

MINUTES

City of Las Vegas

BOARD OF COMMISSIONERS

COMMISSION CHAMBERS • 400 E. STEWART AVENUE • 386-6011

DATE: August 17, 1977

TIME: 9:00 A.M.

INVOCATION: Rev. John Jaster

PLEDGE OF ALLEGIANCE:

BOARD OF CITY COMMISSIONERS

	PRESENT	ABSENT	EXCUSED
MAYOR BILL BRIARE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMM. PAUL J. CHRISTENSEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMM. RON LURIE MAYOR PRO-TEM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMM. MYRON E. LEAVITT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMM. ROY WOOFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CITY ATTORNEY

MIKE SLOAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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APPROVED BY REFERENCE September 14, 19 77

ATTEST:

Emmie M. Case *William N. Briare*

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CITY CLERK

MAYOR

MINUTES

AUGUST 17, 1977

A Regular Meeting of the Board of City Commissioners of the City of Las Vegas, Nevada, held this 17th day of August, 1977 was called to order by His Honor, Mayor William H. Briare, at the hour of 9:00 A.M.

AGENDA POSTED August 12, 1977 (See Page 3 of these Minutes - Affidavit)

AGENDA MAILED August 17, 1977 (See Page 4 of these Minutes - Affidavit)

		PRESENT	ABSENT	EXCUSED
STAFF ATTENDANCE	City Manager WILLIAM E. ADAMS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	City Clerk EDWINA M. COLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Director, Dept. of Business Activity ILA M. BRITT	X		
	Director, Dept. of Community Planning & Development DONALD J. SAYLOR	X		
	Director, Dept. of Cultural Services HAROLD A. FOSTER	X		
	Director, Dept. of Financial Management MARVIN A. LEAVITT	X		
	Director, Dept. of Fire Services SAM COOPER		X	
	Director, Dept. of Funds Coordination & Projects RONALD JACK	X		
	Director, Dept. of Municipal Services J. C. CATHCART	X		
	Director, Dept. of Parks & Recreation RICHARD L. CAMPBELL		X	
	Director, Dept. of Personnel & Employee Relations J. ROBT McPHERSON	X		
	Director, Dept. of Public Services LAURENCE HAMPTON	X		

AFFIDAVIT OF MAILING

(Mailing required under the provisions of A.B. 437, NRS _____)

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

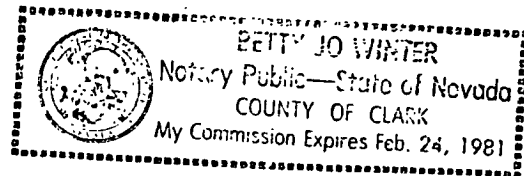
DORIS M. KARSNOK, an employee of the City of Las Vegas, Nevada, being first duly sworn, deposes and says that on the 11th day of August, 1977, a copy of an AGENDA (NOTICE), the attached of which is a true and correct copy of a Regular Meeting of the BOARD OF CITY COMMISSIONERS of the City of Las Vegas, Nevada, to be held on the 17th day of August, 1977, was deposited in the United States Mail, Postage prepaid, First Class Mail, to each person and/or organization whose name appears in the Agenda Register maintained in the Office of the City Clerk as having requested, in writing, a copy of said AGENDA (NOTICE).

Doris M. Karsnok

(an employee in the Office of the City Clerk)

Subscribed and sworn to before me
this 11th day of August, 1977.

Betty Jo Winter
Notary Public in and for said County and State



RECEIVED

AFFIDAVIT OF POSTING

(Posting required under the provisions of A.B. 437, NRS

AUG 12 9 41 AM '77

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

CITY CLERK

CARL D. PETERSON

, an employee of the City of Las Vegas, Nevada, being first duly sworn, deposes and says that on the

12th day of August, 1977, at the hour of 8:00 A.M.

there was posted a copy of the AGENDA (NOTICE), with Addendum No. 1 ¹⁻²⁰ the attached of which is a true and correct copy, of a Regular Meeting of the BOARD OF CITY COMMISSIONERS of the City of Las Vegas, Nevada, to be held on the

