO PROVIDE FOR APPEALS TO THE BOARD OF CITY COMMISSIONERS TO REVIEW THE DIRECTOR OF PUBLIC SERVICES' REMOVAL OF AN OFFENDING NEWS RACK; TO PROVIDE OTHER MATTERS PROPERLY RELATING THERETO; AND TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH" was read by title by Deputy City Attorney Koch.

Mayor Briare: This will be referred to a Recommending Committee consisting of Commissioner Leavitt and Commissioner Christensen.

Z-36-75  
Continued from  
Page 58

Mr. Saylor: I have just been advised by Public Services that the off-sites in connection with that condominium development have finally been put in.

Commissioner Lurie: I make a motion that we follow the recommendation of the Planning Commission, with the one change that Mr. Saylor recommended, that has to do with the lot size.

Mayor Briare: That's for both of the items for Parkchester. Any comments? Cast your votes. Motion is approved.

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

- See Page 68 and 69 of these Minutes -  
- Annotated Agenda for conditions.

| ITEM   | Commission Action  | Department Action  |
|--|--|--|
| <p>I-(i) DEPARTMENT OF COMMUNITY PLANNING &amp; DEVELOPMENT<br/>           CONTINUED</p>   |  |  |
| <p>Z-100-64 continued . . .</p> <ol style="list-style-type: none"> <li>2. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.</li> <li>3. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.</li> <li>4. Conformance to the plot plan to reflect the above conditions.</li> <li>5. Conformance to code requirements and design standards of all City departments.</li> </ol>   | <p>See Page 22</p>   |  |
| <p>L. <u>REINSTATEMENT - Z-36-75 - B. V. PROVENZANO, PARKCHESTER ESTATES #4</u></p>  | <p>Approved as recommended by Planning Commission except Condition #2 on initial approval of Z-36-75 which shall be amended to include the word "approximately" preceding the 410' Lurie - Unanimous</p> | <p>Clerk to Notify<br/>           Director<br/>           Authorized<br/>           to Proceed</p> |
| <p>Reinstatement of property generally located on the north side of Vegas Drive, between Decatur Boulevard and Stonehaven Drive to R-1 zoning.<br/>           Original Approval: 10-1-75<br/>           No previous extensions</p> <p>Planning Commission unanimously recommends APPROVAL subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. Extension of time to be for a period of one year on the Resolution of Intent.</li> <li>2. Subject to all conditions of approval under the original approval of Z-36-75.</li> </ol>  |  |  |
| <p>M. <u>TENTATIVE MAP - PARKCHESTER ESTATES #4</u></p>  | <p>Approved as recommended by Planning Commission<br/>           Lurie - Unanimous</p>   | <p>Clerk to Notify<br/>           Director<br/>           Authorized<br/>           to Proceed</p> |
| <p>Property generally located on the north side of Vegas Drive, between Decatur Boulevard and Stonehaven Drive.<br/>           Owner: Subdivider - Parkchester Estates, Inc.<br/>           No. of Lots: 12 No. of Acres: 2.83</p> <p>Planning Commission unanimously recommends APPROVAL subject to the following conditions:</p> <ol style="list-style-type: none"> <li>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.</li> <li>2. Satisfaction of the requirements under the zoning application, Z-36-75.</li> </ol> |  |  |
| <p>continued . . .</p>   |  |  |

| ITEM  | Commission Action  | Department Action        |
|---|--|--------------------------|
| (i) DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT<br>CONTINUED   |  |                          |
| Item "M" - tentative map continued . . . .  |  |                          |
| 3. Street names shall be provided in accord with the City's Street Name Policy.   | See Page 23  |                          |
| 4. Subject to the requirements of the Department of Public Services.  |  |                          |
| 5. Subject to all conditions of City departments and State Subdivision Statutes.  |  |                          |
| <del>N. PETITION OF VACATION - VAC-2-77 - B. E. LUCAS ET AL</del>   |  |                          |
| <del>Property generally located north of the Las Vegas Expressway and west of Talmage Street, running west from Talmage Street and turning south to the Expressway.</del> | <del>Set Public Hearing for April 6, 1977 10:00 A.M.</del> | <del>4/6/77 Agenda</del> |
| <del>Planning Commission recommends DENIAL (2-2 vote).</del>  |  |                          |
| <del>PROTESTS: 1</del>  |  |                          |
| <del>SET DATE FOR PUBLIC HEARING</del>  |  |                          |

