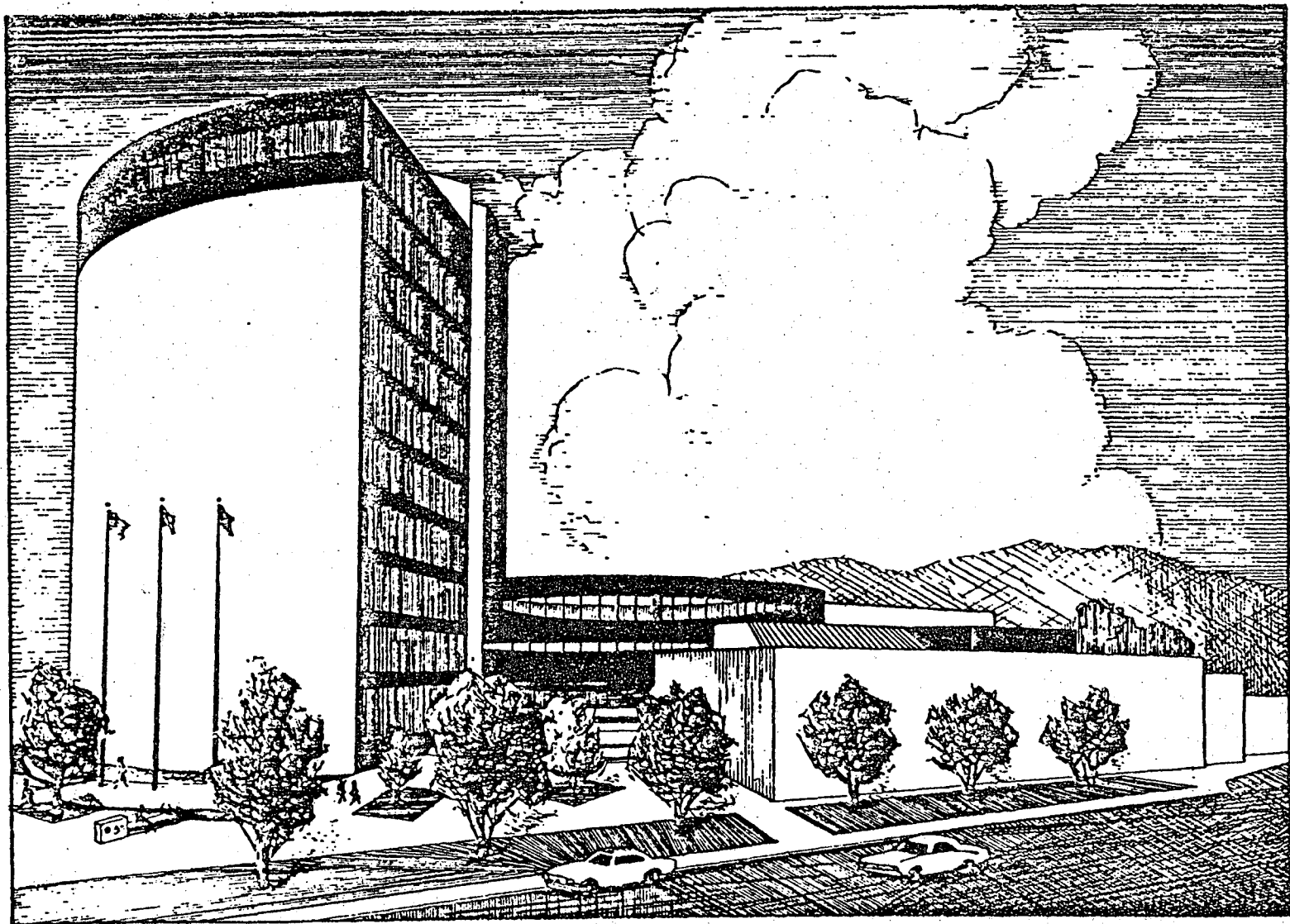


M I N U T E S

BOARD OF CITY COMMISSSIONERS



LAS VEGAS, NEVADA

APRIL 20, 1977

MINUTES

Las Vegas, Nevada
April 20, 1977

A REGULAR MEETING of the Board of City Commissioners of the City of Las Vegas, Nevada, held this 20th day of April 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	Ron Lurie
Commissioner	Myron E. Leavitt
Commissioner	Paul J. Christensen
Commissioner	Roy A. Woofter

STAFF PRESENT

City Manager	William E. Adams
Deputy City Attorney	Dan Ahlstrom
Director of Municipal Services	J.C. Cathcart
Director of Public Services	Laurence Hampton, P. E.
Director of Community Planning & Development	Donald J. Saylor, AIP
Director of Business Activity	Ila M. Britt
Budget Officer	David Parks
Management Analyst, Department of Funds Coordination & Projects	Ronald C. Jack, Ph.D.
Director of Personnel and Employee Relations	Robert McPherson
Director of Fire Services	Chief J.D. Miller
Director of Cultural Services	Harold P. Foster

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Rev R. H. Stukas, Chaplain - H.O.P.E. Chaplains Southern Nevada Memorial Hospital

Our father we thank you for this privilege of serving you, we thank you for our country especially the city of Las Vegas. We do need your help and ask that you guide and direct our every action, we thank you for our elected officials who guide and plan and direct the activities of our city. We pray that you will give them special understanding and wisdom that everything will work out to the honor and glory of you and to the good of everyone of our citizens. We pray lord that the decisions that they make will be the kind that we will be glad that we have elected them to office in the days ahead. We pray lord now that you will have your way in each of our lives, to keep us under your will, we ask this in Jesus name. Amen.

Pledge of Allegiance.

REGULAR MINUTES 1/5/77; RECESSED REGULAR MINUTES 3/30/77 and REGULAR MINUTES 4/6/77 Approved Page 2 Minutes Regular Meeting City Commission April 20, 1977

Mayor Briare: Thank you very much Reverend it is always a pleasure to have you here. Mr. Adams.

CITY MANAGER

WILLIAM E. ADAMS, P.E.

See Page 2 of these minutes - Annotated Agenda

Mr. Adams: Your honor and gentlemen I request the approval of the minutes as shown on the bottom of page 2 for the regular and recessed meetings.

ITEM Commission Action Department Action

I. CITY MANAGER - WILLIAM E. ADAMS, P.E.

A. RESOLUTION re A.B. 363 WHICH PROVIDES FOR IMPOSITION OF COUNTY CIGARETTE TAX TO FINANCE CERTAIN RECREATIONAL PROJECTS

Adopted
 Lurie - unanimous

C/M to proceed

I (a) MINUTES

- A. REGULAR MEETING - JANUARY 5, 1977
- B. RECESSED REGULAR MEETING - MARCH 30, 1977
 (Re: Rendezvous Hotel and Casino)
- C. REGULAR MEETING - APRIL 6, 1977

Items A, B and C
 Approved by
 Reference
 Lurie - unanimous

Mayor and Clerk
 authorized to sign

Commissioner Lurie: Vote for approval of Minutes A, B and C.

Mayor Briare: Any comments? (No response). Cast your votes. Motion is approved.

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

DEPARTMENT OF FINANCIAL MANAGEMENT

MARVIN A. LEAVITT, CPA, DIRECTOR

See Page 3 of these minutes - Annotated Agenda

SERVICE AND MATERIAL Mr. Adams: On page 3 I would request approval of Service
WARRANTS AND PAYROLL and Material Warrants to pay for our necessary dues and
WARRANTS Approved as debts and our Payroll Warrants for the past period.
Presented

Commissioner Lurie: Move for approval of Items A and B.

Mayor Briare: Any comments? (No response). Cast your votes. The motion is approved.

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

DEPARTMENT OF PERSONNEL AND EMPLOYEE RELATIONS

ROBERT MC PHERSON, DIRECTOR

See Pages 4, 5 and 5a of these minutes - Annotated Agenda

AUTHORIZATION TO
FILL POSITIONS
Approved

Mr. Adams: On Page 4 request approval of the federally funded positions, Items 1, 2, 3, and 4 and our City funded positions which is our recreation program. The additional City funded for 6, 7, 8, 9, 10 and 11 and additionally a replacement in our City Attorney's Office for a clerk that just left in our criminal division.

Mayor Briare: Comments? (No response).

Commissioner Lurie: Move for approval.

Mayor Briare: One question I have Bill on Item Number 7 for City funded part time positions at the Senior Citizens Center. Is it likely that those positions will be filled by senior citizens?

Mr. Adams: Yes

Mayor Briare: Very well. Any other comments? (No response). Cast your votes. The motion is approved. Next item.

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

Page 5
Minutes
Regular Meeting
City Commission
April 20, 1977

Mr. Adams: The next item is the Department of Municipal Services and I would like to have Mr. Cathcart handle that.

ITEM Commission Action Department Action

I. (c) DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS

BOB McPHERSON, AEP, DIRECTOR

AUTHORIZATION TO FILL POSITIONS

Federally funded

Items 1 thru 11
 Approved as
 recommended
 Lurie - unanimous

Director
 authorized
 to proceed

<u>Dept/Class</u>	<u>Monthly Salary</u>	<u>Justification</u>
(1) Human Resources Intermediate Clerk (replace vacancy)	637	Provides clerical assistance in the fiscal section and assisting in the Summer Youth Program.

(2) Human Resources Accounting Clerk (create new position) Title I funding	721	Assists the Fiscal Officer and the Accountant in the administering of the new Title VI program.
--	-----	---

(3) Municipal Services/ Facilities Support Custodian (replace vacancy) Until 6/30/77	686	Provides custodial services on the third floor - Metropolitan Police Department, detective area.
---	-----	--

(4) Parks & Rec Services/ Parks & Open Spaces Maintenance Laborer - 2 (replace vacancy) Until 6/30/77	721	Needed to water, mow and keep the parks and Golf Course in good condition, as well as the grounds due to the expansions at the Teen Center and Police Sub-station.
--	-----	--

City funded - Summer Program

(5) Parks & Rec Services/Recreation - Pool Program

Aquatic Program Coord. - 1 Lifeguard - 35 Sr. Lifeguard - 7 Pool Manager - 7 Pool Attendant - 18 Jr. Clerk - 9 Rec. Aide - 1 Pool Supervisor - 1 Utility Worker - 7		Assists in the operation and maintenance of 7 public swimming pools on a 7-day basis.
---	--	---

Parks & Rec Services/Recreation - Playgrounds, Day Camps, Centers

Jr. Recreation Asst. - 40 Recreation Asst. - 38 Sr. Recreation Asst. - 5 Recreation Inst. - 5 Recreation Aide - 12		Assists in the operation and maintenance of the various playgrounds, day camp centers, recreation centers and other organized recreational summer programs.
--	--	---

ITEM

Commission Action

Department Action

I. (c) DEPARTMENT OF PERSONNEL &
 EMPLOYEE RELATIONS

See Page 4

See Page 4

City funded - Part time

<u>Dept/Class</u>	<u>Monthly Salary</u>	<u>Justification</u>
(6) CS/Fine Arts Instructor Temporary - Until 5/16/77	777 actual cost - 108	Conducts art projects at the various parks during the Spring Park/Art Series that will be held during the month of May. (3 days duration)

(7) Senior Citizens Sr. Citizens Aide - 2 Temporary - Until 10/20/77	474	Provides part time clean-up services at the Senior Citizens Center which operates on a 7-day basis. In addition, provides additional support to the Senior Citizens program. (20 hrs. per week each)
--	-----	--

City funded - Full time

(8) Business Activity Secretary (replace budgeted vacancy)	721	Provides secretarial services to the Deputy Director of Business Activity and clerical support to the department. This is a revenue producing department.
--	-----	---

(9) Municipal Court Intermediate Clerk - 2 (replace budgeted vacancy)	637	Assigned to the traffic division handling the heavy workload at the traffic counter.
---	-----	--

(10) Parks & Rec Services/ Parks & Open Spaces Stenographer (replace budgeted vacancy)	670	To handle stenographic duties in a number of areas, including providing secretarial services for the Parks & Recreation Advisory Commission and Golf Board in this department, the Beautification Committee in the Community Planning & Development Department, plus any other appointed boards and committees throughout the City as needed. Will be assigned to the Parks & Open Spaces Division on Saturdays and on a relief basis throughout the week to handle clerical functions as required.
---	-----	---

SEE PAGE 5(a) for
 ADDITIONAL ITEM

(11) Parks & Rec Services/ Parks & Open Spaces Maintenance Laborer - 2 (replace budgeted vacancy)	721	Provides maintenance services in the parks and Golf Course as well as the grounds due to the expansion at the Teen Center and Police Sub-station.
--	-----	---

ITEM	Commission Action	Department Action
------	-------------------	-------------------

<p>I(c) DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS</p>		
--	--	--

<p><u>ADDITIONAL ITEM</u></p>		
-------------------------------	--	--

<p>City Attorney Clerk - Intermediate (replace budgeted vacancy)</p>		
--	--	--

	<p>Approved Lurie - unanimous</p>	
--	---------------------------------------	--

		<p>Director authorized to proceed</p>
--	--	---

<p>637</p>		
------------	--	--

<p>To handle clerical duties in Criminal Division</p>		
---	--	--

DEPARTMENT OF MUNICIPAL SERVICES

J. C. CATHCART, DIRECTOR

See Page 6 of these minutes - Annotated Agenda

AWARD OF BIDS
1, 3, 4, 6, 7,
8 Approved

Mr. Cathcart: I have nothing under permission to receive bids, under Award of Bids I would like to hold back items 2 and 5.

Mayor Briare: Your going to hold back item 2 so we can discuss it right? O.K. items 2 and 5 will not be considered. Any motion the commission wants to make at this time?

Commissioner Lurie: I move for approval of items 1, 3, 4, 6, 7 and 8.

Mayor Briare: Comments on the motion? (No response).
Cast your votes. The motion is approved.

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

Mayor Briare: Mr. Cathcart.

BID REJECTED
PERMISSION GRANTED
TO RE-ADVERTISE
Approved

Mr. Cathcart: On item 5, there is only one bid that was received, we feel that it can be done for less than that.

Mayor Briare: Any comments on this?

Commissioner Lurie: You want permission to re-advertise? (An affirmative response was noted).
O.K. move for rejection and permission to re-advertise.

Major Briare: It is going to be necessary to perhaps redesign as well as re-advertise?

Mr. Cathcart: There may be some minor changes.

Mayor Briare: Whatever the reason is that you didn't get any other bids, perhaps some redesign might be in order. Any other comments? (No response). Cast your votes. The motion is approved.

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

ITEM	Commission Action	Department Action
<p>I-e <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>*CONSENT AGENDA</p> <p>All items listed under Item 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>NONE</p>		
<p>*B. <u>AWARD OF BIDS</u></p> <p>1. Bid #77.46 - 4,000 Gallons of Traffic Paint (Public Services - Traffic Division)</p> <p>2. Bid #77.47 - Renovation of Former NRTC to Serve as Cultural Services Center (Public Services)</p> <p>3. Bid #77.48 - Repair Parts for Sprinkler Systems - BID GROUPS I, II, AND III (Parks and Recreation Services - Parks Division)</p> <p>4. Bid #77.49 - 450 Gallons of Weed Killer (Parks and Recreation Services - Parks Division)</p> <p>5. Bid #77.51 - City Hall Tower Automatic Sliding Doors (Public Services)</p> <p>6. Bid #77.52 - Five Each Overhead Doors - Fire Station #1 - Replacement (Public Services)</p> <p>7. Bid #77.53 - Replacement Street Light Standards and 25,000 Feet Wire, Triplex #6 (Public Services - Electrical Division and Traffic Division)</p> <p>8. Bid #77.55 - Shrubs and Trees - Teen Center Park Expansion (Parks and Recreation Services - Parks Division)</p>	<p>Items 1, 3,4,6,7, and 8 Approved as recommended Lurie - unanimous</p> <p>*See Page 7</p> <p>Item 5 - All bids rejected with permission to readvertise</p>	<p>Director authorized to proceed</p> <p>See Page 7</p> <p>Same as above</p>

See Page 7 of these minutes - Annotated Agenda

ITEM 1 PURCHASE
ORDER APPROVAL
Approved

Mr. Cathcart: Item Number 2 is Bid #77.47, Renovation of former NRTC to serve as Cultural Services Center and we recommend award based on a written opinion from the City Attorney's Office to Mason Construction in the amount of \$73,442.00. The second low bid was received from Empire Construction in the amount of \$90,520.00, there was 44 invitations and a total of 3 bids received. We have the City Attorney's opinion attached. I think Mr. Mason is in the audience here and he does have a chance to withdraw his bid if he so desires he might want to be heard.

Mayor Briare: While Mr. Mason is coming forward I would like to ask Mr. Ahlstrom if he has had the opportunity to read the opinion by Mr. Gellner of your office? Have you had a chance to look at that opinion?

Mr. Ahlstrom: Mr. Mayor I have not.

Mayor Briare: I would appreciate it if Mr. Ahlstrom could have the opportunity to look over this opinion, because on the basis of this opinion I am going to ask you if it's your next opinion that each member of this Commission is obliged to vote in accordance with this recommendation. You see it is only a recommendation, it doesn't read to me like it is an opinion, that we have no other course to take but that which he suggests. We must, it is my understanding take the opinions as to legal matters but as far as other matters we have a discretion on it. So Mr. Mason if none of the Commissioners on this board don't mind the time, we will hold this off for a short while until we have had the opportunity to clear up a couple of things.

Commissioner Leavitt: Has Mr. Mason been given a copy of this opinion?

Mr. Mason: Yes I have a copy of it.

Mayor Briare: We'll come back to that Mr. Cathcart do you have anything else now?

Mr. Cathcart: Under purchase order of approval I have two items that I request your approval. The first order for approval is to the FMC Corporation in the amount of \$32,026.38. This is for worn parts.