17th day of August, 1977, at the following

Locations:

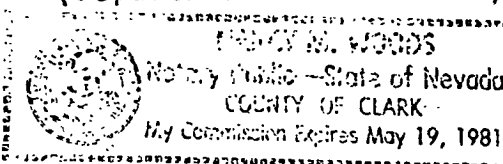
1. On the Public Bulletin Board in the United States Post Office (downtown)
301 E. Stewart Avenue
2. On the Public Bulletin Board in the Federal Building
300 Las Vegas Blvd., South
3. On the Public Bulletin Board in the Clark County Court House
200 E. Carson Avenue
3. On the Public Bulletin Board at the Plaza Level of the City Hall
400 E. Stewart Avenue (near the entrance to the Court Clerk's Office)
5. On the Special Public Bulletin Board at the Plaza Level of the City Hall
400 E. Stewart Avenue (near the entrance to the City Commission Chambers)

Carl D. Peterson
(name)

Subscribed and sworn to before me
this 12th day of August, 1977

(department or division)

Nancy M Woods
Notary Public in and for said
County and State



INVOCATION AND
PLEDGE OF
ALLEGIANCE

Mayor Briare: We are privileged this morning to have the Rev. John Jaster of the Redeemer Lutheran Church to offer the invocation, and then please remain standing for the Pledge of Allegiance.

Rev. John Jaster: Your Lord we acknowledge Your great goodness toward us as individuals of the City, and of the Nation. We thank You for the freedoms that we do enjoy. The freedom of worship, the freedom of speech, the freedom to assemble together. Do not let us take any of these freedoms for granted. We are truly sorry for the errors of judgement that we make as leaders, and as citizens. Forgive us. Correct what is wrong in us as individuals, and cause us to grow in grace, and our knowledge of You, and write Your law in our hearts. Enable us more and more to serve You. I pray that You would use this Commission to further better government in this place. That we may truly live as citizens to Your glory, and not our own. We thank you for our leaders on the local level, those in the state level and those in the national level. We also ask that You be with each of us as citizens. That we recognize legitimate leadership, and we give them the respect due their office. Let each passing day remind us that the near approach of our own dying when no man can work. May all the unpleasantness of this present world keep us united by a living faith, and an unselfish concern for each other. Keep us this day under Your shadow that we may be free from oppressions and tyrannys from all evil, and be brought in peace to see the light of another day. We ask this for the sake of Your Son Jesus Christ our Lord. Amen.

CITY MANAGER
WILLIAM E. ADAMS, P.E.

DISCUSSION OF
THE PROFESSIONAL
COMPETENCE OF THE
CITY MANAGER
Motion to accept
resignation of
City Manager
Effective 8/31/77

Mr. Adams: I would like to advise the Mayor and the Commissioner that the proper mailings have been made, the affidavits of notice have been posted, and it is our opinion that the meeting is in conformance with the law. The first item on my agenda is a request from Commissioner Christensen.

Commissioner Christensen: Your Honor this has become mute with a Memo of Resignation, and I would move at this time...

Mayor Briare: Being mute it will just be removed from the agenda.

Commissioner Christensen: Well I move that we accept the letter.

Mayor Briare: Any comments on the motion? (No response). This is the letter of resignation by the City Manager Bill Adams. Cast your votes.

Commissioner Woolfer: I am going to accept the letter of resignation, but I do it reluctantly.

Mayor Briare: I think I would like to join you in that remark. Any further 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.

STAFF MODIFICATIONS
RELATING TO
ADMINISTRATIVE
UNIT IN CITY
MANAGER'S OFFICE
AND DEPARTMENT OF
FUNDS, COORDINATION
AND PROJECTS
Approved as
Recommended

Mr. Adams: The next item is a request for within the City Managers Office to establish an administrative unit for handling reports, and various things within the office, and to establish the Acting Director for the Department of Funds, Coordination and Projects. The portion of the organization we have within the Funds Coordination Project is being revamped slightly because of the requirements that we have been laid on by some of the Federal Agencies. We have forwarded everything that we are doing there now, and I think that is conformance. It would be my recommendation that we establish the Administrative Unit and the Acting Director of Funds, Coordination and Projects.