BILL NO.  
77-9  
2nd Reading  
Adopted

AMENDING TITLE I, CHAPTER 25 BY CREATING A NEW  
DEPT. IV OF THE LAST VEGAS MUNICIPAL COURT

Mayor Briare: This is for a report from the recommending committee, Commissioner Lurie.

Commissioner Lurie: Mayor, the Committee met and we would like to recommend that Bill No. 77-9 be adopted by this Board so there is enough time so this item can be placed on the Spring election ballot so the voters might have an opportunity to choose who will be the fourth Municipal Court Judge.

Mayor Briare: Before making the motion, Commissioner, let's have the title read. I believe that's the proper procedure.

A Bill entitled, "AN ORDINANCE CREATING A NEW DEPARTMENT OF THE LAS VEGAS MUNICIPAL COURT TO BE KNOWN AS DEPARTMENT IV; REGULATING THE SALARIES OF THE MUNICIPAL COURT JUDGES, AND PROVIDING FOR BAILIFFS TO ACT UNDER THE SUPERVISION OF THE RESPECTIVE JUDGES OF THE DEPARTMENT OF THE LAS VEGAS MUNICIPAL COURT; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH" was read by title by Deputy City Attorney Koch.

Mayor Briare: Commissioner Lurie and Commissioner Leavitt were the committee appointed to make a recommendation on this. Commissioner Lurie.

MOTION

Commissioner Lurie: I would move that Bill No. 77-9 be adopted.

Mayor Briare: On the motion, is there anyone in the audience who wishes to speak to this matter.

Seymore Brown, Judge, Department II: In 1967 the American Bar Association made a study of our court system and at that time recommended going into a third court immediately, and soon after going into the fourth court. This was in 1967. As you know, we went into the third court in 1975. At the present time, and I have the statistics, I am talking in relation to Department II only and for the month of February, only. I had 241 trials scheduled in that department. I handled over 3,000 traffic arraignments. Now, I'm going into now a seventh traffic arraignment a week. I want to take all Wednesday, there will be nothing but Traffic. It's a pleasure sitting in court and listening to a case that happened several days ago. Everything is fresh in the witnesses mind, and that's what we want. We don't want an antiquated system. We want a system that will serve the people to where if you come into court today and plead not guilty, we hope that you will get a trial by April 1. In thirty days, and that's what we are looking for, a quick trial date so that everything is fresh in the people's minds. We feel that also, the traffic division of Metro has informed me that they purchased six more radar guns. That should mean that they possibly could write about 9,000 tickets a month. This would be a big load on our court system. The other night I went into traffic court and the only seat vacant was my seat. They were standing two in the aisle, the jury box was full, the folding chairs were full. We are getting too many people in the court.

Mayor Briare: Do the other judges handle a share of these cases?

Judge Brown: Oh, yes. Judge Mullen handles nothing but in-jail arraignments and trials. I handle all traffic arraignment and trials, and Judge Horsey handles all trials. With the fourth court to also handle trials, that way you can allocate some of the system.

I could maybe go into another, like I'm doing, I'm going into the seventh traffic arraignment. I have six traffic arraignment calendars now. That's where the problem is. It is having the judges to hear the cases. I don't think there is anything that we can do other than, if we don't have the fourth court, we would have to put it off 45, 60 and as the cases come up, it would be a long period of time. In the County, you are talking about a year, 18 months before going to trial. The witnesses come in and say I don't remember. You can't do anything to them, they just can't remember.

Mayor Briare: Judge, about a year and a half ago, we created a third court. Now, we're discussing a fourth court. When do you anticipate that the municipal judiciary will come forth with a request for a fifth court?