Commission Lurie: Commissioners have any questions for the purchase order approval? I move for approval. Any comments? (No response). Cast your votes. The motion is approved. (Mayor Briare temporarily involved in other matters)

Motion carried by the following vote:
Commissioners Leavitt, Lurie, Woofter,
Christensen voting aye, Mayor Briare
abstaining.

ITEM 2 PURCHASE
ORDER APPROVAL
Approved.

Commissioner Lurie: Item 2.

Mr. Cathcart: Item 2 is a purchase request to purchase a Frontier Radio in the amount of \$3,600.00, this is to cover some hand held portable radios a multiple bank charger and so forth, and this falls in line with the overall communications which we are presently involved in. We have a chance to pickup some, well I think these are Motorola radios that have been checked, at a considerable savings which we would like to put into use immediately.

Commissioner Lurie: I want to ask this question, are these the radios that we are going to be using in the parks?

Mr. Cathcart: Yes, we need some portable radios right away, they will run around \$200.00 a piece compared to say 8 to \$1,000.00 for the new ones, they would be adequate for what we are using them for.

Commissioner Lurie: These will help with the security program that we are trying to get established?

Mr. Cathcart: Yes.

Commissioner Lurie: O.K.

Commissioner Woofter: Did you get that resolved as to who is going to police the parks?

Commissioner Lurie: We are working on that. On Item 2 I would move for approval.

Mayor Briare: Any comments? (No response). Cast your votes. The motion is approved.

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

Mayor Briare: Next item.

Mr. Cathcart; That is all I have at this time your honor.

DEPARTMENT OF BUSINESS ACTIVITY

ILA M. BRITT, DIRECTOR

See Page 8 and 9 of these Minutes - Annotated Agenda

CHARITABLE
SOLICITATIONS
PERMITS Approved

Mr. Adams: Gentlemen we are on Page 8 of the Agenda for Business activities, we have Charitable Solicitation Permits from 1 through 15, they all are in order.

Mayor Briare: Ila on these Charitable Solicitations Permits if the Solicitations Board had approved the Golden Gloves, would it have been on this agenda or is that something that is coming up on the future agenda?

Ila Britt: That has been on the agenda already I believe.

Mayor Briare: It was on the last agenda?

Ila Britt: I would have to check that, I am not positive.

ITEM	Commission Action	Department Action
------	-------------------	-------------------

I-f. DEPARTMENT OF BUSINESS ACTIVITY

ILA M. BRITT, DIRECTOR

*CONSENT AGENDA

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

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

1. NATIONAL CONFERENCE OF CHRISTIANS & JEWS -- tickets to an awards dinner
2. CENTER FOR EMPLOYMENT TRAINING -- raffle tickets
3. WESTERN LITTLE LEAGUE AUXILIARY -- a carnival
4. NEVADA ASSOCIATION OF LATIN AMERICANS -- tickets to a dance; raffle tickets
5. DELL H. ROBISON JR. HIGH SCHOOL, SPANISH CLUB -- a candy sale
6. DELL H. ROBISON JR. HIGH SCHOOL, BAND -- a cheese sale
7. PAUL CULLEY ELEMENTARY SCHOOL P.T.A. -- a school carnival
8. REDROCK BAPTIST CHURCH, YOUTH ACTIVITIES -- car washes; a bake sale
9. NEVADA ASSOCIATION OF HUMANE STUDIES -- lectures and classes
10. DELTA SIGMA THETA SORORITY -- tickets to a luncheon
11. LAS VEGAS 49ER'S LION CLUB -- tickets to a barbecue
12. GERMAN AMERICAN SOCIAL CLUB OF NEVADA -- tickets to the annual Maifest celebration

Approved
as recommended
Lurie - unanimous

Director
authorized
to issue

Mayor Briare: Was it denied by this commission?

Commissioner Christensen: What happened Mayor is that as I read that, they had a Solicitations Permit approved by the board and by this board and then they violated the rules by conducting soliciation by telephone. When that was brought to the attention of the Licensing Department they withdrew their permit.

Ila Britt: I believe that is correct. Do you want me to go and verify that?

Mayor Briare: Not right now, I have a letter here from Houston and Moran, Attorney's-At-Law that I just looked at this morning complaining about the revocation. Do they have any appeal process or are they interested or what?

Ila Britt: They have not submitted any appeal, no sir.

Mayor Briare: I wasn't sure I haven't had a chance to confer with any of the other commissioners. Bill would you review this, you probably have a copy of this also. O.K. I am sorry, I just wanted to bring that up, Mr. Adams will handle that thing and let us know what is going on.

Commissioner Lurie: This action is after the fact, it is over, and there was some discrepancy in the way they handled the soliciation by using the telephone, which they weren't suppose to do. When they submit the next application they will have to answer these questions as to why they didn't follow the soliciation process.

Mayor Briare: It seems like this is the time of the year that Golden Gloves comes about, I didn't know whether this was something that was going to severely hamper the efforts or what. Well in any event Mr. Adams will give us some kind of information on it. Proceed then.

Commissioner Lurie: Item A, Charitable Solicitations 1 through 15, move for approval.

Mayor Briare: Any comments? (No response). Cast your votes. The motion is approved.

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

See Page 9 of these minutes - Annotated Agenda

DENIS GRACE CHILD
CARE FACILITY
APPLICATIONS Approved
as Recommended

Mr. Adams: The next item is the Child Care Facility Application submitted by Denise Grace.

Mayor Braire: What was the nature of the protest?

Ila Britt: There was one protest from the man who owns the house next door, he sleeps in the day time, he did appear before the Child Welfare Board and with his protest they did recommend approval.

Mayor Briare: This is for a limit of three children?

Ila Britt: Yes

ITEM

Commission Action

Department Action

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

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

See Page 9

See Page 9

5. SEVENTY-SIX CORPORATION

Rendezvous Hotel/Casino
 400 Ogden
 1 crap table

6. MARLAN, INC.

Shifty's
 3805 West Sahara
 5 slots

7. BALLY DISTRIBUTING CO.

Rendezvous Hotel/Casino
 400 Ogden
 6 slots

8. GAMES OF NEVADA

49er Saloon/Casino
 1556 N. Eastern
 3 slots

Sundance West
 32 E. Fremont
 4 slots

Jackpot Casino
 2410 Las Vegas Blvd So.
 2 slots

9. NEVADA COIN MACHINE CO

Sun Brite Coin Laundry
 2000 E. Charleston
 3 slots

10. ALSTATE COIN MACHINE CO.

Rendezvous Hotel/Casino
 400 Ogden
 1 slot

11. AUTOMATIC AMUSEMENTS

49er Saloon/Casino
 1556 N. Eastern
 1 slot

12. SCOTT PLAZA, INC.

Union Plaza Hotel/Casino
 # 1 Main Street
 24 slots
 4 pan tables

Mayor Briare: Any other comments? What is the pleasure of the board?

Commissioner Lurie: Move for approval.

Mayor Briare: Comments on the motion? (No response).
Cast your votes. The motion is approved.

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

See Pages 9 and 10 of these Minutes - Annotated Agenda

GAMING - ADDITIONAL
Items 1 through
12 approved.

Mr. Adams: The next is Gaming - Additional, there are 1 through 12 items there in order.

Commissioner Christensen: Move for approval of items 1 through 12.

Commissioner Woofter: Mr. Mayor let the record reflect that I abstain on item number 3 since my partner represents G.S.Y. Inc.

Commissioner Lurie: Mr. Mayor on Item 8 considering the 49er Saloon and Casino I am abstaining on that one item.

Mayor Briare: The record will so reflect, any other comments? (No response). Cast your votes. The motion is approved.

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

See Page 11 of these Minutes - Annotated Agenda

ADDING RETAIL
TOBACCO W W
VENDING approved

Mr. Adams: The next item is retail additional, W. W. Vending Co.

Commissioner Lurie: Move for approval.

Mayor Briare: Any comments? (No response). Cast your votes. The motion is approved.

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

SHIFTY's LIQUOR
MANAGER approved

Mayor Briare: Item E, Approval of a Manager.

Commissioner Lurie: Move for approval.

Mayor Briare: Any comments? (No response). Cast your votes. The motion is approved.

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

CHANGE OF OWNERSHIP
HI-VIEW MARKET
approved subject
to conditions

Mayor Briare: Item F

Commissioner Lurie: Move for approval, subject to conditions.

Mayor Briare: Comments? (No response). Cast your votes
The motion is approved. The motion is approved.

ITEM	Commission Action	Department Action
<p>I-f. <u>DEPARTMENT OF BUSINESS ACTIVITY</u> (cont'd)</p>		
<p>*D. <u>RETAIL TOBACCO -- Additional</u> 1. W. W. VENDING CO. Forest Lane Apts 1600 South Main Street</p>	<p>Approved Lurie - unanimous</p>	<p>Director authorized to proceed</p>
<p>E. <u>LIQUOR -- Approval of Manager</u> 1. SHIFTY'S 3805 West Sahara Avenue Tavern Marlan, Inc. -- Melvin LaVaughn Allbaugh, Manager</p>	<p>Approved Lurie - unanimous</p>	<p>Same as above</p>
<p>F. <u>LIQUOR & RETAIL TOBACCO -- Change of Ownership</u> 1. *HI-VIEW MARKET 2027 North "H" Street Beverage Off-Sale From: Governor Johnson, 100% To: Kenneth J. Thomas, 100% *Subject to the provisions of the Planning, Building and Fire codes and Health Department regulations.</p>	<p>Approved subject to conditions Lurie - unanimous</p>	<p>Same as above</p>
<p>G. <u>LIQUOR & RETAIL TOBACCO --- Approval of Additional Corporate Officers</u> 1. CIRCLE K STORE NO. 0542 Northeast corner Charleston/Pecos Beverage Off-Sale CIRCLE K STORE NO. 0695 Northwest corner Alta/Valley View Beverage Off-Sale Circle K Corporation -- William George Sullivan, V.P./Director Ledford F. Beard, Ass't. Secy</p>	<p>Approved Lurie - unanimous</p>	<p>Same as above</p>
<p><u>ADD'L - WALK-ON</u> *CIRCLE K STORE No. NA 1248 SE corner Lamb Blvd/Owens BEVERAGE OFF-SALE *Subject to the provisions of the Planning, Building and Fire Codes and Health Department regulations</p>		

ADDITIONAL CORPORATE Mayor Briare: Item G
OFFICERS CIRCLE K
STORES approved

Commissioner Lurie: Move for approval.

Mayor Briare: Comments?

Commissioner Leavitt: Your honor I have a question on the second item, is there anybody here from Circle K, (no response), then I would like to ask the Licensing Department Regarding the Circle K Store on Alta and Valley View, that is right next to Hyde Park Junior High School isn't it. How close is that to Hyde Park.

Mr. Saylor: About a half a block.

Mayor Briare: Just a little longer than that.

Ila Britt: It's 400 feet, however I believe that the strictly sealed take out privileges that the 400 foot rule from a church or a school does not apply, that is only when there is something served on the premises.

Commissioner Leavitt: Isn't there some regulation regarding the number or the distance that this has to be from a school?

Ila Britt: 400 feet if there are any alcoholic beverages served on the premises but in the case of a take out, like beer, wine a convenience market to take home that 400 foot rule does not apply.

Mayor Briare: Any other comments or questions? (No response)
Is there a motion.

Commissioner Lurie: Move for approval.

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

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

See Page 12 of these Minutes - Annotated Agenda

CHANGE OF NAME
BURGER TREE TO
BUM STEER approved

Mr. Adams: The next item is a change in business name from the Burger Tree to the Bum Steer.

Mayor Briare: Move for approval. Comments?

Commissioner Leavitt: Are you involved in that Mr. Matthews?

Mr. Matthews: Yes sir.

Mayor Briare: How did you come up with a name like that? You wouldn't give us one would you. Any further comments? (No response). Cast your votes. The motion is approved.

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

Mayor Briare: Next Item.

CHANGE SOLE
OWNERSHIP FOUR
KEGS TO CORPORATION
approved.

Mr. Adams: The next item is to change the sole ownership to corporation for the Four Kegs and we would request that it be approved, subject to the provisions.

Commissioner Wofter: Move to approve.

Mayor Briare: Any comments? (No response). Cast your votes. The motion is approved.

ITEM Commission Action Department Action

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

H. LIQUOR -- Change of Business Name
GAMING -- New

1. From: The Burger Tree
 To: The Bum Steer
 1100 E. Sahara Avenue
 Restaurant-Beverage
 Gaming: 1 business-
 owned slot
 Hicks and Tiberti, Ltd.
 Joseph W. McNamee, 100%
 Sole Officer/Stockholder

Approved
 Lurie - unanimous

Director
 authorized
 to proceed

I. LIQUOR -- Change from sole owner-
ship to corporation
GAMING & RETAIL TOBACCO -- New

1. *THE FOUR KEGS
 276 North Jones Blvd
 Tavern
 Gaming: 10 business-owned
 slots
 From: Anthony J. Benetti,
 100%
 To: John Tom Corporation
 Anthony J. Benetti,
 President
 John L. Rolofson,
 Secy/Treas

Approved subject
 to conditions
 Woofter - unanimous

Same as above

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

J. LIQUOR -- Deletion of Partner

1. FIESTA CANTINA
 7000 - 7050 West Charleston
 General Liquor
 Firehouse Four, a partnership
 From: Donald Gilday, 25%
 Michael Stober, 25%
 Melvin Wolzinger, 25%
 Earl Wilson, 25%
 To: Donald Gilday, 33-1/3%
 Melvin Wolzinger, 33-1/3%
 Earl Wilson, 33-1/3%

Approved
 Lurie - unanimous

Same as above

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

Mayor Briare: Next item.

DELETION OF
PARTNER FIESTA
CANTINA approved

Mr. Adams: The next item is the Fiesta Cantina
deletion of partner.

Commissioner Lurie: Move for approval.

DELETION OF
CORPORATE OFFICER
FOXY'S FIREHOUSE
approved

Mayor Briare: The same procedure is for Item K is it not?

Mr. Adams: Yes.

Commissioner Lurie: Move for approval on items
J and K.

Mayor Briare: Any comments? (no response)
Cast your votes. The motion is approved.

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

See Page 13 of these Minutes - Annotated Agenda

NEW GAMING
SANTA BARBARA
MARKET approved

Mayor Briare: Item L

Commissioner Woofter: Move to approve.

Mayor Briare: Any comments? (no response) Cast your
votes. The motion is approved.

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

SPECIAL EVENT
LIQUOR LICENSE
NEVADA ASSOCIATION
OF LATIN AMERICANS
approved

Mayor Briare: Next item.

Mr. Adams: Next item is for a special event liquor license
for the Nevada Association of Latin Americans.

Commissioner Lurie: Move to approve.

Mayor Briare: Any comments: (no response) Cast your
votes. The motion is approved.

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

Mayor Briare: Next item.

REQUEST FOR
EXTENSION CHANCES
R INC. approved

Mr. Adams: Next item is a request for extension of the
Chances R Incorporated.

Commissioner Lurie: I have a question.

Mayor Briare: Is the applicant present, or a representative
of the applicant. This is for Chances R, Nick Bobrick
and Wanda Wells. Are you Wanda Wells?

Wanda Wells: Yes I am.

Commissioner Lurie: My question is, why do we have to extend a request for extension that has been in an inactive status on this license when the business is closed, there is a sign for rent and there is also a tax notice on the front door.

Wanda J. Wells: We are in the process of reorganization.

Commissioner Lurie: Well I really can't believe there is a reorganization and I don't see any hope or chance for this to come out so you can open up.

Wanda J. Wells: It's going to a new corporation.

Commissioner Lurie: When is this supposed to be completed.

Wanda J. Wells: I would say within 30 days.

Commissioner Lurie: That is what you told us the last time.

Wanda J. Wells: No it was 60 days before.

Commissioner Lurie: Now it's cut down to 30 days.

Wanda J. Wells: Yes

Mayor Briare: What is the pleasure of the board? The request is for an extension of inactive status.

Commissioner Lurie: I would also request Mayor that if this is granted that the committee that was hearing our liquor ordinances reviewed this type of extension whether or not it's justified whether or not we need to change our ordinances so that people cannot carry these licenses around in their hip pockets for a year trying to dispose of them.

Commissioner Leavitt: I understand this was closed in January of this year is that right?

Wanda J. Wells: That's right.

Commissioner Leavitt: And it has just been closed since January?

Wanda J. Wells: Yes.

Commissioner Leavitt: I move to allow the request for extension.

Mayor Briare: The motion is to allow the request, any comments? (No response) Cast your votes. The motion is approved.

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

See Page 14 of these Minutes - Annotated Agenda

(Mayor Briare exited at 9:20 A.M.)

CHANGE OF LOCATION
D'ANGELO'S BAR
SUPPLY approved

Commissioner Lurie: The next item is Item 0, for a change of location, any comments from the commissioners? (No response). I will move for approval. Cast your votes. The motion is approved.

Motion carried by the following vote:
Commissioners Leavitt, Lurie, Woofter,
and Christensen voting aye. Mayor Briare
did not vote he was temporarily absent.