Mayor Briare: Comments or questions by the Commission?

Commissioner Lurie: I move that we follow the recommendation of the Manager.

Mayor Briare: Any comments or questions on the motion? (No response). Cast your vote. Motion is approved.

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

STATUS OF
SPACE ALLOCATIONS
Held in Abeyance

Mr. Adams: The next is merely a report on the status of our space move, and the problems that we are encountering as we go down with the domino effect by establishing our fourth court. We wanted to keep you apprised of where we were, so it is merely a report item showing what we are doing.

Commissioner Lurie: We are also discussing the allocations of the library?

Mr. Adams: Yes that is available for consideration too. We are still really working on that because it appears that we are going to have to come up with additional money if we go that route. It looks like the process we have established to move the design team there that we can do it with less cost. We still all have the feeling that the library is an appropriate place to put the computer. We are looking at an economy move at the moment.

Commissioner Lurie: Well my question is. Why wasn't this given to us before we went ahead and allocated and made the bid? Awarded the bid to purchase the equipment.

STATUS OF SPACE
ALLOCATIONS
Continued

I wasn't aware that the library had to be renovated to accommodate the new computer to the tune of between \$150,000.00 and \$200,000.00.

Mr. Adams: I think it was anticipated that we would have sufficient funds out of the request we made originally for the computer, plus some of our own funds within our City Hall Account to take care of it. It apparently has grown beyond what we anticipated. There is still a strong possibility that we could reduce some of that, but we wanted to show where we are thinking right at the moment, and see if you have any additional suggestions, or other ideas that we could incorporate in it.

Commissioner Lurie: Well it seems after justification. It would seem to be more logical to locate this computer where the existing computer is now on the 5th floor. Then use the additional money that would be used to renovate the library to purchase additional equipment for the computer. I understand that we are going to have to have that after the computer is installed.

Mr. Adams: I think that is right. We will have need, and of course as we expand and increase we will need more to be added to the computer. This we think right at the moment is our way to do it, and we would suggest that we go ahead and put it on the 5th floor with the rest of the equipment.

Commissioner Lurie: At this time I would move that the money be allocated to modify the 5th floor to accommodate the new computer. Because of the justification and the memo that we received not to do anything with the library at this time when that building becomes vacant.

Mayor Briare: Comments or questions? (No response).

Larry Hampton: Commissioner I was just concerned about; if we move the 5th floor design team over to the library there will be some cost involved in reconditioning that building.

Commissioner Lurie: Well that can be given to us in a second report. What I am saying now, is that I want to get started in the modification of the 5th floor to accommodate the computer to whoever awarded the bid. That is being shipped I would imagine any time. Then you can give us a report back on what it is going to take to modify the library to take care of the departments that you are going to move there.

Commissioner Leavitt: In other words you don't mean not to do anything with the library like you indicated.

Mayor Briare: What is our time schedule on the new library location?

Commissioner Lurie: That is on the agenda.

STATUS OF SPACE
ALLOCATIONS
Continued

Mr. Ron Jack: Your Honor that wouldn't be finished until some time late next year. I would assume it would be as late as September of next year. Are you talking about the new; Oh the East Charleston Library. We could be ready for a move. We could have them out of the downtown library within roughly a month.

Commissioner Leavitt: Right after school starts if possible.

Mr. Ron Jack: Shortly after school starts.

Mayor Briare: We can't start moving things into the 5th floor, and then move them from the 5th floor to the library until the library gets out.

Mr. Ron Jack: We have an arrangement with the library where we could store their materials temporarily until their facility is ready out there.

Commissioner Christensen: The problem that I have with this is that I have got to confess my ignorance. I don't believe I have got enough information on why we are not moving into the library, and why we are taking the 5th floor instead, and why we are going to make these changes and everything to vote affirmatively on this motion. I think there is a lot of questions that we still haven't answered here. I would like to see some more answers before we make a hard and fast decision to move this computer somewhere else again. We have made that decision twice now. I would like to decide where we are going to put it and put it there. I would also like to have a full picture of what the costs are going to be.