Judge Mullen: Mr. Commissioners, Mr. Mayor, the recommendation in 1967 was that by now we have 10 municipal courts. I cannot promise you that when that will be. I wish crime would stop, and then you could get rid of all of us. However, I don't think it is going to happen that way. Now, there's a lot of things I would like to add to Judge Brown's such as on Tuesday afternoons, when his court's vacant, I have now started setting the alternate judges in there for trials, using the Department II. We're utilizing the space that we have full time, five days a week, to handle trials. In addition to the in-jail arraignments and trials, I am also handling all of the out-on-bail arraignments at 9:00 A.M. every morning. That is Monday through Friday. I handle in-jails Monday through Friday. I have been handling trials too. The reason I had to go to alternate judges coming in on Tuesday afternoons, is because the in-jail trials are getting set 30, 35 to 40 days away. Here's a man sitting in jail, and because I can't release him on his own recognizance, because he's a transient. I don't know whether he is guilty or innocent at that stage of the game, but he has plead not guilty which is his right. Now if he has to sit in jail for 30 days, and he goes to trial and he's found not guilty, I just feel it is putting the City in a bad light. It's putting the court system in a bad light, and like Judge Brown said, something has to be done. Now, I don't like to bring this up, but I would assume that one of the members of this illustrious body is going to bring it up.

Mayor Briare: No, I'm not. I'm going to bring it up in a little different manner.

Judge Mullen: What I was saying, on March 1, the City Manager sent out a memo to this illustrious body with copies to the judges. I think the City Manager's recommendation and what he has put forth says it much better than I can. We do need the fourth court. We have figured out a way, everything working out properly, that by July 1 we will have a place to put it.

Commissioner Leavitt: That's what I was going to ask, where are you going to put that?

Judge Mullen: Where the City Attorney's Office is now on the ground floor. They are moving to the 6th floor. We've discussed this with the City Manager, with the Committee.

Commissioner Leavitt: If we approve this ordinance, are you going to proceed to do that right away so it will be available after the election.

Mr. Adams; We'll have it available the first of July. We're contemplating moving something from the sixth floor, taking the City Attorney to the sixth floor, and then moving into that area, putting in the additional courtroom.

Judge Brown: Are there any questions that you might have concerning this? What we're trying to do is make your Municipal Court a court where the people can come in as quick as possible and get justice. We don't want to see it go to a year and before you know it, it will be upon us. With traffic writing 9,000 citations a month and I'm handling over 3,000 traffic arraignments a month, not counting those people that pay their bill and leave.

Commissioner Woofter: There is no question, of course, I think Commissioner Leavitt and myself possibly have more direct contact with the picture than the other members of the Board, being attorneys. There is no question in my mind, there is definitely a need. The need is overdue in my opinion. Like Judge Mullen brought out, if we could stop crime or freeze it, then we wouldn't have to worry about it. He is very candid. I can picture the way this community is growing. Like I have always said in the past, when I was District Attorney, we have to take the bad with the good and respect the tourist industry. We certainly want people coming to our community and contributing to our economy. But, along with the contributors, we have the criminal element that also want to contribute to our society, and I think the Judges would concur with me, that over possibly 50 percent of the crime committed in the area is committed by transients and not the citizens on the community. I have to agree with Judge Mullen. In all probability they will be back before us sooner than we expect asking for a fifth and other situations with the Legislative session, I can see more of a need. I am certainly concerned, I would hope that if we vote and approve this, that the judges would have a little more time to look over the jailhouse list, so to speak. It was brought to my attention by one of the judges. There is an individual in jail and I don't know how long he was there before it was brought to the attention of the Court, he was in jail for jaywalking. I just can't believe that. I think there should be just a little more closer watch on Metropolitan Police Department and the jailhouse list that these situations don't exist in the future. It was just beyond my means on comprehensive that a police officer would throw somebody in the bucket for jaywalking.

Commissioner Christensen: I concur with you, Commissioner Woofter, that we ought to have a little more watch on the Police Department. I would be tickled to death if the City could be put in a position where we could watch the Police Department a little better.

Judge Brown: I think we also have to take into consideration there is a bill in the Legislature now raising petit larceny from \$100 to \$300. That might put an added burden on the courts. We don't know which way it is going to go.