ITEM	Commission Action	Department Action
<p>I-f. <u>DEPARTMENT OF BUSINESS ACTIVITY</u> (cont'd)</p>		
<p>O. <u>LIQUOR -- Change of Location</u></p> <p>1. D'ANGELO'S BAR SUPPLY 5643 W. Charleston - # 1 Keg Beer/Home Delivery</p> <p>From: 4180 South Jones Blvd Albert D'Angelo, 100%</p>	<p>Approved Lurie - unanimous</p> <p>Mayor Briare did not vote - temporarily absent</p>	<p>Director authorized to proceed</p>
<p>P. <u>RETAIL TOBACCO -- New</u></p> <p>1. SHELL SUPER CAR WASH 2023 E. Fremont</p> <p>Cliff Zimbelmann, 100%</p>	<p>Approved Woofter - unanimous</p> <p>Mayor Briare did not vote - temporarily absent</p>	<p>Same as above</p>
<p>Q. <u>RETAIL TOBACCO -- Change of Name/ Change of Location</u></p> <p>1. From: Terry's Vending Co. 631 E. Fremont</p> <p>To: ODYSSEY VENDING CO. 1930 E. Fremont</p> <p>Terry Petros, 100%</p>	<p>Approved Woofter - unanimous</p> <p>Mayor Briare did not vote - temporarily absent</p>	<p>Same as above</p>
<p><u>ADDITIONAL ITEM:</u></p>		
<p><u>APPEAL ON DENIAL OF BUSINESS LICENSE</u></p>		
<p>SULTAN HEALTH STUDIO 2309 Las Vegas Blvd., South</p> <p>Applicant: Global Investments Deborah R. Daley, Pres. Phyllis C. Sanfillippo, V.P.</p>	<p>Appeal denied Leavitt - unanimous</p>	<p>Staff to proceed</p>

RETAIL TOBACCO SHELL
SUPER CAR WASH
approved

Commissioner Lurie: Item P. Retail Tobacco at the Shell Super Car Wash, any comments? (No response)

Commissioner Woofter: Move to approve.

Commissioner Lurie: Move for approval, cast your votes. The motion is approved.

Motion carried by the following vote:
Commissioners Leavitt, Lurie, Woofter
and Christensen voting aye. Mayor Briare
did not vote, he was temporarily absent.

REQUEST FOR CHANGE
OF NAME AND LOCATION
TERRY'S VENDING
CO. approved.

Commissioner Lurie: Item Q change of name,
change of location.

Commissioner Woofter: Move to approve.

Commissioner Lurie: Comments from the Commission?
(No response). Cast your votes. The motion is
approved.

Motion carried by the following vote:
Commissioners Leavitt, Lurie, Woofter
and Christensen voting aye. Mayor Briare
did not vote, he was temporarily absent.

APPEAL ON DENIAL
OF BUSINESS LICENSE
SULTAN HEALTH
STUDO Delayed

Mr. Adams: We have one additional item which is
the appeal on a denial of a business license
by our Department of Business Activities.

Commissioner Lurie: Is Mr. Shaner here?
Mr. Koch did you want to make comments on this
application. Mr. Shaner knows what time our
meetings start, he should have been present,
would you like to make some comments.

Mr. Howard Koch: I don't mind waiting, it doesn't
matter I can go back to my office and be called
whenever you are ready, it doesn't matter.

Commissioner Lurie: O.K. we will hold this item
then until Mr. Shaner arrives from court.
O.K. we'll go back to the Department of Municipal
Services Mr. Cathcart on the bid on the renovation
of the Naval Reserve Center. I believe the Mayor
asked for some comments, Dan will you give an
answer to the Mayor's question, from the City Attorney's Office?

DEPARTMENT OF MUNICIPAL SERVICES

J.C. CATHCART, DIRECTOR

See Page 6 of these Minutes - Annotated Agenda

MASON CONSTRUCTION
BID WITHDRAWN
AWARDED TO NEXT
LOWEST BIDDER
approved

Mr. Ahlstrom: I have reviewed the opinion and it appears
to be in order, I think the upshot of the opinion is that
Mr. Mason can at this time either accept the bid at \$73,000.00
now or withdraw, if it is withdrawn I think the next bidder
would be awarded. I do not believe we can award this bid
to Mr. Mason at \$89,000.00.

Commissioner Lurie: Or could all the bids be rejected
and then re-advertise.

Mr. Cathcart: This is the second time around on these
bids. The first time this was bid Mason came in at
\$72,000.00 and the only other bidder at that time was
for \$106,000.00 based on a \$101,000.00 estimate. At
that time both bidders both had apparent errors in
their bids and they were rejected, and permission to
re-advertise, we again went out by certified mail for
44 invitations, it was advertised again, we only

received two bids first from Leonard Mason the second one from Empire Construction in the amount of \$90,520.00. The estimate was for \$101,000.00

(Mayor Briare reentered Chambers at 9:20 A.M.)

Mr. Cathcart: I would like to make a comment on the first time around, even though we had apparent errors in the first bidding, it was illegal to award at that time to Mr. Mason, he was agreeable to accept it at that price. The second time we rebid was with very minor changes, a minimal sum, it could be around \$1,000.00. This is the second time around with 44 bid invitations with formal advertising and it would be my recommendation to award it however you decide here this morning.

Mayor Briare: Mr. Mayor Pro-tem, I was receiving a long distance phone call from Carson City a moment ago and I was not able to listen to the loud speaker in there and talk on the phone at the same time so I didn't hear what Mr. Ahlstrom's comments were. I ask your indulgence by having Mr. Ahlstrom repeat the questions that were asked, or repeat the answers to the questions.

Mr. Ahlstrom: Mr. Mayor basically what our office feels is that either Mr. Mason can withdraw his bid at this point or stick with his figure of \$73,000. If he withdraws his bid it will be awarded to the other bidder, I think that is about \$90,000.00. Mr. Cathcart pointed out that this is the second time this matter has come up.

Mayor Briare: Thank you Mr. Ahlstrom, and then based on my second question, the way this is written Mr. Ahlstrom, the way the conclusion is written and that is the meat of the matter is it not?

Mr. Ahlstrom: That's correct sir.

Mayor Briare: It would appear that the, O.K. I will withdraw my question, Mr. Mason.

Mr. Leonard Mason: First I would like to respond to Mr. Cathcart's comments, I am glad he said two contractors made mistakes prior because here it is noted that no other contractor made a mistake this time around. I don't know what you gentlemen know about bidding but it is a very difficult task, you have a very minimal time to get your prices from your sub's. Do you have a letter that I sent to you.

Mayor Briare: Yes.

Mr. Mason: Dated April 7 to Mr. Parks and to further explain that, my superintendant and myself are more accustomed to bidding Federal Government jobs which allows us to put our overhead and profit in the lower end of it. Now I know what the city procurement is going to say is that we should become more familiar and come in and learn their procedures. Secondly on page 2 of the city's opinion the city in it's language does allow the city commission to make a decision and I will quote "Could the City overlook the provisions of the General Conditions and allow the \$89,942.00 figure to serve as the Contractor's bid? In all likelihood" this certainly allows the City Commission to make it's own decision there, and in that same paragraph, the third line or so, "it is a general rule that the bid of one proposing to contract for the doing of a public work must," and I will skip down "or conform substantially to the advertised" and I think we have conformed substantially to the advertised bid. We erred technically in that we failed to show our overhead and profits in our bid prices and I don't think that the city

or anyone else would expect us to perform a contract without a reasonable overhead and profit and of course it is not a question and I would never pose it as a question, but it is a consideration that Mason Construction is a black firm will be the first contract of this size that would have been awarded to that number of people who would be given jobs at a Union Scale because of a provision that we made a mistake in our last bid which is Nevada N.R.S. 338.40 which requires us to explain why it was \$72,000.00 before. We had interpreted N.R.S. 338.40 as being the minimum wage when it actually is the union wages that must be paid for city jobs. That was the mistake before, all I can say is that we beg the city's consideration and indulgence in awarding us this contract at \$89,942.00.

Commissioner Lurie: What you are saying is that your not going to withdraw your bid of \$73,000.00.

Mr. Mason: I am saying that we cannot do the job at \$73,442.00 we are in fact appealing that the city award us the job at \$89,942.00, which is in fact the lowest bid and by no interpretation would it be a damage to the city at that cost, nor a violation of any public trust because if we are rejected it will go to a higher figure.

Mayor Briare: I want to make a statement to you Mr. Mason, and I am being consistent with a statement that I made at a meeting of the Regional Streets and Highway Commission the other day where some comments had been made and one of the reasons that were given by one of the persons against whom these comments were made was that he was a black firm and I said it doesn't make no difference to me, none whatsoever that is not the question here whether it is a minority contractor or what. But not withstanding that I need to review a couple of matters with the commission that I don't agree with the recommendations of the City Attorney's Office on this because it is my understanding Mr. Cathcart I am going to ask you and whatever you say it is that is the way I am going to say it in my own mind that it is. The actual document that came in the sealed envelope or whatever the procedures were that you examined it first indicated that the bid of Mason Construction Inc., that bid document indicated at first blush when you looked at it that it was \$89,000.00 and some dollars?

Mr. Cathcart: Yes your honor.

Mayor Briare: O.K. number 2, the bid bond that accompanied it was for the amount equal to their bid, \$89,000.00 or something?

Mr. Cathcart: Yes sir.

Mayor Briare: So the contractor intended to put in a bid of \$89,000.00, the bonding company was of the understanding and was willing to guarantee as the provisions of the bond require that the bid was \$89,000.00. But only because your office was diligent enough to review the individual extensions that the actual bid figure and the amount that the extensions added up to there was a substantial difference.

Mr. Cathcart: Yes your honor.

Mayor Briare: They have indicated and it seems, does it seem apparent that the overhead and profit is a reasonable amount and that that conceivably could be the difference between the \$89,000.00 and \$73,000.00?

Mr. Cathcart: Your honor that was not considered because there was an apparent error. Like Mr. Mason I have spent most of my life in contracts, contract administration with the Federal Government, this is following in line with the procedures of the Federal Government and municipalities and so forth. It is like a second bite at the apple where any company could come in and add something on to their bid. We specifically stated that the unit prices would be the controlling criteria for evaluating bids. This is the first thing that is done upon opening the bids, it is all public information. They are immediately given to the buyers in packages. I believe that Mr. Parks when he saw the apparent large error, the bidders were immediately notified. When he saw the substantial difference in the extension amount and the total added amount. Now it's conceivable that any other bidder could do the same thing and add on \$10,000.00 or \$20,000.00 on to the bid and come in and say "hey this is what I meant to bid", it's kind of like a second bite, and if they buy it then he has made a little extra profit and if he hasn't then it is based on the unit prices that is actually what we ask for to balance out the pay estimates in case they have overages and underages or additional work to be done. It would be kind of hard to break these out and make the pay estimates, I believe there is any other way to do it.

Mayor Briare: I would concur Mr. Cathcart that that is what the book says and I can see the reason perhaps for it, but I also have the experience in some contract negotiations to the point where if a bidder came in with a bid that was over if he was second high or if he was higher bid he would come in and say "oh I made a mistake I didn't mean to put in that extra figure or if you will add up or do my take off's on it that you will see that I was really \$4,000.00 to much and so therefore you should award it to me based on my mistake" of course not but I think the reverse logic is not necessarily true and when the bonding company comes in and requests this. Now incidentally I am not discussing this on the basis that I want to see the city pay more money, no way, but your recommendation is that we award it to the next bidder so consequently the money is there and it is the intent of the city to suggest that the commission award it to the next bidder. I have no reason at all to question the integrity of any bidder that is licensed in the city and in view of the bond that was issued and in view of these other matters, it is fool hardy to suggest a builder has to work for nothing, which in a sense this would do, but it seems like there is technical reasons or other reasons that would suggest that we could consider it, the City Attorney doesn't feel so. Now Dan is that your opinion that the City Attorney's office says that there are no other extenuating circumstances that might be given consideration on this?

Mr. Ahlstrom: Mayor our opinion would be that you should not award the bid of \$89,000.00 to Mason Construction. It is a taxing situation wherein in Mr. Cathcart's words you are giving this gentleman a second bite of the apple.

I am not opposed to giving anybody a second bite of the apple but we have State Statutes that we are governed by and they forbid.

Mayor Briare: Well this is going to be my last statement on this matter gentlemen I am not going to carry this on for the rest of the morning. I disagree on the bite of the apple. If the bond that accompanied this was for \$73,000.00 some and then a contractor came in and said I forgot to put the profit and overhead in, then you are giving them a second bite, but when the bond company says \$89,000.00 I don't consider this as a bite. Now listen I am not representing you Mr. Mason, you can represent yourself fine

Mr. Mason: I would like to address the City Attorney and Mr. Cathcart who work very well with me and I can understand his position. I don't think that I had a second bite of the apple or that I had any more advantage than anyone else because we all had an extraction of the figure on the first bid. All 44 bidders, all 44 contractors who was offered an opportunity to bid had the same opportunity as I did to see what the city's extractions were on this particular bid.

Mr. Ahlstrom: Now the first bid, you bid it at \$72,000.00, is that not correct?

Mr. Mason: That is correct. That \$72,000.00 was bid based on our misinterpretation of N.R.S. 338.40 which we interpret as being minimum wage standards.

Mr. Ahlstrom: Didn't purchasing tell you about this or didn't they sit down with you?

Mr. Mason: Tell me about what?

Mr. Ahlstrom: About the interpretation of the statute.

Mr. Mason: Yes they did, that is why we came in with an \$89,942.00 bid

Mr. Cathcart: Your honor Mr. Parks would like to say something.

Mr. Parks: Yes your honor the general conditions indicate that the bid bond was to have been 5 percent of the bid not 100 percent of the bid. The bid bond should not have been posted at \$89,000.00 we haven't brought that to anybody's attention at this point.

Mayor Briare: I think if it were 5 percent there would be question but the fact that they specifically put down the amount is in my mind what raises the question.

Mr. Parks: Yes sir, that is why I am drawing the point that the bonding company takes the figure that Mason asked them to post for the bond. Now Leonard had made the error as we have indicated between the 89 and the 73 and also through the general conditions he should have posted a 5 percent bond not a 100 percent bond.

Mr. Mason: Another point I would like to make is that we made a technical error and not a computational error. We had no problem with our figures, we had a technical error. If we would be allowed, we would bring in our subs individual bids and show our overhead and our bonding costs. It was a technical error, it was not a computational error on our part.

Mayor Briare: That is why I am saying that normally a bid bond is written as opposed to the construction and completion bond. A bid bond is written in accordance with whoever the builder is, I am sorry whoever the owner is for a percentage of the bid whatever it might be. In this instance you add the good faith that perhaps this contractor was trying to show for whatever reasons we don't know, maybe the bonding company would be interested. In a sense if that is the normal case, then their suggestion is that \$89,000.00 is 5 percent of the total job and we know that is not true.

Commissioner Woofter: I am certainly inclined to give the bid to Mr. Mason but I have one concern that I will accept this down the line and I have to defer to the City Attorney because I feel that if we give this bid to Mr. Mason that there is certainly going to enter into the picture in regards to the other contractors bid on this job. All I want to know from Mr. Ahlstrom if he is at such an opinion at this stage of the game advises, are we on solid ground as far as any litigation that might result in us giving the bid to Mr. Mason at this time.

Mr. Ahlstrom: My opinion is that you are not. I think there is a possibility that you would receive litigation from the next highest bidder, there was an individual who bid it at \$90,000.00.

Commissioner Lurie: Who was the second low bidder, which company.

Mr. Parks: Empire Construction, I might add that that also is a minority firm.

Commissioner Lurie: Could I have a recommendation Mr. Ahlstrom.

Mr. Ahlstrom: Well our recommendation is that you either award the bid to Mason Construction for \$73,000.00 or allow him to withdraw it. It would almost seem like a useless gesture to award it to him at \$73,000.00 based upon what he has stated here so I see the only other alternative is to let him withdraw it.

Commissioner Leavitt: If he doesn't want to withdraw it then reject all bids, is that what you are suggesting?

Mr. Ahlstrom: If he doesn't want to withdraw it then award it to him at \$73,000.00.

Commissioner Leavitt: Oh I see what you are saying, either award it to him at \$73,000.00 or let him withdraw.

Commissioner Woofter: How about the other alternatives, can we reject all bids?

Commissioner Leavitt: Well that was going to be my question, I was wondering if it was going to be possible to reject all bids at this time. If he doesn't want to take it at \$73,000.00 and he doesn't want to withdraw it, can we reject all bids and rebid

Mr. Ahlstrom: Commissioner Leavitt I believe that you could, we have gone around twice on this but I see no reason why we couldn't do it a third time.

Commissioner Leavitt: Mr. Mason is it your desire to withdraw your bid.

Mr. Mason: Yes if the City Commission rules that my bid is \$73,000.00.

Commissioner Leavitt: Well I believe that is what counsel has indicated, that that is what we should do. In other words he has given us legal advice and we ask you to take the bid at \$73,000.00 or give you the opportunity to withdraw because if you don't want to take that \$73,000.00 and you don't want to withdraw then we have a third alternative.

Mayor Briare: There is a fourth one commissioner.

Commissioner Leavitt: I am going to try to figure one out.

Mayor Briare: I've got one for you.

Mr. Mason: The fourth one is to award it to me for \$89,942.00.

Mayor Briare: The City Attorney says we can't do that. Are you ready for another legal opinion Mr. Ahlstrom? If a motion were to be made to award this to Mason Construction at \$73,000.00 and that motion lost for lack of majority.

Mr. Ahlstrom: If you want to get to that point that I think you are trying to get to allow him to withdraw his bid and then go to rebid again and redo the entire job again.

Commissioner Leavitt: He doesn't want to withdraw at this point, he hasn't indicated that he wants to withdraw his bid.

Mr. Ahlstrom: Well I think if that is the pleasure of the board to rebid it he would withdraw his bid, maybe he wouldn't but if that is what you are thinking, if you want to get to the position where you are going to allow it to be rebid.

Mayor Briare: You are putting his back against the wall by saying either withdraw it or else there.

Mr. Ahlstrom: Well his back is against the wall, he has two choices either withdraw it or it will be awarded to him at \$73,000.00.

Mayor Briare: What about rejecting all of them.

Mr. Mason: Mr. Ahlstrom there is option the city has to award the contract at \$89,000.00 based on the language on page 2 of the opinion.

Mr. Ahlstrom: Mr. Mason I do not believe that the city has that option I believe that would be putting the city into a precarious legal position to award the \$89,000.00.