Mayor Briare: So we won't be distracted here. We have got a little mopping up to do. Rain drops keep falling on our heads around here. (Commission Meeting was delayed due to a dripping ceiling).

Mayor Briare: Mr. Adams would you respond to Commissioner Christensens question.

Mr. Adams: We are still in the process of course of working up the estimates, and I think we can have enough detailed information finished by the end of the week to answer the questions that Commissioner Christensen would have. We could still wait until the 7th of September for the action, unless we would have some other time that we could do it. I think by the end of the week or the first of next week we can give you additional information on actual costs involved, or what we anticipate would be involved. As long as we can still have the operation that Mr. Jack will bring us on the movement of the library. Then I think the rest of the report we can give you, and it would be in sufficient time to take action on the 7th of September.

Mayor Briare: I share Commissioner Christensens questions a little bit. I think it is rather standard procedure is it not, that whenever you get in to computer systems you have to get in to cooling. A special design to keep the temperatures

STATUS OF
SPACE ALLOCATIONS
Continued

at a particular degree, and then when all of the discussion was being had to move the computer center over to the library it seemed so fine. Apparently however, nobody gave any consideration to the fact that we had to do a special refrigeration job. If that is the case lets don't try to hide it.

Mr. Adams: I think the problem actually came in the conduit that we had to use in the connection from the library here. I think the air conditioning was considered. Recognizing that we had to put a new floor in, and the ceiling, and the lights. That conduit was the thing I think perhaps we did overlook.

Commissioner Lurie: I would withdraw my motion, and recommend that this be placed on the agenda for September 7th, with the additional information that has been requested this morning.

Mayor Briare: Thank you Commissioner, and in the mean time what is the situation as of now with the new computer hardware? Is that something that is going to take a while to put together Mr. Cathcart? Is it on its way, is it like taking it off the shelf and sending it to us or what?

Mr. Cathcart: No your Honor the contracts are out for signature right now. The contractor has 120 days for delivery and installation. When it is up and running it will be probably the first part of January.

Mayor Briare: There is no harm done by doing a little more work on these projects?

Mr. Cathcart: No.

Mayor Briare: Commissioner Luries motion then is to hold this until September 7th. Any comments on the motion? (No response). Cast your votes. Motion is approved.

PROPOSED BALLOT
QUESTION FOR
SPECIAL BOND
ELECTION
Held in abeyance
to discuss it
during Short
Term Financing
Discussion

Mr. Adams: The next item is a request on the consideration for the ballot question for any special Bond Election. I would advise you that the County Commission yesterday took no action to establish any Bond question for the month of November, and we have just this morning placed with your agendas some additional information that shows the time that would be involved for going to the election. About the middle of November. The dates are generally the same, or the time between the dates are the same. We are in essence saying that whenever a Bond Election would appear we would need to back off that sufficient time to take any action. For example to go for a November 15th Election date we would have to take action by this Commission on the 7th of September. Now if you were to move that in to January then you would back up to somewhere in October or the first part of November.

PROPOSED BALLOT
QUESTION FOR
SPECIAL BOND
ELECTION
Continued

Mayor Briare: The questions that were proposed to the City Manager by myself on August 9th are not the ones that were answered in the memo of August 10th by the City Manager. My request in the very first paragraph suggested that we discuss and possibly approve a Ballot; the question to be included on the Special County Bond Election in November. I was not seeking information about a Special Bond Election in which the City would go on its own. I think I will just save the rest of it for the times that we are going to talk about the special financing for the County Jail.

Commissioner Lurie: Maybe you can answer a question Mr. Adams. Doesn't the County Commission have a Special Bond Election scheduled for November on the Sanitation District, and the Juvenile Facility, and the Court House?

Mr. Adams: In discussing it yesterday they had taken no action on any of them really as far as officially going. Now whether they can do it by the 7th. I would assume that their time table would be the same as ours, so I would anticipate then that on the 6th of September they are actually going to put that package together. They apparently did not take any action on it yesterday.

Commissioner Lurie: Well what I would like to know is; what type of question will be placed on the ballot?