Mayor Briare: The comment you were expecting from me, you are going to get in a little different manner. Just don't call our bodies illustrious all the time. I was going to get upset because we are all sports fans and when you are routing for a team and the referee calls a technical foul against your team, you get upset. Well, when you mentioned, Judge, about the fact that sometimes trials are so late coming, that people kind of forget what went on and they make poor witnesses and so on, sometimes I have difficulty

remembering what happened this morning, let alone months and months ago. So, I don't recall what the newspaper account was on a trial that perhaps we were routing for our side and you threw it out of court and you dismissed it, or whatever, and there seemed to be some kind of a personal argument going on which was upsetting. But, then I considered that this is not the time or the place to talk about trying to second guess a judge. I even asked Richard down there, is any purpose going to be served by saying if we get a fourth court, is there any possible way that we might be able to proceed with cases as they come along. Richard indicated, and I agree with him, that no purpose is going to be served to try to review a case that has gone before, but it is so disappointing. We have it here, when we have show cause hearings. We are ready, willing, and hopefully able to proceed and then because some attorney forgot his paper, or he has another date in court with a client, for any number of reasons, that some being valid and some not so valid, things are postponed, things are continued, or they are dismissed. You are a judge. You have to do these kinds of things. It just frustrates the heck out of me as a citizen, non-lawyer, when I see these things get dismissed with the City pays \$60,000 a year I believe for supporting the Metropolitan Police to have more vice investigations and every day, I'm getting to know their name. Every week we get reports on vice squad activities. You get to recognize the names. It is a terrific revolving door, through the courts, back on the street, into the police, into the courts, back on the street. Isn't there some way these things can be nailed down a little bit more than they have been, and would a fourth court be any possible way of doing it.

Judge Mullen: It's not going to help the problem you are talking about. I would say 30 percent, and I am sure Mr. Koch would agree with me, 30 percent of the prostitution, as an example, cases never get to court. They are denied by the City Attorney's Office. About 30 percent of the arrests that the Metro Police make.

Mayor Briare: Bill, would you make a note of that and during the course of the week or next ten days, give the Commission some kind of a notation as to why. The Police are apparently doing their job, if something is being done that is wrong, then we should correct it; otherwise, they are wasting taxpayers money.

Judge Mullen: Go look at my calendar this morning. There are four names on the calendar. Each one of them are charged with some one or another prostitution charges. All were denied by the City Attorney's Office. I don't know why.

Commissioner Woofter: Judge, I think you know why. Let's put it right on the board. They were bad arrests. They were roust arrests.

Judge Brown: Sometimes you have the proof to put somebody in jail, but you don't have a case to come to court. That's why the City Attorney denied it.

Judge Mullen: I'm not throwing rocks at the City Attorney's Office. I have no rocks to throw except the other cases you were talking about, the obscenity case. This case was over a year old. Probably half of the continuances that were granted because of the stay order out of the State Supreme Court which neither the City Attorney nor the Court had any control over. Probably one or two of the continuances was at the request of the City Attorney's Office. One or

two were probably at the request of the defendant. The defendant's attorney refused to enter a plea. I entered a plea. Under the law I can do that as the Judge. I indicated that the matter would be set down for trial. That is where the problem came in. The matter would be set down at a certain time for argument and trial. I said we'll go two days, we'll go Saturday if necessary. Court records reflect this. City Attorney's Office records reflect this.

Mayor Briare: And the press report reflected it. Did you lose your patience on this?