Mayor Briare: Are there any other questions for the City Attorney's office or any other opinions or any other comments:

Commissioner Woofter: I just want to ask Mr. Mason in view of that

Mr. Mason: I cannot accept the bid at \$73,442.00.

Commissioner Woofter: How about for a rebid. Would you go along for a motion to rebid the job. I mean that is about it that's the only other thing unless if we reject yours then it is going to go to the other one.

Commissioner Christensen: I have a question for the Attorney's Office I realize that we are putting the Attorney kind of on a spot but there is another question. The last time these bids were rejected and it was rebid it was because they were over the estimate.

Mr. Cathcart: Yes sir.

Commissioner Christensen: O.K. What would be the legal ramifications if we reject all bids now when there is no legal ground to reject all bids? They are not over the estimate and so forth what would be the legal ramifications if we rejected all bids, what would be our legal liability there?

Mr. Ahlstrom: Well I think you have the authority to reject all bids and go to rebid the job.

Commissioner Christensen: You can do that regardless whether you have a reason or not huh?

Mr. Ahlstrom: Yes.

Commissioner Lurie: The only thing that bothers me about this whole thing is that we keep trying to make conditions and turn this thing around so that we can get it back to rebid. I think we have the opinion and Mr. Mason has been given the opportunity to withdraw his bid or the attorney tells us that we have to accept the low bid, and the analysis and the opinion that we have. I don't believe that we can make these type of conditions, that is the way I understand it, because in effect what it says here is that we will be allowing the Mason bid to be submitted in a different manner than what we requested the other bidders to provide us with.

Commissioner Leavitt: I understand a minute ago that he did not want to accept the \$73,000.00 but Mr. Mason hasn't gone so far as yet to say he wants to withdraw that bid and that's the problem. As I understand it you don't want to accept the \$73,000.00 figure but you haven't yet said you want to withdraw your bid. (No response).

Commissioner Lurie: I have another question, Mr. Cathcart if we were to award the bid to the low bidder would the bonding company be responsible to pick up the difference of the bid?

Mr. Cathcart: No the bid bond is to be sure that when somebody has made a bid and it is accepted that the contractor would fulfill his obligation and start in with the project.

Commissioner Lurie: After low bid, but you say that the bond is for \$89,000.00

Mr. Cathcart: This has nothing to do with the performance and guarantee bond, this is the bid bond only, it's good faith.

Mayor Briare: Does the specification require performance and payment bond, sure and if they can't post the performance and payment bond then the bid bond is going to have to pick up the difference. That is what Commissioner Lurie is asking.

Mr. Cathcart: What normally happens is that the bonding company has the right if the bidder refuses to do the job the bonding company would come in and solicit bids themselves since they are the ones that would have to stand the difference between whatever they would get their bids to come in at, if they come in higher up to 5 percent difference, the bonding company would have to pay that themselves. The city would be obligated for the difference.

Commissioner Christensen: Your honor I hate to drag this out but I have another question for the attorney, it is a procedural question. As I understand your opinion he can either withdraw his bid or we can award it for \$72,000.00 or whatever the amount is but what happens if he doesn't withdraw and nobody makes a motion to award the bid, then where do we stand? It looks to me like that is the next action, if we award the bid then that puts him in a peck of trouble with his bonding company and everything else and if he doesn't withdraw his bid he could force us to award that bid at the low figure. Procedurally where do we stand on that?

Commissioner Leavitt: That is why I suggested that we reject all bids.

Commissioner Lurie: What about the second bidder who is a minority contractor also, is that fair to those people that we are making all these conditions?

Mayor Briare: Well let's put a few votes on the board and see.

Commissioner Christensen: Vote on what, that is the problem.

Mayor Briare: Well once we get a motion then we will start voting.

Commissioner Lurie: O.K. I will make a motion that we approve the low bidder.

Commissioner Christensen: The low bidder meaning what?

Mayor Briare: Mason Construction Company.

Commissioner Christensen: At what figure?

Mayor Briare: \$73,400.00 and some, any further questions by the commission?

Mr. Mason: Then I withdraw my bid for \$73,000.00. I cannot do it at \$73,000.00.

Mayor Briare: The motion is to award it for \$73,000.00 any questions. Cast your votes.

Commissioner Christensen: Mr. Mason has withdrawn his bid can he do that after the motion is made.

Mayor Briare: I don't think so.

Commissioner Christensen: Well that is what I am trying to get at in the procedure here what

Mayor Briare: There are a number of alternatives we have here commissioners we are testing one right now and that is to go ahead and proceed.

Commissioner Christensen: I would like to test a little bit with the attorney before I vote.

Mayor Briare: O.K. sure, this is a question on the motion.

Mr. Ahlstrom: Mr. Mayor, if I may the motion has been made but it hasn't been voted on and the contractor has indicated that he wishes to withdraw his bid, now in the contract it does state that in the case of a rejection of all proposals the owner reserves the right to advertise for new proposals or to proceed to do the work if otherwise rejected by the board. If as Commissioner Leavitt has suggested that you reject all bids then you could go to rebid again.

Commissioner Christensen: Well now you already have a motion.

Mayor Briare: Well we can take action on this motion, we can vote it one way or the other, but what we are doing now is that we are getting into a real serious precedence. We have a low bidder that has come forward and there is a technical problem and it is now discovered, and we have a motion to go ahead and award it to the low bidder. It might be that low bidders from here on out will feel like they got quite a bit of lee-way before this commission, if we don't take some very definitive action one way or the other. I don't think, after all the discussion we have had, and offering the opportunity to allow the contractor to withdraw his bid and now after a motion is made to give it to him he jumps in and says "I'll withdraw", where he didn't do it before, I think we should vote on the motion and I am going to call for a vote unless there is a further question on the motion.

Commissioner Christensen: I still have a question. Can he withdraw his bid before the votes are taken?

Mr. Ahlstrom: I believe he can withdraw his bid anytime up until the votes are taken.

Mayor Briare: Well I am going to exercise a little parliamentary authority here and say that the motion is made to preclude any further debate from the public, and only amongst the Commissioners there is a question on the motion.

Commissioner Christensen: Yes, that is the question I asked?

Mayor Briare: I am talking about from a parliamentary procedure, not from a legal procedure, that is that once the motion is made, the Commissioners have then the matter before them for their own discussion and to have further matters of a public hearing nature come forward at this time are precluded.

Commissioner Christensen: You are saying that he can't withdraw his bid after the motion is made, and the attorney says he can.

Mayor Briare: Because he had ample opportunity to do so before.

Commissioner Christensen: So now if we go into court Mayor, are you going to defend me or what?

Mayor Briare: No you don't want to have me defend you.

Commissioner Christensen: Well then I have to defer to the attorney's opinion and he says he had a right to withdraw, so that takes the motion off the floor doesn't it, if he has withdrawn his bid? Now there is the question you see, whether your opinion holds water or the attorney's.

Mayor Briare: Oh, don't put it that way, I would like to believe they both hold water.

Commissioner Leavitt: Your honor I have a question on the motion.

Mayor Briare: We have a question on the motion.

Commissioner Leavitt: Your honor do I understand that, should this motion pass, that pursuant to the City Attorney's opinion that the Mason Construction Company would have to

perform at the figure of \$73,442.00, is that the effect of that motion? I am asking the City Attorney, is that the effect of that motion?

Mr. Ahlstrom: Commissioner Leavitt that is, that would be the effect of that motion, he has stated that he wanted to withdraw but that was after the motion was made.

Commissioner Leavitt: So in other words if this motion passed, the city has taken the position that Mason Construction must perform at the figure of \$73,442.00.

Mr. Ahlstrom: That is correct.

Commissioner Leavitt: Alright I am ready to vote on it.

Mayor Briare: Any other comments or questions? The motion is to award the contract to the low bidder. Cast your votes. Has everybody voted?

Commissioner Christensen: Not me I am not going to vote on this motion.

Mayor Briare: Do you want to abstain?

Commissioner Christensen: No I am just not going to vote. I don't feel that there is a motion on the floor based on the attorney's opinion.

Mayor Briare: Any other comments? Alright cast your votes. The motion dies for lack of majority.

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

Commissioner Leavitt: At this time I would like to make a motion that we reject all bids.

Mayor Briare: Any comments by the commission. Cast your votes. There is a comment, go ahead.

Commissioner Lurie: I am just saying I think the commission is setting a bad precedence by rejecting all the bids now and go out and re-advertise this project I think you are setting a bad precedence and I am sorry to see that this situation has come before us. When your in business sometimes you make mistakes you have got to live with your mistakes and Mr. Mason, He said he made a simple technical mistake, I don't think it is so simple when you are talking \$16,000.00. I think the commission is wrong in trying to go out and rebid this project. That Naval Reserve Center is never going to get refurbished

Mayor Briare: Any other comments? The motion is to reject all bids and to re-advertise. Any further questions or comments? (no response) Cast your votes. Commissioner Christensen are you in our out of this one?

Commissioner Christensen: Oh this is a valid motion.

Motion failed by the following vote?
Commissioner Christensen, Lurie,
Mayor Briare voted "no". Commissioners Leavitt and Woofter voted aye.

Mayor Briare: That motion failed. You know we talked about what a small agenda we had this morning but Alright what is the pleasure of the board?

Commissioner Woofter: I make a motion that we award the bid to the Mason Construction Company in the amount of the \$89,000.00 that was set forth.

Mayor Briare: Clear the board. Any comments on Commissioner Woofter's motion?

Commissioner Leavitt: I am confused I thought we had only two legal alternatives and I would like to ask the City Attorney a question regarding this. I believe the two legal alternatives we had was either to award the bid in the amount of \$73,442.00 or to reject all bids, and the question that I have to ask in regards to Commissioner Woofter's motion is that a legal alternative that we have at this time?

Mr. Ahlstrom: Commissioner Leavitt, I think based upon the opinion of our office there is some problems with it. I don't know what the outcome of it would be if there were some litigation, there may not be litigation, but I feel that if there were litigation we would be in a rather difficult position if they awarded it to Mason Construction for the \$89,000.00 figure.

Commissioner Leavitt: It is your advice then to us that should this happen that we could be acting illegally?

Mr. Ahlstrom: That would be my advice to you yes.

Commissioner Lurie: Mayor I would like to ask one question of Mr. Hampton. What would prevent us from contracting this project out and doing it ourselves like we did with the Metropolitan Police Substation in the West Charleston area? We contracted with the county to perform the necessary work to rehab the building, why couldn't we go and try that?

Mr. Hampton: This could be done commissioner I believe that you would have some time required in acquiring the manpower to do this. The county is involved in several projects now they probably wouldn't be able to get on this project we would have to go out and acquire manpower and this would take 30 to 60 days to get your manpower set up.

Commissioner Lurie: Well the way we are doing it now is going to take years.

Mr. Hampton: Well the second low bidder, Empire Construction, I believe this is the attorney has ruled this is a legal option you have by awarding it to the second low bidder which we feel is a good bid at \$90,000.00 that is substantially below our estimate. Empire Construction is a minority contractor who has done work for us before they could come in and perform the work in a timely manner and I think this option should be considered by the board.

Mayor Briare: Allright Commissioner Woofter's motion was to approve the bid of Mason Construction Company at \$89,942.00. Before we vote on this I would like to ask, in the event this one fails are any of the commissioner prepared to make any more motions on this because if they are I would like to hear the alternative now.

Commissioner Leavitt: I would like to know what the alternative is if we don't make any more motions.

Mayor Briare: To award it to the second bidder. Allright are you ready for the question, cast your votes, opposed, the motion dies.

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

Mayor Briare: Edwina I hope you are keeping track of all these votes here. What is the pleasure of the board on this now, lets have a new motion because anything we have had heretofore has been rejected.

Commissioner Lurie: I might make a motion. I would like to make a motion that the fourth alternative is that the bid be given to the second bidder who qualifies.

Mayor Briare: Clear the board please. Cast your votes, opposed, has everybody voted. That motion is approved Ron, congratulations.

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

Mayor Briare: O.K. the next order of business please, what is the next order of business Bill?

Mr. Adams: We have the Public Services with Mr. Hampton.

Mayor Briare: Allright we are going to be in recess for 10 minutes.

(Commission Meeting was Recessed at 10:10 A.M.)

(Commission Meeting Called to Order at 10:25 A.M.)

Mayor Briare: Allright the next item on the agenda is the Department of Community Plans and Development, Mr. Saylor.

Mr. Adams: You have skipped Public Services.

Mayor Briare: Oh, I am sorry, well that is one way to move the agenda, just cut out part of it.

DEPARTMENT OF PUBLIC SERVICES

LAURENCE HAMPTON, P. E., DIRECTOR

See Page 15 of these Minutes - Annotated Agenda

Mayor Briare: Go ahead Larry.

Mr. Hampton: Mayor the first action is a release of bond, we recommend approval. This is a bond in the amount of \$2,200.00 at 1208 South Highland

Commissioner Lurie: Are they finished?

Mr. Hampton: Yes.

Commissioner Lurie: Move for approval.

Mayor Briare: Comments? (No response). Cast your votes. The motion is approved.

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

Commissioner Lurie: I have one other thing Mayor if I could ask Larry about.

Mayor Briare: Yes of course.

Commissioner Lurie: Even though the outside improvements are complete there is still alot of such things that are over there that are very unsightly that you notice from the street and from the freeway.

RELEASE OF BOND
CARMINE CATELLO-
CATELLO TILE
approved

(Commissioner Leavitt temporarily absent)

Mr. Hampton: That's right.

Commissioner Lurie: I think you ought to send him a letter and make him aware that once the building is complete and all those semi-trucks and pick-up trucks and all the material is supposed to be inside that building and the pallets are to be removed and sort of clean that area up a little bit.

RIGHT OF WAY
ITEMS 1 THRU 5
Approved. ITEM
6 WITHDRAWN

Mr. Hampton. I will do that. In Section B your honor I would like to withdraw item Number 6, unfortunately I have not been able to get some background information necessary to present this to you.

Mayor Briare: Only items 1 through 5?

Mr. Hampton: Yes, items 1 through 5.

Mayor Briare: Any Comments? (No Response). Cast your votes. The motion is approved.

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

See Page 16 of these Minutes - Annotated Agenda

Mayor Briare: Item C.

REQUEST FOR
HOOKUPS
Approved.

Mr. Hampton: These are two requests for hookups in the county, we would recommend approval. There is still some problems with the county but this is something that should be worked out aside from your action. We do not recommend holding these people up, we recommend that the city approve the hookups.

Commissioner Lurie: Move to approve Items 1 and 2.

Mayor Briare: Any comments? (No response). Cast your votes. The motion is approved.

Motion carried by the following vote:
Commissioners Lurie, Woofter and
Christensen and Major Briare voting
aye; noes, none. Commissioner
Leavitt was temporarily absent.

Mayor Briare: Item D.

REVERSING DIRECTION
OF ALLEY Approved.

Mr. Hampton: The Traffic and Parking Items is the reversing of the one-way alley in back of the Rendezvous Hotel. This was approved by the Traffic and Parking Commission, it is now signed to one way South. The construction of the building has created a blind spot in which there is a possible pedestrian, auto accident at that point, we recommend that it be reversed. There is no problem in doing so except for the buses and it would be giving an exception to the buses, the Continental Trailways Buses, they can't come in that other way.

Commissioner Lurie: They were coming off of Stewart?

Mr. Hampton: Yes they will still come off of Stewart, but this is really no problem, there are not that many.

Commissioner Lurie: Then all the other traffic would be going North?

Mr. Hampton: Northbound yes.

ITEM	Commission Action	Department Action
------	-------------------	-------------------

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

*B RIGHT OF WAY ITEMS (Continued)

See Page 15

See Page 15

4. Grant Deed

From: Bruce Little and
 Jeanene Little, husband
 and wife as joint tenants
 To: City of Las Vegas
 For: Portion Lots 49 and 50,
 Block 6, Boulder Dam
 Homesite Addition Tract
 No. 4
 Stewart Ave. Dedication
 Bldg. Permit (4-7-77)

5. Right of Way Grant

From: Allen Irving Chandler
 To: City of Las Vegas
 For: Portion S-1/2, Government
 Lot 27, Sec. 2, T21S,
 R60E
 Sewer easement (4-8-77)

6. Request permission to exchange city
 owned property for transfer station.

Item 6 withdrawn
 at the request of the Director of
 Public Services

C. REPORTS

1. Request of Ensign Development Corp.
 to hook into city sewer from outside
 city limits at 1705 and 1625 Westwind.

Items 1 and 2
 Approved
 Lurie - unanimous
 (Commissioner
 Leavitt did not
 vote - temporarily
 absent)

Director
 authorized
 to proceed

2. Request of Keith and Judith Edwards,
 1695 Westwind, to hook into city sewer
 from outside city limits.

D. TRAFFIC AND PARKING ITEMS

Items 1 and 2
 Approved as
 recommended
 Lurie - unanimous
 (Commissioner
 Leavitt did not
 vote - temporarily
 absent)

Same as above

1. Reverse direction of one-way alley
 between Ogden and Stewart, Las Vegas
 Blvd. No. and 4th St. from southbound
 to northbound one way. Traffic and Park-
 ing Commission recommends approval.

2. Rescinding of Fremont Hotel's request
 for passenger loading zone (tour bus
 parking).

ADDITIONAL ITEM

STREET IMPROVEMENTS - TORREY
 PINES - REQUEST PERMISSION TO
 ADVERTISE FOR BIDS

Approved
 Lurie - unanimous
 (Commissioner
 Leavitt did not
 vote - temporarily
 absent)

Same as above

Commissioner Lurie: I move for approval.

Commissioner Woofter: You say it wouldn't create any problem with certain buses going the opposite direction on a one-way street.