Mayor Briare: Well it was my thinking at that time Commissioner, and as I say in order to tie it in with the matter a little further on our agenda; requesting permission to publish an intention to act on the Resolution regarding Short Term Financing. That the debate on that particular question could include this. I suggest in the second paragraph the question would be something to the effect, "Shall the City issue Long Term Bonds up to 11 Million Dollars, to be sold when and if needed for its share of the Jail Detention Facilities?" Now I am not a Bond Counsel. I don't know how to word these things, but it would be something to that affect. I go further and say, "In the mean time please work out the mechanics with Registrar of Voters Stan Colton, and design some various alternatives for Bond Ballot questions which would allow as much flexibility as possible. Because of the uncertainty of the specific amount the Metro Police Commission will require. Theoretically the City's obligation would be one half of whatever is required. Furthermore, you might also initiate a discussion with Bond Counsel to consider early pay off provisions and/or Short Term Debentures to be replaced by Long Term Bond. This possibly might be valuable in the event of annexation, and other drastic changes in our local government." So I think Commissioners as it was not my intention to propose a Special Bond Election, nor a Bond Election of any kind in January, but more specifically to piggy back on top of the County Bond. Since the County has taken no action, then I have nothing to propose to this Commission.

PROPOSED BALLOT
QUESTION FOR
SPECIAL BOND
ELECTION
Continued

Commissioner Leavitt: Well the memo of course presented to us indicates that the election would have to be in January 1978.

Mayor Briare: That is right Commissioner.

Commissioner Leavitt: You are saying that that is not the answer to your question.

Mayor Briare: No, the questions that I referred to are not answered by this memo which you have.

Commissioner Leavitt: I move that we hold it.

Mayor Briare: Yes could we hold it until we discuss the other? Is there any objections to that? (No response). Then I think that in the discussion that we are going to have on a proposal for a Resolution for a Short Term Financing, it would certainly be appropriate to discuss this particular Long Term Financing.

PRIORITIES -
CAPITAL IMPROVEMENT
PROGRAM
Approved in Concept

Mr. Adams: The next item is the request that we brought before you at the last Commission Meeting, and at your request we allowed time for consideration of it. We are asking that under Capital Improvement Program for the upcoming year that we have from you the consent. The direction we are heading in essence is the correct way. Each of those items that we have listed there as they come up, or as monies additionally become available we bring them back to you for actual requests for spending money, or requests to make applications for money, and this kind of a thing. What we are asking for here is that generally the direction we are heading in this Capital Program is the way in which you want us to proceed.

Commissioner Lurie: This is again approving the wish list, and also approving the priorities of projects that we have already approved. That are under consideration now. My question is, how can we speed up the priority of the projects that we already have under consideration at the present time? Now I know we took on some people on board who are going to help in getting some of the design work and engineering things done. Is this the answer in getting some of these Capital Improvement Projects off the drawing board, and start turning some dirt. So we can start seeing some of these projects being built.

Mr. Adams: I think that is the key to the thing. That we have the people to get it out. We are limited only by Statute in the actual contract in going to bid on that. Then once that operation is underway. The problem has been in our design area in most cases, and where we can increase that, then that gets them out so we can get them on the way. At least that is our anticipation.

Commissioner Lurie: Mayor then I would move that we adopt the recommendation in concept for the Capital Improvement Program, and the recommendation.

Mayor Briare: Any 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.

REQUEST TO
DEPOSIT IN
ARCHIVES IN
CARSON CITY
THE LAS VEGAS
PERPETUAL CODE
Approved

Mr. Adams: The next item is the request to place our perpetual code in to Microfilm, and then forward it to the Archives Section in Carson City. This is the Code that we have established that, from the original adoption of the Municipal Code in 1960, each and every Ordinance that has been placed in modification to it is kept in context. We in essence have one set of books that really has everything that has happened to the Municipal Code in it. We are just a little gun shy that something might happen to it. So we want to make sure that there is ample protection given to it, and then also to actually send it to the Archives.

Commissioner Christensen: I will move for approval.

Mayor Briare: Comments on the motion? (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.

MINUTES
REGULAR MEETING
Jul 20, 1977
Approved

Mayor Briare: The minutes of July 20th and August 1st.