Judge Mullen: Probably yes. After, I didn't lose my patience until I found out, I was informed that all the witnesses had not been subpoenaed. Then I found out the morning this matter was supposed to go to trial, that what I thought was a phone call being made to get the witnesses here, I found out the phone call was in fact cancelling the subpoenas. My bailiffs serve the subpoenas for the City Attorney's Office. They served almost a page and a half of subpoenas for people to be in court, two or three weeks before this. Then the City Attorney's Office started cancelling those subpoenas, even though their records and our records show this matter was supposed to go for argument and trial. The oral arguments lasted about 15 minutes or less. All the defense arguments and motions were denied. Then the City came along and asked for a motion for a continuance. I denied that motion. Maybe I lost my patience, but after over a year on one case, and nobody seeming, on either side, wanting to go to trial, plus the fact there is, the City Attorney's Office has submitted to the State Legislature asking the State Legislature to strengthen the State Statute on obscenity, on pornography. Because they have problems with what's the law now. What's the use of going ahead in the first place, if they know in front they have problems. Why don't we wait until we see what the State Legislature does under the new guidelines. It isn't the City Attorney's fault the U. S. Supreme Court has changed the guidelines, and the next obscenity case that gets to the U. S. Supreme Court will probably change the guidelines again. If the State Legislature approves it this time, a year from now the U. S. Supreme Court might change the guidelines again. Bring me good cases, whether they're pornography, or petit larceny, check my record, bring me good cases and you'll get your convictions. Bring me bad ones, I'm a judge, I have to throw them out.

Commissioner Christensen: Judge, I'm appalled. I wished I hadn't heard this conversation. Because, when you come to the bottom line, what you've just told me is that because you were tired of the continuances and because there was a misunderstanding, real or imagined, or something, that they got thrown out of court. The bottom line is that the people who were guilty are still going free, or that were accused of being guilty. The thing that worries me is we're trying to strengthen laws all the time. I'm sure the City Attorney's Office is trying to strengthen laws all the time. There is a movement nationwide to strengthen the law as far as capital crimes are concerned with the death penalty. But, they're sure not turning all the killers loose until they decide whether they can give them the chair or not. It scares me. This conversation scares me.

Judge Mullen: The bottom line, Mr. Christensen, I have to disagree with you. The bottom line is I sit there as a judge and I have to be like an umpire of a baseball team. When you slide into second, and it's like the second baseman reaches around there to tag you

and if you're on that base, I have to call you safe, whether I want to or not. And if you slide over that base and he tags you a second time while you're off that base and the ball's still in play, I have to call you out. The bottom line is this...

Commissioner Christensen: That's a sporting event. We are not talking about a sporting event here, we're talking about crime. There's a whole lot of difference between crime and recreation.

Judge Mullen: What I'm trying to say, the bottom line is that if the defense is not ready to go and the City asks for a warrant for their arrest because the defendant isn't there, the defendant goes back to jail. If the City is not ready to go, without valid reason, the laws I have, and the defense makes a motion to dismiss, the law says I have to dismiss. There is no double jeopardy attached. The City can refile if they want to.

Mayor Briare: Is that the law, Moon? Or is that your judgement?

Judge Mullen: That is the law. If the City Attorney says he is not ready and cannot make a valid declaration as to why he's not ready, and the defense moves to dismiss, I have to dismiss the matter.

Mayor Briare: Based on your judgement as to whether the reason why he's not ready is appropriate.

Judge Mullen: Do you disagree, Commissioner Woofter?

Commissioner Woofter: I agree with you.

Judge Mullen: Do you disagree, Commissioner Leavitt?

Commissioner Leavitt: I agree.

Commissioner Christensen: Based on whether there is a valid reason or not.

Mayor Briare: It is your judgement whether it is valid or not. Do you have a list of 172 things that would allow you to go ahead.

Commissioner Woofter: I had to go to Pioche and try a case. The District Attorney's Office made a motion for a continuance. There are certain guidelines, Rule 21, the District Court, what we call the            where the City Attorney's Office or District Attorney's Office is obligated to lay out a motion for a continuance with an affidavit attached. Then it is up to the Judge's discretion whether or not the State or the City complies with these guidelines. If they did, certainly I think the Judge would grant the continuance, which they did up in Pioche. I was arguing for a motion to dismiss very vehemently. There are guidelines. I think courts do bend if there is any element for them to base their decision on. They are obligated by law if they don't have anything to base their decision on, they are obligated to dismiss because the defendant goes back to the old Constitutional safeguard, they have a right to a speedy trial.

Commissioner Lurie: It seems like all the law leans toward protecting the criminal. We sit up here, spend many hours listening to testimony, try to present you with the facts, yet you turn these people right back and we have the same problem with all of these purveyors of this smut, and all these adult businesses and the problems we have. Nobody wants to set any type of community standards. It starts with your court. Then it goes to the District Court, then to the Supreme Court, on up to I don't know how many other courts.