Mr. Hampton: We have this in several other alley's Commissioner it is something that the buses have to take extreme caution, but it's not ticketed for going the wrong way. They sight down the alley to see if there is anyone coming.

Mayor Briare: Any comments? (No response). Cast your votes. The motion is approved.

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

REQUEST FOR
PASSENGER LOADING
ZONE WITHDRAWN
FREMONT HOTEL
Approved.

Mr. Hampton: The second item is regarding the Fremont Hotel's request for a passenger loading zone on third street, which was approved for a 90 day trial period. Their 90 days is up and we have checked with them and they would like to withdraw their request, their plans have changed.

Mayor Briare: Any objections to allow them to withdraw? (No response). Then they are allowed to withdraw.

REQUEST TO
ADVERTISE
FOR BIDS, STREET
IMPROVEMENTS
TORREY PINES
Approved.

Mr. Hampton: One additional item your honor regarding the construction of Torrey Pines. This is a project I would like to receive permission to go to bid on so we can proceed since there is a critical problem. If you recall there was a planning action about two or three meetings ago in which we were asked to look into the improvement of this section of Torrey Pines which is North of Charleston. We have had meetings with Commissioner Lurie, Ernie Becker and the Regional Street and Highway Commission and we have worked out what we feel is a very good package for the city. Mr. Becker will donate the right-of-way he will also drop a suit that he has against Regional Streets and Highways. This anticipated gain could be used to pay for improvements. Regional Streets has agreed to this and we can proceed immediately if the designs and specifications can be done, we can be out to bid in a very short period of time and have this improvement done.

Commissioner Lurie: Move for approval to proceed with advertising and to go to bid.

Mayor Briare: Comments on the motion? (No response). Cast your votes. The motion is approved.

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

Mayor Briare: Mr. Adams.

Mr. Adams: The next item is the Department of Community Planning and Development.

DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT

DON J. SAYLOR, AIP, DIRECTOR

ZONE CHANGE
R-1 TO P-R
ST ANNE'S CHURCH
Approved as
Recommended by
Planning Commission

Mr. Saylor: The first item on the agenda is an abeyance item from your previous meeting. At the request of the applicant, it is a request for a change of zoning from R-1 to P-R, property located on the West side of Maryland Parkway. You can see it on the screen immediately across the street from Bishop Gorman High School. They are asking for P-R zoning, they don't have any immediate use of the property at this time however that is covered by a condition on the approval that they will have to come back before us with a plot plan. The hearing before the planning commission brought forth several property owners in the area mainly on 11th Street concerning the parking problem that now exists. This matter has been referred to the Traffic and Parking Commission and is under evaluation by that committee. The planning commission recommends approval and there were no protests.

Commissioner Woofter: Mr. Mayor Don dwelled on the issue I had, the question I had because I noticed many of the Gorman High School students use this as a parking lot now where are they going to go. In front of neighbors houses I can see that.

Mr. Saylor: In fact they are doing that now there is an overflow and that is part of the overall package that the Traffic and Parking Commission has under evaluation Commissioner and you see this property belongs to the church, I mean it is not part of the school property and it has been used over the years without adequate surfacing, it has caused a problem in terms of dirt and trash and what not. This problem is recognized and is under evaluation.

Commissioner Leavitt: Actually they have signs up there now that say "No Parking" I drove by there this morning and they are not using it for parking now right?

Mr. Saylor: That is the result of the planning commission meeting when the church promised the property owners in the area they would not let them use it anymore because of the dust and trash problem.

Commissioner Lurie: Then you have the problem that exists now because the people who live down the street there just West are complaining because the students are parking in front of their houses and that is why that one request before the Traffic and Parking Commission is to have a two hour parking zone.

Mr. Saylor: Right.

Commissioner Lurie: Didn't they discuss at one time about black topping that lot and allow the students to park there.

Mr. Saylor: Yes, however, as it appears now the school has no ownership rights in the property whatsoever and the church is interested in putting it to a different use. Now what the ultimate solution of the parking problem is commissioner we don't know at this point.

Commissioner Woofter: Has the church considered selling it's property to the school for use of parking.

Mr. Saylor: I can't answer that but I believe we have some representation in the audience.

Father Shallow: I am Father Shallow of St. Anne's, the property does belong to St. Anne's and it is our's to derive any benefit from, so that over long term if St. Anne's is to remain solvent we may have to sell or lease that area. Gorman has other problems but all they are going to do is have the Bishop assess us so ultimately we are going to pay. It really is a no end solution but we are working with Gorman on it, and in so far as the thing can be solved it will be solved. There is no great battle despite the rumors to that effect.

Mayor Briare: In the mean time you are not going to fence it or not allow anybody to use it?

Father Shallow: Well that is pretty expensive and I understood when it did come up before, that under R-1 you couldn't have parking on it anyway.

Mr. Saylor: No, under the R-1 which it is, it has been used as parking but without any official permission. If it is on P-R, it can be used for parking but it must be properly surfaced.

Father Shallow: Well we are actually looking into see if we can oil it or something like that. I don't know if we can afford to black top it, I'll go into it though. We have got to find some long term solution I just don't know. We have come from the days when the kids parked their bicycles and now they have cars and now where do they put them, I don't know what the solution is, but we are attempting to find one.

Commissioner Lurie: Father Shallow, my understanding is and I have had some calls from the boosters, that they are very upset that the students aren't given an opportunity to park, now they are upset with the church and then they are upset with the city because we are not allowing them to park on the streets in front of residential areas so....

Father Shallows: They still have 70% of what they had for nothing, I don't know what they are complaining about.

Mayor Briare: Actually that is not our problem to resolve their parking problem, the only thing is that they want to get some rezoning here and I would doubt unless Father Shallow intends to build a cyclone fence around it, that nothing is going to change except to give the owners of the property the potential to develop their property for the highest and best use, but this parking is not an issue. I don't think we can get into an argument with the Gorman Booster's Club and the churchs over there. I have enough arguments with my own church, I don't know how you do in yours but....

Commissioner Leavitt: There is a change that will occur however because they are going to eliminate parking that is being used by Gorman students, but....

Father Shallow: Well we are trying to work on restoring....

Commissioner Leavitt: Yes right, we understand that because when I drove by there this morning I found "no parking" signs on the property, but you are going to allow them to park until....

ITEM	Commission Action	Department Action
<p>I-(h) DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT <u>DON J. SAYLOR, AIP, DIRECTOR</u></p>		
<p>A. <u>ABEYANCE ITEM - ZONE CHANGE - Z-9-77 - ROMAN CATHOLIC CHURCH OF RENO.</u></p> <p>Property generally located on the northwest corner of Canosa Avenue and South Maryland Parkway, extending north along Maryland Parkway approximately 400 feet. From: R-1 (Single family residence) To: P-R (Professional offices & parking) Proposed Use: None at this time.</p> <p>Planning Commission unanimously recommends APPROVAL subject to the following conditions:</p> <ol style="list-style-type: none"> 1. Resolution of Intent be restricted to a twelve (12) month time limit. 2. Dedication of necessary right-of-way for Canosa Avenue and the installation of street lighting and concrete sidewalks along Maryland Parkway and Canosa Avenue frontage as required by the Department of Public Services. 3. Approval of the proposed use and plot plan prior to development of this property. 4. Conformance to code requirements and design standards of all City departments. 	<p>Approved as recommended by Planning Commission Leavitt - unanimous</p>	<p>Director to proceed Clerk to notify</p>
<p>B. <u>ZONE CHANGE - Z-18-77 - WILLIAM T. & ALICE J. HABERLY</u></p> <p>Property located at 1211 South Eastern Avenue on the northeast corner of Eastern Avenue and Houston Drive. From: R-1 (Single family residence) To: P-R (Professional Offices & parking) Proposed Use: Office.</p> <p>Planning Commission unanimously recommends APPROVAL subject to the following conditions:</p> <ol style="list-style-type: none"> 1. Resolution of Intent be restricted to a twelve (12) month time limit. 2. Parking layout to meet the requirements of the Traffic Engineer. 3. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. 4. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy. 	<p>Approved as recommended by Planning Commission Lurie - unanimous</p>	<p>Director to proceed Clerk to notify</p>

Father Shallow: Yes we are still going to allow them to park in the paved area which is 70% of the area.

Commissioner Leavitt: Well you are talking about two separate things, you are talking about Gorman High School and St. Anne's.

Father Shallow: Well we would benefit from the income that would come from that particular piece of property.

Commissioner Leavitt: There is no reason it shouldn't be P-R because it is P-R all along the street there right?

Mr. Saylor: Completely in accordance with the policy in that area.

Mayor Briare: And this is the only thing that we have before us for consideration?

Mr. Saylor: Right.

Mayor Briare: We are not discussing parking lots or the right not to use.

Commissioner Leavitt: Move for approval.

Mayor Briare: Any comments on the motion? (No response). Cast your votes. The motion is approved.

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

Mayor Briare: Next item.

ZONE CHANGE R-1
to P-R, HABERLY
Approved as
Recommended by
Planning Commission

Mr. Saylor: The application of Haberly for a change of zoning from R-1 to P-R property at the Northeast corner of Easter and Houston. This application is in accord with the policy of allowing P-R zoning on Eastern Avenue. They have submitted a plot plan showing the utilization of the property, this is one of the lots that lost substantial portion of it to the widening of Eastern. The Planning Commission has recommended approval there are no protests.

Commissioner Lurie: Move to approve recommendations of the Planning Commission.

Mayor Briare: Comments? (No response). Cast your votes. The motion is approved.

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

See Page 18 of these Minutes - Annotated Agenda

Mayor Briare: Next item.

ZONE CHANGE R-1
to P-R, CAMPBELL
Approved as
Recommended by
Planning Commission

Mr. Saylor: Request for a change in zoning from R-1 to P-R, again on Eastern the same situation applies. The Planning Commission has recommended approval subject to the conditions there were no protests.

Commissioner Lurie: Move for approval subject to the conditions.

Mayor Briare: Comments? (No response). Cast your votes. The motion is approved.

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

ITEM

Commission Action

Department Action

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

Item B (Z-18-77) continued . . .

See Page 17

See Page 17

5. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
6. Conformance to the plot plan as amended to exclude the landscaping strip along the east side of the property.
7. Conformance to the plot plan to reflect the above conditions.
8. Conformance to code requirements and design standards of all City departments.

PROTESTS: 0

C. ZONE CHANGE - Z-19-77 - RONALD M. CAMPBELL

Property located at 1333 South Eastern Avenue between Wengert Avenue and East Oakey Boulevard.

From: R-1 (Single family residence)
 To: P-R (Professional offices & Parking)
 Proposed Use: Office.

Approved as recommended by Planning Commission
 Lurie - unanimous

Director to proceed
 Clerk to notify

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

1. Resolution of Intent be restricted to a twelve (12) month time limit.
2. Removal of the existing screening wall in front of the planter facing Eastern Avenue.
3. Parking layout to meet the requirements of the Traffic Engineer.
4. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
5. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.
6. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
7. Conformance to the plot plan to reflect the above conditions.
8. Conformance to code requirements and design standards of all City departments.

PROTESTS: 0

ZONE CHANGE FROM
R-1 to C-1 TEDDY
RICH ENTERPRISES
Denied as Recomm-
ended by Planning
Commission

Mr. Saylor: The next item is the application of Teddy Rich for a change of zoning from R-1 to C-1 to allow the erection of an off-premise sign. This property is located right along side the extension of Rancho Road South of Sahara and it is in between the R-1 and the industrial area to the South. It is the extreme Eastern end, it is that little dark spot there of the narrow strip between the R-1 and the industrial subdivision. A short time ago there was a request for a change in zoning for the parcel in green and only the Southern part of it was allowed and that also was for the express purposes of allowing off limit signs. The planning commission recommended denial of this application there were two protests by property owners, by own property owner in the area and from the Beautification Committee. If you will look over to the board perhaps you can see the location a little better (pointing to a map to the left of the commissioners). This is the strip in question the sign would be at the extreme Southeast corner of the property right at Rancho, the sign would be oriented toward the freeway away from the homes.

Mayor Briare: Did you wish to make a statement sir?

Mr. Stone: Yes my name is Tom Stone of Ryan United Outdoor 900 South Commerce in Las Vegas representing Teddy Rich Enterprises. May I pass some photographs to the commissioner please (photographs were passed to the Mayor). It is the applicants wish to put this property to the most desirable use. We feel that by putting an outdoor advertising structure on this property it will be the most desirable use. There is no pollution, we don't call on water or drainage and it makes no noise. We feel that it is completely in character with the commercial uses of Rancho Road. I know that prior to the planning meeting that the staff recommended that application to the planning commission and we trust that you would concur with Mr. Saylor's recommendations.

Mayor Briare: Any other comments? You wish to make a statement sir?

Mr. Lewis: My name is Grover Lewis and I live 2741 Milo Way the Southeast corner of the development, immediately North of the proposed area. The comments that I would like to make are similar to the one's I made before the planning board. First I would like to thank the city for finally in that area making some minor improvements you sent some people out to clean up the desert there and we are very appreciative of that. The area has been the subject of many changes over the nine years that we have lived there. Immediately behind the area is an open drainage ditch that the city promised us sometime ago to cover, it is still uncovered. The area just to the Northeast of the spot in question is an over night trailer park which was posted then a recreational trailer area but once the developer got approval it was changed and many zone violations occurred, nothing has been done about that. About two years ago....

Mayor Briare: Excuse me sir are we talking about the same thing, are you talking about the sign?

Mr. Lewis: I am talking about the sign yes but I am giving you a little bit of the background. Two years ago the city promised us when speaking the strip of green parcel there that you would not have a sign closer than 300 feet to Milo Way. This is in direct violation of that.

Mayor Briare: What promise was this made Mr. Saylor, was there a promise made back then?

Mr. Saylor: Well the Planning Commission took that position I don't know if the City Commission did.

Commissioner Christensen: We are going to research some of these allegations and let's research also the ones that he said that we didn't do anything about the code violations in the trailer park which in fact we did and let's research the one that said the city promised to cover the ditch when I am not sure that is correct either.

Commissioner Lurie: I was going to bring that up commissioner, we were in litigation with Teddy Rich Enterprises I believe about seeing who's responsibility it is for that ditch. They were informed that it is their responsibility to take care of that ditch so something is being done about that.

Mr. Lewis: Not to the people that live in the area commissioner. The ditch is there it has been there for more than two years uncovered and when it was put in originally the people in the area were promised that it would not be left an open ditch.

Commissioner Christensen: Now you said something different that what you said before, you said the city promised to cover that ditch, now your saying the people there promised and now you don't know who promised them. There is one thing you always want to remember and that is when you say the city promised to do something that includes you, you are the city we are not, we represent the city.

Mr. Lewis: What are you trying to say.

Commissioner Christensen: I am trying to say to be careful of your remarks because you are accusing us of being derelict in our duties and I object to that. You said we promised to cover a ditch that we didn't, you said that we allowed a trailer park to violate the code and we did nothing about it which is not necessarily true and you said we promised not to have a sign within 300 feet of Milo Way and we are trying to find out if that is true or not.

Mr. Lewis: Just a minute now, if you will recall my statement I said that you, that the trailer park that was put in for one purpose was allowed to be used for an entirely different purpose and that is correct.

Commissioner Christensen: Did he also state something about code violations in the trailer park that we have done nothing about, let's read those comments back.

Mayor Briare: It was just about at that point commissioner I was wondering if we were talking about a sign or if we are talking about the general neighborhood. I would like to get back to the application of the sign, do you have any statements to make about the sign sir we would like to hear them, if you have any other statements about any other problems that you have in mind we have a portion in the agenda in which we would be delighted to hear from you

Mr. Lewis: Your honor my purpose was not to come here and get involved in a controversy over who did what but to try to give you some feel for the frustration that we as property owners in that area have experienced with all of these things that are taking place.

Mayor Briare: Well don't you see we have to follow an agenda, we have a procedure that we have to follow if you would confine your remarks to your feelings about this one sign and then when it gets down to the point where we have recognition of problems that we don't have on the agenda we will be happy to discuss what other problems you have now lets get back to the sign.

Mr. Lewis: The sign to us is unsightly it would eliminate the little bit of view that we have from our property and we are opposed to it's erection.

Mayor Briare: Anyone else wish to be heard on this matter?

Mrs. Bartlett: I am Arlene Bartlett of 1825 Bracken, I am speaking for the Beautification Committee. We appeared at the time this came before the planning board and we drew to the attention of the planning board that the Beautification Committee had submitted a package on signing which included no off-premise signs in the C-1 zoning and this is still in committee with Mr. Leavitt and I think Mr. Christensen is on.

Commissioner Leavitt: No the one I had we referred it out and it has been referred to another committee now, I am not on that committee now.

Mrs. Bartlett: But it still is in conflict, in other words we feel that it hasn't been decided yet and our recommendations for no C-1 zoning we feel because these are always near residential areas, should be considered in the view of the people who live there and also the signs that we have been trying to cut down on.

Mayor Briare: Thank you maam. Any other comments?

Commissioner Lurie: I move that we follow the recommendations of the Planning Commission and deny this request.

Mayor Briare: Any comments on the motion? (No response).
Cast your votes.

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

Mayor Briare: Next item

Commissioner Leavitt: Before you leave maam that committee now is Commissioners Christensen and Lurie.

Mrs. Bartlett: Thank you.

Mayor Briare: Item E.

Mr. Saylor: Tentative map Lewis Homes-Meadow Vista we gave you our comments on this, it is a new development approximately 33 acres or 147 lots in the area in the area North of the freeway West of Decatur (pointing to the map) Decatur is over here, the areain question. The Planning Commission recommends approval with the exclusion of this area from the red line South. The reason for that is that there is a pending application for a zone change on here and we did not want to set a pattern of leaving a narrow strip of land whereas if the zone change is denied then that strip can be logically be developed for single family homes in this matter.