Commissioner Lurie: Move for approval.

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

MINUTES
SPECIAL MEETING
AUGUST 1, 1977
Approved

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

COMMENDATION TO
CHIEF NEISWONGER
FOR 30 YEARS
SERVICE WITH
THE FIRE DEPARTMENT

Mayor Briare: At this time I would like to call the Commissions attention to the fact that we have a City Employee who after 30 years of service is going to be leaving the ranks of the Fire Department. We are very pleased to have you here this morning. You have put in a lot of good service for the City. We have a plaque to present to you, and also Chief Cooper has something to present to you. I would like to ask if any of the Commissioners have any comments for Chief Neiswonger. So many times we often say that Fire Departments aren't really appreciated until you have a fire. You have been around for a good number of years. Perhaps you might have a comment for us.

Chief Neiswonger: First of all I would like to thank the City for having a City job for 30 years. I appreciate that. I also want to give my wife the credit for my career in the Fire Department. My wife Helen.
(Chief Neiswonger introduced his wife and two grandchildren to the City Commission).

Mayor Briare: Why don't you come up here, and let us present this to you. On behalf of the City Commission Chief, it gives me pleasure to present this plaque to you. Our congratulations and best wishes on your retirement. I think he looks awfully young to be retiring.

Chief Cooper: This is a retirement badge which is the replica of his combat badge. Chief Neiswonger has been an inspiration for all the Fire Departments because of his devotion to duty, and pride in the job. This is a replica of the badge that you wore with pride. (Applause)

Mayor Briare: Mrs. Neiswonger and your grandchildren we are very happy to have you here on this occasion. Also there is one other item. On your agenda books under Reports from Standing Committees on Page 31. Because of a legal requirement that this is to be acted upon by this Commission. In order to have the proper publication dates action must be taken prior to 12:00 Noon today. While we have this moment. This is Bill Number 77-44. Commissioner Christensen.

BILL NO. 77-44
Adopted
Ordinance No.
1894

Commissioner Christensen: I will move for approval of the Bill.

Mayor Briare: Any comments by the Commission?

Commissioner Lurie: You have to read it.

A Bill entitled "AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES AND REGULATIONS IN FORCE IN SAID CITY: OFFERTING

A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO." Read by Mike Sloan, City Attorney.

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.

DEPARTMENT OF FINANCIAL MANAGEMENT

MARVIN A. LEAVITT, CPA, DIRECTOR

ITEMS A AND B
Approved.

See Page 25 of these minutes - Annotated Agenda

ITEM C.
REQUEST PERMISSION
TO PUBLISH
INTENTION TO ACT
ON A RESOLUTION
REGARDING SHORT
TERM FINANCING
IN THE AMOUNT OF
\$3.5 Million.
Approved

Mayor Briare: Let me just repeat for the benefit of the people in the audience. This particular question if it should be approved by this Commission requires only a majority vote, to publish our intention to act on it at another meeting. It will be published in the newspapers, and so and so forth. However, if it should pass by majority vote today, then when it comes before this Commission for action, at that time it would require unanimous approval of this Commission.

Commissioner Leavitt: Mayor I move that we publish a notice of intent to act on short term financing, and the Resolution be adopted.

Mayor Briare: Are there any comments on the question?

Commissioner Lurie: My questions were concerning the ballot question. I don't think they are relevant now. If we are just going to act on the Resolution.

Mayor Briare: Let me suggest here that we have had a Public Hearing on this matter, and most of the discussions that we had at that Public Hearing at the last meeting revolved around the question about whether a new jail facility is needed. Even though it was repeated several times during the course of that hearing, that there certainly was no objections certainly on my part to have a new facility. The only question before us then, and the only question that will be before us at the meeting of September 7th if this motion passes, will be the method that the City should provide its financing. I am not satisfied that the proposed method of financing is the best in the interests of the people of the City of Las Vegas. Unless something should come about to change my mind between now and then, it is quite likely that I would vote against the Resolution. I think