It's not an issue this time in the election. People are tired of hearing about pornography and I think that we live here, we raise our families here, you live here, you raise your family here, you're part of this team, elected in the City of Las Vegas and we should have cooperation and help from you.

Judge Mullen: We were elected for two different jobs. Your job is to make the laws. My job is to interpret them and to call the shots when a person is arrested. Now, what my personal feeling is about a lot of the cases that come into the courtroom is immaterial. I have to go by what I interpret is the law. I think I find it very difficult just recently to declare one of the City ordinances unconstitutional. I felt, the motion was made, the authorities were given to me, I felt that I had to declare the ordinance unconstitutional. I did. The City Attorney's Office did their job. They appealed that decision to the District Court. District Court upheld me. They said I had no choice in the matter. You do a very fine job and I hope I do a pretty good job on the bench. You do a fine job, Mr. Commissioner and I hope I do a good job on the bench, but I think your analogy of analyzing what you're sitting up here doing and what I'm sitting over there doing is two different things.

Commissioner Christensen: I think we should call for the question on the vote.

Commissioner Lurie: The thing is, I'm not an attorney, and I look at it a little different than an attorney would interpret certain things.

Mayor Briare: The question has been called for. The motion is adopt the ordinance. Cast your votes. The motion is approved. The ordinance is adopted.

Commissioner Leavitt: I notice that part of the recommendation is that we should alter our notice of election to include the fourth Municipal Judge. Is that automatic without a motion.

Mr. Adams: I think it would be more appropriate if you had a motion.

Commissioner Leavitt: So move.

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

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

#### CITIZENS PARTICIPATION

My name's Bill Bussey, 4409 Mayflower Lane, Las Vegas. I have an offer in on a piece of property over on Smoke Ranch Road and I have been trying to get an okay to hook to the City sewer. The County says no.

Mayor Briare: What is the latest on that?

Jan Stewart: I might be able to give you some help. This question results because of an opinion by the District Attorney's Office. I can't do anything in reference to that opinion to his people. I can say on behalf of the City, as far as legally, there is nothing prohibiting us from tying you into our sewer and I think as far as Public Services Department goes, you are welcome to tie into our sewer. We will be glad to treat these people the same as we have others in the past that are adjacent to the City

boundaries and you can work your problems out with the County, I am sure you are welcome.

Mr. Bussey: I understand my problem is with the County. At the last meeting, there was supposed to be the County Attorney and a City Attorney, and we are trying to find out what's the latest on it.

Commissioner Leavitt: I would suggest you go to the County Commission, because we are ready to let you hook up right now. Our legal advisors say there is nothing in the City prohibiting you from hooking up.

Mayor Briare: I would say what Mr. Bussey is probably concerned about if he does, what penalties is he going to be facing.

Jan Stewart: We have no influence. I can't give an opinion that would change the County's opinion.

Mayor Briare: What do you think Mr. Bussey should do? Should he write a letter to the County Commission or appear before the County Commission? What can he do?

Mr. Bussey: I understand that EPA says they don't want you putting a septic tank if you are within 300' from a sewer line. There are three entities there, this property is kind of up in the air.

Mayor Briare: If he were to just go up to the City Manager's office and the City Manager says, well, look, we'll allow you to tie into our line, could the City then be sued for something.

Jan Stewart: No, I don't think so.

Mr. Bussey: Mayor, do you remember me? Two years ago at the State Fair I took you up in a hot air balloon. I almost got killed in Death Valley. I am now known among the balloon circles as the only balloonist with retractable landing gear.

There being no further business to come before the Board, at the hour of 12:00 Noon, Mayor Briare declared this Regular Meeting of the Board of City Commissioners  
A D J O U R N E D.

APPROVED:

WILLIAM H. BRIARE, MAYOR

ATTEST:

*Betty Jo Winter*  
BETTY JO WINTER, CPS  
ASSISTANT CITY CLERK

*William H. Briare*

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