Commissioner Lurie: When did that other application come up before the planning commission?

TENTATIVE MAP
LEWIS-HOMES-MEADOWS
VISTA Approved
as Recommended

Mr. Saylor: At your next meeting I believe.

Mr. Woofter: Is the builder agreeable to this?

Mr. Saylor: Yes, he has indicated an exigency in terms of getting the subdivision underway and there is no problem, in other words if a zone change is denied then they say this pattern can be worked into the tentative R-3. It has been heard by the Planning Commission recommended for denial.

G.C. Lubbock: I would just like to add one thing I am the consulting engineer representing Lewis Homes, the property that is in the area of the Tentative Map which we seek approval is now zoned R-1 so we don't have to go into a zone change there. I would like also to mention that at the Planning Commission meeting that there were also a number of protestants against the zone change. Those people were here when the tentative map was approved and of course I guess it is not a public hearing so they can't really be heard but they heard the motion anyway and the approval of the portion of the tentative map North of the red line.

Commissioner Lurie: Their objection was of the R-3.

Mr. Lubbock: They solely objected to the R-3 Lewis Homes offered to make it an R-2 that was still not agreeable to them and as Mr. Saylor says, if the zoning is not approved it can easily be incorporated into an R-1 subdivision by using cul-de-saks or other methods.

Commissioner Woofter: Move to approve.

Mayor Briare: Comments? (No response). Cast your votes. The motion is approved.

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

Mayor Briare: Next item.

TENTATIVE MAP
MONROE-MANOR
Approved as
Recommended

Mr. Saylor: Next item Monroe Manor Tentative Map located on the West side of "J" between "N" and Owens. Everything is in order on it, I do want to advise you however by means of this subdivision we are realigning the right of way on Jackson and Monroe in very minor detail in both cases, but I simply want to bring it to your attention. It is in accord with the realignment in what the city wants on it and the developers agreed to it.

Commissioner Woofter: I will certainly make a motion, and I am happy to see such a construction project going on in that area, move to approve.

Mayor Briare: Thank you commissioner any comments?
(No response). Cast your votes. The motion is approved.

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

Mayor Briare: Next item.

Mr. Saylor: Next is an Annexation Petition for property located at the Northwest part of the city at Lorenzi Boulevard and Cheyenne, you can see it on the screen the green part is in the city, Cheyenne is to the North, or to the South rather. It is I believe 120 acres and this is about the first step in the procedure at this point in time you take a position as to whether or not you want to proceed with it....

Mayor Briare: What would be the motion?

Mr. Saylor: Just to accept the petition.

Mayor Briare: The motion is to accept the petition.

Commissioner Christensen: I have one question, there is one point that I would like to bring up, this is a growing area and it is growing quite rapidly and we always seem to run into a problem with noise or one thing or another is there any effort made to point out to these people that there is an airport existing there and that they will be under the final approach leg to that airport and that after they build a house there they can't very well run the airport out because it was there first?

Mr. Saylor: Well I can't answer your question explicitly except to tell you that Mr. Becker is the owner of the property and the prospective developer and I have to assume that he is well aware.

Commissioner Christensen: I think that situation must be kept in mind because we have a similar situation at McCarran International where you have an airport with nothing within 10 miles of any direction and when they change the traffic pattern for a few days because of the winds well then everybody starts raising cane because it is so noisy and everything and I think we have a similar situation that could develop there.

Mayor Briare: That is a good point commissioner, in the county I happen to have some first hand knowledge on this when I served on the county commission that very problem came up and an ordinance was passed causing all applications from the date of the adoption of the ordinance to and including today and hopefully forever, that any rezoning or any applications which would come before the commission, anywhere is a fairly liberal area defined daily around McCarran Airport must sign an abrogation agreement, an aggravation agreement or something. Don help me out on that what is that?

Mr. Saylor: Abrogation.

Mayor Briare: Well whatever it was it was an agreement and it became a "B" restriction, now if we don't have such an ordinance and we are getting out here close to airport activities maybe we should have an ordinance.

Commissioner Christensen: Well this is the North Las Vegas Airport.

Mayor Briare: Right.

Mr. Saylor: We have the flight pattern data on the North Las Vegas Airport and when development, well now see this is for annexation where one development is proposed, we evaluated in the terms of the, what do you call it, the noise, the pattern.

Commissioner Christensen: Well I was thinking in terms of projected noise patterns we could you know have not much

noise there now and have an increase. I know that the use of that airport is increasing rapidly and there is more and more aircraft flying out of there and you know when there is an airport there. I would hate to have the people come, I was served with a summons today based on the planned freeway route and this pressure is being brought to bear primarily by people who knew about that freeway route after it was dedicated as a freeway route, and we could have the same situation happening with the airport and it is something that I think our Planning Department should really look into because it could be a real problem down the line. That is the only comment I have I don't have anything against the annexation but I think the point should be noted for future reference.

Mayor Briare: Don would you get back to us on what recommendations you might have along those lines. Is there a motion to accept.

Commissioner Lurie: I move that we accept.

Mayor Briare: The motion is to accept the petition. Any further comments? (No response). Cast your votes. The motion is approved.

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

Mayor Briare: Next item

NEW STREET
ALIGNMENTS
approved as
recommended

Mr. Saylor: Items H and I are two minor streets, proposed streets both in the Northwest part of the city one is a short cul-de-sac running west of Decatur the other is a connector street between Elkhorn Road which is an existing major and _____.

Mayor Briare: Any comments?

Commissioner Lurie: Move for approval.

Mayor Briare: Comments? (No response). Cast your votes. The motion is approved.

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

See Page 20 of these Minutes - Annotated Agenda

PLOT PLAN REVIEW
DR. HOFFMAN
Approved as
Recommended

Mr. Saylor: The next item is a plot plan review for Dr. Hoffman for C-D zoning on West Charleston it is in order, this is Charleston Boulevard, there would be one small parking area off of Charleston some off the alley's, there would be adequate landscaping as shown in the green (pointing to the screen). The Planning Commission recommends approval.

Commissioner Lurie: Move to follow the recommendations of the Planning Commission.

Mayor Briare: Any comments on the motion? (No response). Cast your votes. The motion is approved.

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

ITEM	Commission Action	Department Action
<p>-(h) DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT CONTINUED</p>		
<p>D. <u>ZONE CHANGE - Z-21-77 - TEDDY RICH ENTERPRISES</u></p> <p>Property generally located on the west side of Rancho Drive, approximately 2,700 ft. south of Sahara Avenue and 105 ft. south of Milo Way projected easterly. From: R-1 (Single family residence) To: C-1 (Limited Commercial) Proposed Use: Off-premise sign.</p> <p>Planning Commission unanimously recommends DENIAL because they previously indicated that no sign would be permitted within at least 350 ft. of the residences in this area and felt this would be an intrusion upon the residents and was not necessary.</p> <p style="text-align: center;">PROTESTS: 2</p>	<p>Denied as recommended by Planning Commission Lurie Commissioner Christensen voted "no"</p>	<p>Director to proceed Clerk to notify</p>
<p>E. <u>TENTATIVE MAP - LEWIS HOMES-MEADOW VISTA</u></p> <p>Property generally located on the east side of Michael Way, between the Las Vegas Expressway and Sugarfoot Avenue, R-1 zone. Owner/Subdivider: Lewis Homes of Nevada No. of Acres: 33.66 No. of Lots: 147</p>	<p>Approved as recommended Woofter - unanimous</p>	<p>Director to proceed Clerk to notify</p>
<p>F. <u>TENTATIVE MAP - MONROE MANOR</u></p> <p>Property generally located on the west side of "J" Street running to "N" Street, south of Owens Avenue, R-1 zone. Owner/Subdivider: Dalton Properties, Inc. No. of Acres: 8 No. of Lots: 32</p>	<p>Approved as recommended Woofter - unanimous</p>	<p>Director to proceed Clerk to notify</p>
<p>G. <u>ANNEXATION PETITION - A-1-77 - CHARLESTON HEIGHTS DEVELOPMENT</u></p> <p>Annexation Petition for property generally located at the northwest corner of Lorenzi Boulevard and Cheyenne.</p>	<p>Accepted Annexation Petition Lurie - unanimous</p>	<p>Director to proceed</p>
<p>H. <u>PM-6-77 (NEW STREET ALIGNMENT) J.P. & JUDY GAYHENETCHE</u></p> <p>New Street Alignment for a parcel map for property generally located at the northwest corner of Alexander Way and Decatur Boulevard.</p>	<p>Items H and I Approved as recommended</p>	<p>Same as above</p>
<p>I. <u>LD-16-77 (NEW STREET ALIGNMENT) WILLIAM W. BOYD</u></p> <p>New Street Alignment for a Land Division for property generally located at the northeast corner of Elkhorn Road and Jones Boulevard.</p>		

PLOT PLAN REVIEW
ROBERT T. BIGELOW
Approved as
recommended

Mr. Saylor: Item K is the plot plan review under the resolution of intent in the downtown area to allow a 48 unit apartment and complex at 3rd street this is the layout of the proposed development (bringing forth a diagram) 48 unit 10 parking spaces proposed. This is again on the philosophy that majority of the occupancy will be walk in, that it is close enough to the downtown area to produce that type of a client.

Commissioner Lurie: Do you agree with that Don that there should be less parking per unit based on the use that the people who live there will be working in the downtown area so they can walk?

Mr. Saylor: Yes the type of units that are being proposed are the efficiency non-family type of unit and we do feel, and I can't give it to you with the degree of accuracy that I would like to be able to but we do feel that there is a certain amount of demand factor for the nonvehicle owner in the downtown area. Now where the saturation point is I don't know.

Mayor Briare: Any further comment?

Commissioner Christensen: I move for approval.

Mayor Briare: Any further Comments? (No response).
Cast your votes. The motion is approved.

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

See Page 20 of these Minutes - Annotated Agenda

Mayor Briare: Next item.

Mr. Saylor: Plot Plan Review for the First Western Savings and Loan Association at Sahara, they are asking permission to use the trailer that has been used by several financial institutions as their temporary office while their building is under construction. The Planning Commission recommends approval.

Commissioner Woofter: Move to approve.

Mayor Briare: Comments? (No Response). Cast your votes.
The motion is approved.

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

Commissioner Woofter: Mr. Mayor I have to compliment Mr. Saylor, this is the first time I think he has gone through so expertisely wise, did I pronounce that word correctly Mr. Saylor?

Mr. Saylor: Yes sir.

Mayor Briare: And you are admonishing Mr. Saylor to keep it that way.

Commissioner Woofter: That's right.

Commissioner Lurie: That will go to his head and he will want the rest of the day off.

ITEM	Commission Action	Department Action
I-(h) DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT CONTINUED		
J. <u>PLOT PLAN REVIEW - Z-18-68 - DR. GARY F. HOFFMAN</u> Plot Plan Review to allow a medical clinic for children on property located at 3701 West Charleston Boulevard, C-D zone.	Approved as recommended Lurie - unanimous	Director to proceed Clerk to notify
K. <u>PLOT PLAN REVIEW - Z-100-64 (96) - ROBERT T. BIGELOW</u> Plot Plan Review to allow a 48-unit apartment complex on property located at 820-826 South 3rd Street, ROI to C-2.	Approved as recommended Christensen - unanimous	Same as above
L. <u>PLOT PLAN REVIEW - Z-108-63 - FIRST WESTERN SAVINGS AND LOAN ASSOCIATION</u> Plot Plan Review to allow a temporary office in a mobile trailer for a period of three years on property generally located on the north side of Sahara Avenue, approximately 1,400 ft. west of Rancho Road, R I to C-1.	Approved as recommended Woofter - unanimous	Same as above

VACANCIES ON BOARDS & COMMISSIONS

See Page 21 of these Minutes - Annotated Agenda

Mayor Briare: Bill.

Mr. Adams: The next item is on page 21 the Vacancies on Boards and Commissions which are notifications of the period of time, the Golf Course is coming up the 21st of May excuse me the 21st of June and the Housing Authority the 6th of June they are for your information.

Mayor Briare: Edwina I forget whether Mr. Martini is going to be able, would he be able to if he were to be re-appointed to continue to serve on the Civil Service Trustees?

Edwina Cole: It is my understanding that all three of them would be.

WALTER MARTINI,
DR. JOHN MONTGOMERY,
MELVIN B.
WOLZINGER Appointed
as Civil Service
Trustees
Ratified

JIMMY GAY
APPOINTED TO
GOLF BOARD
Ratified

JAMES H. DOWN
REAPPOINTED TO
HOUSING AUTHORITY
BOARD Ratified

COMMISSIONERS
LEAVITT AND
CHRISTENSEN
APPOINTED TO
METRO POLICE
COMMISSION

Mayor Briare: Are there any other recommendations for Civil Service Trustees? (No response). Mr. Walter Martini, Doctor John Montgomery and Melvin B. Wolzinger will be reappointed as Civil Service Trustees. Does anyone have any recommendations on the appointment of the Las Vegas Housing Authority? (No response). Mr. James H. Down will be reappointed in his seat a a member of the Housing Authority. To serve on the Golf Board will be Mr. Jimmy Gay effective June 21st 1977. Also, I don't know whether you would call this a vacancy or not but for several years there has been vacancies on the Metropolitan Police Commission created by the absence of member of the City Commission I don't know whether that is a legal vacancy or not but as we all know the Governor signed a bill that was passed wholeheartedly by the Legislature to reinstate those positions for the City of Las Vegas on that Police Commission. As a consequence I am sure that the people of Las Vegas will appreciate the appointment now of Commissioner Christensen and Commissioner Lurie and Commissioner Leavitt to serve as the City representatives on the Police Commission. It is further my understanding that right now gentlemen you are the only members of the Police Commission.

Commissioner Leavitt: We are going to have a meeting right after this meeting and decide what to do with the new Police Commission.

Commissioner Lurie: You had better call the chairman and make him aware of it.

Mayor Briare: Yes will you notify Sheriff Lamb who by virtue of the legislation as the chairman that the city has now fulfilled their positions and we are willing ready and able to serve the people of the City of Las Vegas.

Commissioner Leavitt: Your honor I noticed that Commissioner Dondero just walked into the room, she is the Chairman of the County Commission, Thalia has the county appointed their representatives of the Metropolitan Police Commission?

Commissioner Dondero: No we have not.

Commissioner Leavitt: Did you hear the Mayor announce our appointments?

Commissioner Dondero: No I did not.

Commissioner Leavitt: It is Commissioner Lurie and myself and Commissioner Christensen so when your board makes their appointments will you notify us so that we can get together and have the meeting?

Commissioner Dondero: Yes.

Mayor Briare: Nice to see you Thalia I didn't see you walking in there. Your always welcome in these chambers

ITEM	Commission Action	Department Action
<p>III. <u>VACANCIES ON BOARDS & COMMISSIONS</u></p>		
<p>A. <u>BOARD OF CIVIL SERVICE TRUSTEES</u> (4-year term)</p> <p>Terms of office of the following members will expire <u>7/1/77</u>:</p> <ol style="list-style-type: none"> 1) Walter Martini 2) Dr. John Montgomery 3) Melvin B. Wolzinger 	<p>Mayor Reappointed Walter Martini, John Montgomery & Melvin B. Wolzinger Ratified unanimously</p>	<p>Clerk to notify</p>
<p>B. <u>GOLF BOARD - (5-year term)</u></p> <p>Tom Phelps - Term of office expires <u>6/21/77</u>.</p>	<p>Mayor appointed Jimmy Gay Ratified unanimously</p>	<p>Clerk to notify</p>
<p>C. <u>LAS VEGAS HOUSING AUTHORITY BOARD</u> (4-year term)</p> <p>James H. Down - Term of office expires <u>6/6/77</u>.</p>	<p>Mayor reappointed James H. Down Ratified unanimously</p>	<p>Clerk to notify</p>
<p><u>ADDITIONAL ITEM</u></p>		
<p><u>METROPOLITAN POLICE COMMISSION</u></p>	<p>Mayor Appointed Commissioners Christensen, Lurie & Leavitt</p>	<p>C/M to notify</p>

either on a Tuesday or a Wednesday.

Commissioner Woofter: As long as you pay the rent.

Commissioner Lurie: I read in the paper that I understand you are moving.

Mayor Briare: Next Item.

Mr. Adams: The next item your honor is on page 22, the City Attorney.

CITY ATTORNEY

CARL E. LOVELL, JR.

See Page 22 of these Minutes - Annotated Agenda

CONVEYANCE OF
POLES AND LINES
TO NEVADA POWER
Approved.

Mr. Ahlstrom: Your honor we have three rather brief items on our agenda. The first item A is the Conveyance to Nevada Power, some power lines and poles that belong to the City of Las Vegas that are presently located at Tule Springs. I believe Nevada Power will be responsible for the poles, lines, etc. etc. Larry Correct me.

Mr. Hampton: Right, this came to you before, we granted an easement to the power company but legal counsel tells us that we have to give them a bill of sale for the facilities and they will take it over from there.

Mayor Briare: How much are they paying?

Mr. Hampton: Actually it is a burden to us to maintain those lines.

Commissioner Lurie: Move for approval.

Mayor Briare: Comments? (No response). Cast your votes. The motion is approved.

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

Mayor Briare: Next item.

RESOLUTION
ACCEPTING BIDS
DISTRICT 421
Adopted.

Mr Ahlstrom: The second item is the Special Improvement District 421 which is for downtown street lighting, this is a resolution to accept bids. I believe Larry has something he would like to bring before the board, before we get into the resolution.

Mr. Hampton: Some very bad news in some respects, the City Attorney's office has given us an opinion this morning that if we proceed on this project as we planned, rather than assessing the property owners as we thought we could do at the last meeting for the higher priced alternate is not legal to do so. Our options are then to proceed with the city picking up the difference or to start all over again with another hearing.