ITEM C - Continued perhaps it would be proper for us to discuss the situation right here, and see what input if any might be added to that which has already put in to this question. I have made a number of inquiries including this Bond Issue that I referred to a few moments ago. The part that I left out a few minutes ago I would like to call to the Commissions attention now. First of all it would be my hope that the County Commission will make up its mind on the matters that they wish to put before the voters, and it was reported in the press that this would be sometime in November. It would be my intentions to piggy back on that Bond Election, so that the people or voters of the City of Las Vegas could determine if they would rather face up to the responsibility of the total need for the jail right now, by long term bonds. Which could be floated only at the times that they are needed, or at a time when the market is good, and would be much like the Clark County School District which has an excellent approach to Capital Improvement Programs. What the Clark County School District does; they obtain voter approval for Bonding of their long range plans, and then they sell the Bonds only as needed, and when the Bond Market is most suitable. This to me seems to be a procedure that would be in keeping with the traditional method of financing Capital Improvements. But there is something else that I think the Commission should consider. This year the City in the Capital Improvement Programs that we have been discussing the last few weeks, had \$6,114,985.00 in a Federally Funded Program called Local Public Works. The intent of that program when it first started, was that it would be a shot in the arm for the lagging employment throughout the Nation. Congress after much debate passed the law, and we have high hopes here in the City of getting everyone of those \$6 Million Dollars from Public Works. I think that the liklihood of a program being repeated in Congress next year, especially being an election year for the Congress. I think it would be very good. That the City quite likely would have monies of this nature available again. The suggestion at the last meeting that the Short Term Financing; that we might not even need to use this money until sometime in the summer or fall of next year. That was quite impressive to me to the point that I didn't really understand why we should take this action today, when there might be other alternatives. Including possible Federal Funding, and/or Public Works Money. But in any event I feel that the needs of the jail are not \$3.5 Million as the Citys share. They are more like \$20 Million, and perhaps even upward. It is just a matter of question. I am going to repeat and then any Commissioner that wants to make any comments naturally is welcome.

Commissioner Leavitt: Of course that is one of the things that you have indicated. That there might be other revenue available, so we may not need to go to a Bonding Issue. I understand your proposal in the event that the County were to have a Bond Election. So far the County hasn't indicated that they are going to do that. I would point out that the

ITEM C - Continued City's position on the Metropolitan Police Commission is precarious at the least. You will recall in 1973 that when the Metropolitan Police Commission was first inaugurated that the City Commission were members of that. In 1975 we were taken off. In 1977 we were put back on. I guess it is our turn to be yoyo'd off again in 1979 I don't know. In any event to commit ourselves to some long range financing at this time with all the indications from the Legislature for the past three sessions, that they are going to prolong some kind of Metropolitan Government in this area I think would be a mistake. You are well aware of the fact that in 1973 the Legislature formed the Metropolitan Police Commission, and in 1975 we had the Consolidation Bill. In 1977 we had the merger of the Fire Department, and even though the consolidation was proved unconstitutional the intent of the Legislature was there to form a Metropolitan Government in this area. In addition to that the Legislature has set up an election to allow the people in Paradise, Winchester, and Sunrise Manor to vote on whether or not they want to be annexed or whatever you want to call it, in the City of Las Vegas. If that should happen it would certainly have a drastic effect on our tax revenue in our area. So there might be some additional revenue there, plus the Public Works money that you have mentioned, and there is also the possibility of Legislative help in 1979. I really have a legal question too. Whether or not you can go to a Bonding Issue for one half of the project. Unless the County would join in a Bond Issue for the jail I think it is a serious legal question about the security for the Bond Holders. I don't know how you can go to a Bond Issue, and ask people to vote for a Bond Issue for one half of the project. I think it is a real legal problem. But in any event the \$22 Million Dollar figure of course is what is estimated. That before the jail is finally completed that that is what we are going to need. It is not the figure that has been said to start this project. It was indicated in the Public Hearing that we can build this project in a modular fashion, as needed. With the availability of other revenue, Public Works Revenue, Legislative help, this money will become available. I don't think it will be proper at this time to go for a long range financing on a Bond Issue. I think we ought to go ahead at this time and at least set a Public Hearing on this matter for Short Term Financing. Between now and then we can see if the County does set a Special Bond Election. Then of course as I said there are some other legal questions that has to be answered. Whether or not you can have a Bond Issue on one half of a project. I would request that the City Attorney research that between now and then too.