Commissioner Lurie: What is the difference that we are talking about.

Mr. Hampton: \$72,000.00 which I understand talking to the City Manager and Mr. Parks that this could be alloted in the first portion of the second revenue sharing.

Commissioner Woofter: I am sorry Larry I didn't hear that.

Mr. Hampton: This could be alloted in revenue sharing monies for the first portion of the second entitlement.

This is essentially to cover the engineering, they would be paying for the construction we would be picking up the engineering, essentially engineering and inspection and contract administration.

Mayor Briare: How far away are you from actually starting to break concrete?

Mr. Hampton: We have sent the contracts to the contractor they have not been returned at this point he has 30 days to return those contracts. We have not signed the contract yet. We could stop the progress at this point.

Mayor Briare: Do you think Larry that in view of the public statement made by the president of the Downtown Businessmen's Association that they were willing able and ready and felt obliged to pay the difference that under the technical legal problems that we have here that if the city were to go ahead and pick up that cost and under some other method or procedure just bill them directly?

Mr. Hampton: Mr. Ashworth was speaking of course on behalf of the Casino Association

Mayor Briare: Well we indicated that that was 95% of the value and the other 5% the city would absorb.

Mr. Hampton: We might approach continuing on with the contract then approaching the Casino Association for an outright payment of the difference.

Mayor Briare: I would venture to say that you would have some success in doing that because they are committed to this thing and I don't think they are going to let a technicality like this be used as a way of getting out of it, I don't know that is easy for me to say but I don't know about them.

Mr. Hampton: We would be more than happy to explore that and I would agree with you I would be optimistic myself that they would be willing to proceed.

Commissioner Leavitt: Well we have already appropriated Revenue Sharing Money for this project anyway.

Mr. Hampton: \$200,000.00.

Commissioner Leavitt: So this is just an additional \$72,000.00 of revenue sharing money to be used for this project.

Mr. Hampton: If the Casino Association decides that they don't want to pay anymore.

Commissioner Leavitt: I am not as optimistic as you fellows are but lets assume that if they don't pay it, it is nothing new it is just an additional amount of revenue sharing money that we had appropriated.

Mr. Hampton: That's right, which would be our engineering costs.

Commissioner Leavitt: I move for adoption of the Resolution.

Mayor Briare: Comments? (No response). Cast your votes. The motion is approved.

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

Mr. Hampton: Do you want me to get with Mr. Ashworth.

Mayor Briare: Absolutely, tell them that we have extended them that much credit and we want our checks.

SUBLEASE FROM
AARP Approved.

Mr. Ahlstrom: Your honor the third item is a communication item from the American Diabetes Association. The city has a lease with the American Association of Retired Persons out at Lorenzi Park and under the terms of that lease if they are going to sublet any portion of their lease premises it must be approved by the board. This is a communication from the American Diabetes Association seeking your concurrence in their going ahead and subleasing the property from the Association of Retired Persons. I think the property in question is actually a storage shed and an adjoining bathroom.

Mayor Briare: Questions or Comments? Mr. Adams do you have a comment?

Mr. Adams: We have no objection, the apparent problem is that there are members of the AARP that are also members of this particular association, their primary aim of the association is at the elderly individuals. We have no objection if the commission feels to provide a lease and we had ample opportunity to make corrections here if we wish to do so, but it would take commission approval for us to draw up a lease which you again would have the right to act upon.

Commissioner Lurie: Move for approval.

Mayor Briare: Comments? (No response). Cast your votes. The motion is approved.

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

Commissioner Lurie: Mayor if I could at this time. There has been two requests that I think I have sent to your office requesting space temporarily for the Nevada Association of the Physically Handicapped and also for the Indian Center could you possibly get some word back to me on that because they have been requested to move from where they are now and they need some temporary office space. They requested the Naval Reserve Building there was some offices there that they could possibly use temporarily until they could find permanent quarters.

Mr. Adams: We have talked to them in reference to that and they are supposed to meet some time this week with our group that is involved, we have another group that has made a request we are trying to get them all together so we can find out exactly what all they need and then we can take care of it all at one time.

Commissioner Lurie: I think all these requests that it should be made clear to these people that it is temporary and there is not going to be any permanent office space given out.

Mr. Adams: Right, that is the way we have been handling it, strictly temporary until we have the need, but I will get them to you as quick as I can.

Mayor Briare: Danny do you have anything else on that part of the agenda?

Mr. Ahlstrom: Not on that part of the agenda your honor.

See Page 2 of these Minutes - Annotated Agenda

Mayor Briare: There is a couple of legislative matters that Commissioner Leavitt would like to report on.

Commissioner Leavitt: I would like to move for the adoption of the following resolution.

RESOLUTION IN
SUPPORT OF
ASSEMBLY BILL 363.
Approved.

A Resolution entitled, "A RESOLUTION OF THE CITY OF LAS VEGAS, NEVADA ENCOURAGING LEGISLATIVE SUPPORT OF ASSEMBLY BILL 363." was read by Commissioner Leavitt.

Mayor Briare: Comments? (No response). Cast your votes. Motion is approved.

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

Commissioner Leavitt: I might indicate that both the Mayor and myself testified before the taxation committee and they requested this resolution. The entire Clark County Delegation possibly be here today for the hearing tonight in these chambers at 7:30 on the Annexation Bill. I have requested that copies of this be furnished to the Taxation Committee. There will be a hearing tonight at 7:30 in these chambers regarding the Annexation Bill, I am sorry the Unification Bill your not suppose to call it annexation.

Mayor Briare: Mr. Adams perhaps you might call Senator Bryan and tell him the action that was taken.

Commissioner Leavitt: Senator Bryan is on the special subcommittee that is studying the Unification Bill so he should be here tonight.

SPECIAL VICE
SQUAD - DOWNTOWN
AREA Abeyance
for Discussion
in newly created
Metro Police
Commission

Mayor Briare: Also to report to the commission we have a memo from Carl Lovell on the Special Vice Squadron that each of the commissioners have been apprised of as far as the city's desire, what would be the city's desire to continue this particular segment of police activity for the city and I think each one of you has a memo from Carl Lovell dated April the 18th to each of us and I publically wish to commend Carl because he is going out of office and you don't usually commend people while they are there, they are suppose to do good work but I think his office has done a very good job and I think the Special Vice Squad has done a very good job. Mr. Lovell even though he is not going to be the City Attorney after another month or so is in the State Capitol right now to appear before the Commerce Committee and I am very hopeful that he will express a strong voice on behalf of the people of Las Vegas in favor of the so-called Jam Auction legislation. I think that it might be that this afternoon's session might be the most important as far as that particular item of legislation is concerned so perhaps the members will joing with me in wishing Carl the best of luck up there because this might be the most important duty he has, and if he fails we are going to throw him out of office early, can we do that. Anything else on the legislative matter while were... Oh, yes what is the thinking of the commission on the Vice Squad?

Page 62
Minutes
Regular Meeting
City Commission
April 20, 1977

Commissioner Christensen: I think it might be a good idea to hold onto that and let's discuss it on the Police Commission because one of the problems we have had with Vice Squad is that we have had to fund it ourselves totally and if they are part of the Metropolitan Police Department sometimes the jurisdiction, our area under the jurisdiction of the Metropolitan Police maybe we could get favorable help from the Metropolitan Police Department now without having to come with our own funds.

Mayor Briare: I think it is an excellent idea.

ITEM

Commission Action

Department Action

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

A. Conveyance to Nevada Power Company of utility poles and power lines in easement at Tule Springs.

Approved
 Lurie - unanimous

C/A to proceed

B. Special Improvement District 421- Resolution accepting bids.

Adopted
 Resolution
 Leavitt - unanimous

Staff to proceed

C. Communication from American Diabetes Association re: Sublease from American Association of Retired Persons

Approved
 Lurie - unanimous

C/A to prepare
 Lease

ADDITIONAL ITEMS:

A. SPECIAL VICE SQUAD - DOWNTOWN AREA - RECOMMENDATION OF C/A'S OFFICE THAT IT BE CONTINUED

Abeyance for
 discussion in
 newly-created
 Metro Police
 Commission

5/4/77 Agenda

B. CLARK COUNTY BOARD OF MASSAGE TO SERVE AS A TEMPORARY BOARD FOR THE CITY

Approved
 Christensen
 unanimous

Staff to proceed

On page 23 then, are Proposal's A thru F, they are all related are they not Mr. Ahlstrom?

Mr. Ahlstrom: They are your honor but I would request at this time that Item F be deleted I am not satisfied with the title as it relates to what the ordinance attempts to do and there is some problems with it. I would like to delete it from the agenda and have a chance to go over it with the people that drafted it.

Mayor Briare: The others are technical language in view of change of legislation I'll.....

Commissioner Christensen: I have a question regarding these bills, I am still trying to work out in my mind and I haven't got it figured out. A thru F is technical language having to do with the Sheriff and the Police Chief it is terminology, in the next section on Reports From Recommending Committees Bill's Item B and C appear to be similar why are we doing this in that manner?

Mr. Adams: This actually came about from some of the problems that we have run into in Municipal Court and other courts using our ordinances of which the Statute even though it says that hereafter all things that shall refer to the Chief of Police shall be construed to be the Sheriff. There has been some question raised we thought it would be more appropriate to clean our own ordinances so that controversy could not arise and those are all that we are anticipating with the one that Mr. Ahlstrom has requested to be deleted, that that will be the last of them.

Commissioner Christensen: In other words "C" on Reports from Recommending Committees and "C" on New Bills are not really the same?

Mr. Adams: They look similar but they are involved in different ordinances but they carry the same type of thing.

Commissioner Christensen: In other words it is the same change but just different number of ordinances.

Mr. Adams: Right.

Commissioner Lurie: Actually it should have been done three years ago. When the two departments were merged is when it should have been changed.

Commissioner Christensen: That is the only question I have.

Mayor Briare: O.K. any other questions?

Commissioner Woofter: In regards to what Mr. Ahlstrom stated in "F" that there is certain technical questions as far as the language, I am looking at this search and seizure clause "Animal Regulation Officer shall have the right to enter upon any private property", I was wondering if that can be done?

Mr. Ahlstrom: The last section of that provides with a search warrant if it is a residence but you have the situation that is private property that is not a residence, and that along with the title is giving me some concern and I want to really talk to our criminal people about this before we get down the road to far on it.

Mayor Briare: Well if there is no objection then Bill's A through E will be referred to a recommending committee consisting of Commissioner Leavitt, Commissioner Lurie and Commissioner Christensen and can you read those things while we go on to other business.

ITEM

Commission Action

Department Action

V. NEW BILLS - TO BE REFERRED TO
 RECOMMENDING COMMITTEE OR TO
 STUDY COMMITTEE

A. Bill No. 77-22 - Amending Title VI, Chapter 8,
 Sections 2(A), 6, and 7 to specifically set
 forth the Sheriff of the LVMPD, or his designee,
 instead of the language now referring to the
 Chief of Police.

Items A thru E
 1st Reading and
 Referred
 Commissioners
 Leavitt, Lurie
 & Christensen

Clerk to proceed
 with 1st
 Publication

B. Bill 77-23 - Amending Title VI, Chapter 1,
 Section 14, to specifically set forth the language
 "Las Vegas Metropolitan Police Department"
 instead of the language now referred to the
 Police Department; and to replace police officer
 with peace officer.

C. Bill No. 77-24 - Amending Title VI, Chapter 3,
 Sections 1, 2 and 3 to refer to the head of the
 "Metropolitan Police Department" rather than
 the obsolete designation of "Chief of Police".

D. Bill No. 77-25 - Amending Title VI, Chapter 4,
 Sections 6, 9, 10 and 11 to refer to the head of
 the "Metropolitan Police Department" rather than
 the obsolete designation of "Chief of Police".

E. Bill No. 77-26 - Amending Title IX, Chapter 12,
 Section 8 to refer to the head of the "Metropolitan
 Police Department" rather than the obsolete design-
 ation of "Chief of Police".

F. Bill No. 77-27 - Amending Title VI, Chapter 2,
 Section 4(G) to provide language which would
 extend coverage of the ordinance to peace offi-
 cers who may not be considered "city employees"
 as strictly construed.

Withdrawn at request
 of City Attorney's
 office

5/4/77 Agenda

See Page 23 of these Minutes - Annotated Agenda

Mr. Ahlstrom: I will do the best I can, can I

Mayor Briare: Just turn off your mike and start reading. No go ahead, we are going to have to recess or hopefully adjourn at 5 minutes to 12:00 go ahead Dan, show us your speed reading techniques.

BILL NO. 77-22
1st Reading
and Referred

A Bill entitled, "AN ORDINANCE TO AMEND TITLE VI, CHAPTER 8, SECTIONS 2 (A), 6 AND 7 OF THE CITY OF LAS VEGAS MUNICIPAL CODE, 1960 EDITION; TO SPECIFICALLY SET FORTH THE SHERIFF OF THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT, OR HIS DESIGNEE, INSTEAD OF THE LANGUAGE NOW REFERRING TO THE CHIEF OF POLICE, WHICH LATER POSITION HAS NOW BEEN ABOLISHED PURSUANT TO NRS 280.010, ET. SEQ.; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH" was read by Deputy City Attorney Daniel E. Ahlstrom.

BILL NO. 77-23
1st Reading
and Referred

A Bill entitled, "AN ORDINANCE TO AMEND TITLE VI, CHAPTER 1, SECTION 14 OF THE CITY OF LAS VEGAS MUNICIPAL CODE, 1960 EDITION, TO SPECIFICALLY SET FORTH THE LANGUAGE LAS VEGAS METROPOLITAN POLICE DEPARTMENT INSTEAD OF THE LANGUAGE NOW REFERRING TO THE POLICE DEPARTMENT; AND TO REPLACE THE LANGUAGE POLICE OFFICER WITH PEACE OFFICER WHICH LATER POSITION HAS NOW BEEN ABOLISHED PURSUANT TO NRS 280.010, ET. SEQ.; PROVIDING OTHER MATTERS PROPERTY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH" was read by Deputy City Attorney Daniel E. Ahlstrom.

BILL NO. 77-24
1st Reading
and Referred

A Bill entitled, "AN ORDINANCE TO AMEND TITLE VI, CHAPTER 3, SECTION 1, 2 AND 3 OF THE CITY OF LAS VEGAS MUNICIPAL CODE, 1960 EDITION; TO SPECIFICALLY SET FORTH THE SHERIFF OF THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT, OR HIS DESIGNEE, INSTEAD OF THE LANGUAGE NOW REFERRING TO THE CHIEF OF POLICE, WHICH LATTER POSITION HAS NOW BEEN ABOLISHED PURSUANT TO NRS 280.010, ET. SEQ.; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH" was read by Deputy City Attorney Daniel E. Ahlstrom.

BILL NO. 77-25
1st Reading
and Referred

A Bill entitled, "AN ORDINANCE TO AMEND TITLE VI, CHAPTER 4, SECTIONS 6, 9, 10 AND 11 OF THE CITY OF LAS VEGAS MUNICIPAL CODE, 1960 EDITION; TO SPECIFICALLY SET FORTH THE SHERIFF OF THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT, OR HIS DESIGNEE, INSTEAD OF THE LANGUAGE NOW REFERRING TO THE CHIEF OF POLICE, WHICH LATTER POSITION HAS NOW BEEN ABOLISHED PURSUANT TO NRS 280.010. ET. SEQ.; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH" was read by Deputy City Attorney Daniel E. Ahlstrom.

BILL NO. 77-26
1st Reading
and Referred

A Bill entitled, "AN ORDINANCE TO AMEND TITLE IX, CHAPTER 12, SECTION 8 OF THE CITY OF LAS VEGAS MUNICIPAL CODE, 1960 EDITION; TO SPECIFICALLY SET FORTH THE SHERIFF OF THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT, OR ANY OTHER PEACE OFFICER, INSTEAD OF THE LANGUAGE NOW REFERRING TO THE CHIEF OF POLICE, WHICH LATTER POSITION HAS NOW BEEN ABOLISHED PURSUANT TO NRS 280.010, ET. SEQ.; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH" was read by Deputy City Attorney Daniel E. Ahlstrom.

Mayor Briare: Thank you very much, they have been referred.

See Page 24 of these Minutes- Annotated Agenda

Mr. Ahlstrom: Your honor Bill No. 77-28 is an ordinance proposed by our office to provide that when a matter comes on appeal from the Department of Licensing and Revenue that it can, with the discretion of this board be heard by the board or referred to a hearing officer which shall hear the appeal within 20 days. Under this ordinance if the board

determines that they wish to hear the appeal they will hear it at the next meeting after their consideration.

BILL NO. 77-28
Referred - Study
Committee

Mayor Briare: This will be referred to a study committee consisting of Mayor Briare and Commission Woofter.
Bill Number 77-29?

Mr. Ahlstrom: Your honor this is a bill creating the Special Improvement District Number 421 of the downtown lighting.

Mayor Briare: We are still (pause) can this be referred to a recommending committee Danny? Who have we had on these committees, who has been handling this particular assessment, what commission committee?

Commissioner Lurie: Who do you want on it?

Mayor Briare: Well we must have had someone before, is this the first one?

Commissioner Lurie: First one.

Mayor Briare: O.K., this will be referred to a recommending committee consisting of Commissioner Christensen and Commissioner Leavitt, would you read the ordinance.

BILL NO. 77-29
1st Reading and
Referred

A Bill entitled, "AN ORDINANCE CREATING LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 421; ORDERING THE IMPROVEMENT OF CERTAIN STREETS AND PARTS THEREOF; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING ACTION HERETOFORE TAKEN RELATIVE TO SAID DISTRICT; AND PROVIDING FOR RELATED MATTERS" was read by Deputy City Attorney Daniel E. Ahlstrom.

Mayor Briare: Thank you, that is referred to the committee as indicated, anything else Danny?

Mr. Ahlstrom: That concludes our agenda your honor.

Mayor Briare: We have been asked by the City Attorney's Office what our feels might be, Commissioner Christensen would you present this particular item here.

See Page 22 of these Minutes - Annotated Agenda

CLARK COUNTY
BOARD OF MASSAGE
TO SERVE AS
TEMPORARY BOARD
FOR THE CITY
Approved

Commissioner Christensen: This is in regards to the City Massage Ordinance which requires a Board of Massage to examine qualifications and at the time that this was passed, there was a question of who would sit on this board. My suggestion when the ordinance was passed was that we have the County Board of Massage sit, since there is a questionable number of qualified people on this board and they seem to have a fairly qualified board and I see no reason why we shouldn't have them sit on this board, and act as the City Board of Massage. I suggested that when the ordinance was passed and they are willing to serve on the temporary board for the city so I am in favor of that, I would move that we do that.

Mayor Briare: Any comments or questions? This will be on a referral by referral basis?

Commissioner Christensen: Yes.

Mayor Briare: Any comments? The motion then is to proceed Mr. Ahlstrom. The motion is to approve. Any comments? (No response). Cast your votes. Motion is approved.

Page 68
Minutes
Regular Meeting
City Commission
April 20, 1977

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

See Page 25 of these Minutes - Annotated Agenda

Mayor Briare: Is there anything else? O.K. on page 25 are there any commissioners that wish to report on ordinances, the Bill 77-16 has until May 9th.

Commissioner Christensen: Are we going to act on that today?

Mayor Briare: Might as well, it is recommended as what?

Commissioner Christensen: Well we have to read it and then we will move for adoption after it is read.

Mayor Briare: Would you read it, 77-16?

BILL NO. 77-16
Adopted
Ordinance No.
1873

A Bill entitled, "AN ORDINANCE TO AMEND TITLE IX, CHAPTER 13 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY REFERRING TO THE DIRECTOR OF PUBLIC SERVICES IN LIEU OF THE DIRECTOR OF PUBLIC WORKS WHERE APPROPRIATE, BY PERMITTING A 25 FOOT CURB CUT FOR CERTAIN ZONING DISTRICTS THAT ARE PRESENTLY RESTRICTED TO AN 18 FOOT CURB CUT, BY UPDATING THE NAMES AND ABBREVIATIONS OF THE ZONING DISTRICTS TO WHICH CURB CUT LENGTH RESTRICTIONS APPLY; TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THERewith; AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF." was read by Deputy City Attorney Daniel E. Ahlstrom.

Commissioner Christensen: Move for adoption.

Mayor Briare: Comments? (No response). Cast your votes. Motion is approved, the ordinance is adopted.

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

Mayor Briare: Items B and C are properly held is that the understanding, are they not being taken care of by these previous ordinances?

Commissioner Christensen: No, they are different ones.

Commissioner Lurie: Ready to move on Bill Number 77-18 and 77-19.

Mayor Briare: Would you read Mr. Ahlstrom?

BILL NO. 77-18
Adopted
Ordinance No.
1874

A bill entitled "AN ORDINANCE TO AMEND TITLE VI, CHAPTER 1, SECTION 31 OF THE CITY OF LAS VEGAS MUNICIPAL CODE, 1960 EDITION, TO SPECIFICALLY SET FORTH UNLAWFUL ACTS OF RESISTING ARRESTS MADE BY PEACE OFFICERS OF THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT AND PEACE OFFICERS, IN GENERAL; PROVIDE OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THERewith." was read by Deputy City Attorney Daniel E. Ahlstrom.

Commissioner Lurie: Move for adoption of Bill Number 77-18

Mayor Briare: Comments or Questions? (No response). Cast your votes. The motion is approved, the ordinance is adopted.

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

BILL NO. 77-19
Adopted
Ordinance No.
1875

Mayor Briare: 77-19 Mr. Ahlstrom.

A Bill entitled "AN ORDINANCE TO AMEND TITLE VI, CHAPTER 6, SECTIONS 2 (J), 3, 4, 5 AND 6 OF THE CITY OF LAS VEGAS MUNICIPAL CODE, 1960 EDITION; TO SPECIFICALLY SET FORTH THE SHERIFF OF THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT, OR HIS DESIGNEE, INSTEAD OF THE LANGUAGE NOW REFERRING TO THE CHIEF OF POLICE WHICH LATTER POSITION HAS NOW BEEN ABOLISHED PURSUANT TO NRS 280.010, ET. SEQ.; PROVIDE OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH." was read by Deputy City Attorney Daniel E. Ahlstrom.

Commissioner Lurie: Move for the adoption of Bill Number 77-19.

Mayor Briare: Comments? (No response). Cast your votes. The motion is approved, the ordinance is adopted.

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

Commissioner Lurie: Mayor I would like to move on 77-21.

Mayor Briare: 77-21, Mr. Ahlstrom.

BILL NO. 77-21
Adopted
Ordinance No.
1876

A Bill entitled "AN ORDINANCE TO AMEND TITLE VIII OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY ADDING A NEW CHAPTER 3A ENTITLED "LITTER" WHICH PROVIDES FOR THE REMOVAL OF LITTER, GARBAGE AND WEEDSFROM PRIVATE PROPERTY INCLUDING THE REMOVAL AT THE PROPERTY OWNER'S EXPENSE AND PROHIBITS LITTERING OF PUBLIC PROPERTY, AND TO FURTHER AMEND TITLE VIII, CHAPTER 3 BY DELETING SECTIONS 8-3-20 THROUGH 8-3-23 WITH REFERENCE TO PROVISIONS FOR THE REMOVAL OF GARBAGE AND WEES; TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF." Read by Deputy City Attorney Daniel E. Ahlstrom.

Commissioner Lurie: I move for approval of Bill Number 77-21.

Mayor Briare: Comments? (No response). Cast your votes. The motion is approved, the ordinance is adopted.

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

Mayor Briare: Bill Number 77-1 will you read the ordinance?

BILL NO. 77-1
Adopted
Ordinance No.
1877

A Bill entitled "AN ORDINANCE TO AMEND TITLE V, CHAPTER I TO ESTABLISH A LICENSE FEE OF \$100.00 SEMIANNUALLY FOR AUTOMOBILE RENTING AGENCIES; TO PROVIDE OTHER MATTERS PROPERLY RELATING THERETO; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH." Read by Deputy City Attorney Daniel E. Ahlstrom.

Commissioner Christensen: Move for adoption.

Mayor Briare: Any comments or questions? (No response). Cast your votes. The motion is approved, the ordinance is adopted.

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

ITEM Commission Action Department Action

VI. REPORTS FROM RECOMMENDING COMMITTEES

A. BILL NO. 77-16 - AMENDMENTS TO TITLE IX, CHAPTER 13, SECTIONS 3, 4, 6, 7, 8 AND 9 TO AMEND ALLOWABLE CURB CUT LENGTHS IN THE CURB CUT ORDINANCE

Committee: Commissioners Christensen and Woofter (4/6/77)

Published by Title 4/9/77 in REVIEW JOURNAL
 No action prior to 4/16/77
 Action required by 5/9/77

Adopted
 Christensen -
 unanimous

Clerk to proceed with 2nd Publication and submit to Codifiers for inclusion in City Code

B. BILL NO. 77-18 - AMENDING TITLE VI, CHAPTER 1, SECTION 31 TO PROVIDE LANGUAGE WHICH WOULD EXTEND COVERAGE OF THE ORDINANCE TO PEACE OFFICERS WHO MAY NOT BE CONSIDERED "CITY EMPLOYEES" AS STRICTLY CONSTRUED

Committee: Commissioners Lurie and Christensen (4/6/77)

Published by Title 4/9/77 in REVIEW JOURNAL
 No action prior to 4/16/77
 Action required by 5/9/77

Adopted
 Lurie
 Unanimous

Same as above

C. BILL NO. 77-19 - AMEND TITLE VI, CHAPTER 6, SECTIONS 2(J), 3, 4, 5, AND 6 TO DELETE "CHIEF OF POLICE" AND INSERT "SHERIFF OF THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT IN ITS PLACE

Committee: Commissioners Lurie and Christensen (4/6/77)

Published by Title 4/9/77 in REVIEW JOURNAL
 No action prior to 4/16/77
 Action required by 5/9/77

Adopted
 Lurie
 unanimous

Same as above

D. BILL NO. 77-21 - AMENDING TITLE VIII BY ADDING A NEW CHAPTER 3A WHICH REGULATES THE REMOVAL OF LITTER, INCLUDING THE REMOVAL OF LITTER FROM PROPERTY AT THE OWNER'S EXPENSE

Committee: Commissioners Lurie and Leavitt (4/6/77)

Published by Title 4/9/77 in REVIEW JOURNAL
 No action prior to 4/16/77
 Action required by 5/9/77

Adopted
 Lurie
 unanimous

Same as above

E. BILL NO. 77-1 - AMENDING TITLE V, CHAPTER 1 OF THE CITY CODE TO ESTABLISH A LICENSE FEE OF \$100.00 SEMI-ANNUALLY FOR AUTOMOBILE RENTING AGENCIES

Committee: Commissioners Christensen and Woofter (4/6/77)

Published by Title 4/9/77 in REVIEW JOURNAL
 No action prior to 4/16/77
 Action required by 5/9/77

Adopted
 Christensen
 unanimous

Same as above

See Page 26 of these Minutes - Annotated Agenda

Mayor Briare: Any comments on the items, any of the Commissioners have anything or statements or comments on any kind of ordinances? (No response). Next item Bill.

Mr. Adams: Next item would be page 26 the Study Committee.

Mayor Briare: Any items from the Study Committees? Is there anyone other than the matter that we are going to hear in a moment present that wishes to be heard by the commission? (No response). Is there anything else the Commissioner's want to bring up? No we are not leaving yet, we have a matter before us, an appeal on a denial of a business license so, is there anything else anyone wants to bring up?

Commissioner Lurie: Excuse me Mayor I was going to ask the City Manager, I believe we discussed this ordinance 76-7 and I would like some amendments made to that ordinance and have it brought back for our next meeting. This is the one concerning the animals in the parks. I think we have discussed that and I think it is ready to be brought back for the meeting in May, the first meeting.

Bill No. 76-7,
REQUESTED TO
BE AMENDED AND
BROUGHT ON FOR
COMMISSION
ACTION ON
5/4/77

See Page 14 of these Minutes - Annotated Agenda

APPEAL ON DENIAL
OF BUSINESS
LICENSE - SULTAN
HEALTH STUDIO
Denied

Mayor Briare: We will now go to the item on the appeal of denial of a business license for the Sultan Health Studio. Mr. Ahlstrom is Mr. Koch in the chambers?

Mr. Ahlstrom: Mr. Koch

Mayor Briare: Would you like to state this matter to the Commission or Mrs. Britt?

Mr. Koch: This is an appeal from a denial of a license application, Mrs. Britt I am sure could fill in the details of the reasons for which the license was denied, the application was denied. This is an appeal it might be appropriate if Mr. Shaner would begin.

Mayor Briare: Right, Mr. Shaner do you have a copy of the matter which we have here?

Mr. Jeffrey Shaner: If I may read this, I do not have a copy.

Mayor Briare: Well I just wanted to know if you are aware of it because then we could just stipulate that each of the Commissioners have that and we have it before us. This correspondence from the Department of Business Activity to the City Manager with copies to the Mayor and to the City Commissioners is before each of us. Mr. Shaner.

Mr. Shaner: The record should reflect Jeffrey Shaner appearing for Deborah Daley who is present and seated in the audience. I would like to bring to the attention of the Commission something I just advised Mr. Koch of, in light of Mrs. Britt's letter directed both to Miss Daley and Miss Sanfillippo and in light of an apparent order to show cause before the City Commission against Miss Sanfillipp, now it is not against Miss Daley she has nothing to do with the enterprise that is brought before the city I believe on May the 2nd. She has indicated to me that Miss Sanfillippo is going to sell her interest in the business before this board today and will not be either stockholder, director, or employee. Miss Daley advised me that whatever problems Miss Sanfillippo may have she doesn't wish to share in them or in anyway interfere in her request for license, so I would ask the

City Commission to take note of the fact that such an agreement has been made and will be executed obviously pending any license application. She should be deleted as an applicant as of this proceeding. With respect to the appeal, the primary reason for it as I notice from the correspondence was because of Miss Sanfillippo, that problem has been cured and Miss Daley is here to confirm that, anything further I would leave up to the commission.

Mayor Briare: Mr. Koch.

Mr. Koch: Again the primary reason for the denial was based on Miss Sanfillippo's connection with the business. The fact that she has sold her interest I think perhaps the license application could be amended in writing and given to the Licensing Department.

Mr. Woofter: Well isn't it a new license application?

Mr. Shaner: It is a new license application.

Mr. Koch: The reason it was denied is because the application before the Licensing Department which says that Miss Sanfillippo was connected.

Commissioner Leavitt: Do you want to withdraw your appeal?

Mr. Shaner: No No, let me clarify the point. Reserving the right to take exception to the basis of the denial, and that is because Miss Sanfillippo is presently before this Commission I believe on May 2nd I am not certain that that is the actual date, and in another business for which Miss Daley has no ownership interest in, the basis for the denial was that Miss Sanfillippo was a participant in that business. Miss Daley has now purchased her interest and or agreed to purchase her interest and I would therefore advise the Commission that there would then be no basis for such a denial. I will be happy to provide the Commission with any documentation to that effect.

Commissioner Woofter: Jeff rather than waste your time and our time don't you think, I mean, it calls for a new application.

Commissioner Lurie: How can we take action on something we don't have before us?

Mr. Shaner: It is not a matter of a new application. It is a corporate application to start with, the grounds for the denial by the Licensing Department was founded entirely on the fact that one of the officers of the corporation is presently being summoned before the Commission with respect to a business that she is presently engaged in, I am advising the Commission that those grounds no longer exist as this young woman has divorced herself or divested herself of control or interest in that business.

Commissioner Woofter: Mr. Shaner I am going to defer to the City Attorney, what is the position, what is your recommendation?

Mr. Ahlstrom: Get something in writing to our Licensing Department, it is not fair to this board to come before them we all know you, believe you and love you, but it is not fair to them, get something from the Licensing Department to reflect it.

Mr. Shaner: I have the young woman right here she is prepared to advise you accordingly.

Mr. Koch: This is an appeal and the only issue before you is whether or not the Licensing Department properly denied this application and I submit that it did on the basis of the application before it, if they care to amend the

application they should do so in writing to the Licensing Department.

Mr. Shaner: And the only reason that you have, that the Licensing Department set forth for denying the application which is a corporate application not an individual one was the existence of one of the officers who was subject to a show cause order before this commission which by the way has not even been heard yet, so the grounds themselves are probably inappropriate to say the least.

Commissioner Christensen: Mr. Shaner could you show me an affidavit to that effect?

Mr. Shaner: I would be happy to, the young woman is right here.

Commissioner Christensen: Can she show me an affidavit to that effect?

Mayor Briare: Where is she I would like to.... where, would she come forth.

(Miss Daley proceeded to come forth)

Commissioner Christensen: Well if you have an affidavit to that effect it would probably best for you to take it to the Licensing Department and request a license, I can't find the appeal action here.

Mr. Shaner: The appeal was taken because the Licensing Department denied the application....

Commissioner Christensen: Well I know but you are indicating to me that the basis for this denial is no longer in existence, if it is no longer in existence show them some kind of written proof that is no longer in existence and apply for a license.

Mr. Shaner: This sir is Miss Daley would you come forward Miss Daley you may inquire of her if you wish as to her status.

Commissioner Christensen: Well that doesn't prove anything I have got to see something indicating that the person is no longer there.

Mr. Koch: The only issue here is whether Mrs. Britt acted properly and I submit that she did and you should vote on that yes or no.

Commissioner Lurie: Mayor to speed things up a bit I would like to make a motion that the appeal be denied.

Mayor Briare: The motion is to deny the appeal thereby sustaining the action of the Licensing Department. Do you wish to make any statement maam? (No Response).

Mr. Shaner: In light of the Commissioners motion I presume there will be nothing further to say.

Mayor Briare: Any comments by the Commission? (No Response). Cast your votes. Motion is approved the appeal is denied.

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

Mayor Briare: Anything else before the Commission? Well the Commission is invited and the general public is certainly invited to stay around for awhile

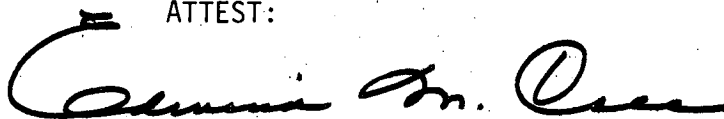
during the hour we are going to have another of a series of concerts at noon at the Las Vegas City Hall Plaza referred to as the Sounds of the Sun from El Dorado High School. It is going to be in two parts and I am advised that it is going to start promptly at 12:00 Noon and it will be concluded in time for people to get back to their offices and go to work. We who sit on this Commission are confident that anyone who does go to this is going to have a thoroughly enjoyable noon hour so stay around. In the mean time I think we will recess because we will try to resolve the Revenue Sharing this afternoon so we will be in recess subject to the call of the Mayor. O.K. we will recess until 2:00 P.M. in the Mayor's conference Room for the purpose of discussing Revenue Sharing.

There being no further business to come before the Board, at the hour of 11:35 A.M., Mayor Briare declared this Regular Meeting of the Board of City Commissioners
R E C E S S E D.

APPROVED:


WILLIAM H. BRIARE, MAYOR

ATTEST:


EDWINA M. COLE, CITY CLERK

APPROVED BY REFERENCE at a Regular Meeting of the Board of City Commissioners held on this 18th day of May, 1977.