Commissioner Lurie: Mr. Sloan did you ask the Attorney General for an opinion on the Bill?

ITEM C - Continued Mr. Sloan: Yes Commissioner. Following the last meeting I wrote the Attorney General and asked him basically three questions including the one on the fiscal note. I at this point haven't received any written response from the Attorney Generals Office. They are working on it. We don't have a formal answer yet. I'll try and call up there.

Commissioner Leavitt: How much notice do we have to give on this Public Hearing?

Mr. Sloan: You have to have at least 10 days.

Commissioner Leavitt: Can it be more than 10 days.

Mr. Sloan: Yes.

Commissioner Leavitt: Well how much time until you get an opinion from the Attorney General?

Mr. Sloan: I can call up there while you are in the meeting, and get back to you in just a couple of minutes, and see if they have a prognosis as to what they are doing.

Commissioner Leavitt: If we set this Public Hearing for September 21st do you think that will be sufficient notice?

Mr. Sloan: I would think so yes.

Commissioner Lurie: I still have another question. Based on going through the election, and asking the voters to approve a Bond. I think that is a good approach as far as getting the publics opinion, and view on how they feel about our Criminal Justice System. I believe what we are asking is just taking a Straw Poll of how the public feels. My main concern is, if the voters who are presented the question, and they disapprove the Bonds. Based on the law that was passed, and the mandate that follow, and on the City Attorneys opinion, we are still obligated to pay 50% of the cost of the new facility. I guess my question is, well I guess I am answering it myself. We are taking a Straw Poll. Regardless of the outcome of the election we still are obligated to pay half the cost of the facility.

Mayor Briare: Commissioner I would like to respond to that because I think the same reasoning, and the same discussions that were had at our last meeting when people who were trying to convince this Commission that we needed a jail, and this Commission I believe is already convinced that we do need a jail. Unless the Ballot were to be worded carefully then the same question would come before the voters. It would be my thinking that the only thing that would come before the voters would be, should the Citys share be financed by long term, or should it be financed by short term. Consequently an amended vote in November would bring us back to

ITEM C - Continued this Commission to act in plenty of time to meet the time schedules that Commissioner Leavitt brought up two weeks ago. Even if the City did approve this, that they didn't actually have to physically borrow the money until sometime next year. But I would like to ask Mr. Sloan to again reiterate the law pertaining to the City's obligation to come up with half the money. Whether we have it in hand right now does not absolve us of this new responsibility does it?

Mr. Sloan: In my judgement no.

Mayor Briare: The point I am trying to make is that the County on several occasions as recently as this morning, in the Las Vegas Sun newspaper. They alluded to the fact that they have appropriated and authorized \$3.5 Million Dollars of Federal Revenue Sharing money for this project. I would plead with the members of the City Commission. I mean the members of the Metro Commission from the City. Commissioner Leavitt, Commissioner Lurie and Commissioner Christensen to support the Sheriff perhaps at the next Commission Meeting and move to accept that money. For example if we were to look upon this thing on the basis of financing this thing with Public Works Monies, one of the criteria of Public Works Monies is that you be rather far along with your plans. Is that not so Mr. Jack? If you are rather far along with your plans, then in that event you have a much better chance with the Public Works Monies. If you are not far along with your plans then that makes it more difficult. With the \$3.5 Million Dollars that the County puts up they in a sense have said what we have to put up. Because of that sharing cost that our City Attorney has ruled on. I think Commissioners that if you would take that \$3.5 Million Dollars which is Federally Funded, and it is in hand, and it is ready, and use that for the preliminary plans, and your Phase I and Phase II, and do all the work that we know has to be done. Then I think the City can come up with its share when the time comes and we have explored all the possibilities.

Commissioner Christensen: It is interesting to me that Commissioner Leavitt alluded to the yoyo position of the Police Commission. Just as a sidelight. You know since 1973 when our Police Department was assumed by the Metropolitan Police Department, the City Commissioners have been in a minority position on that Police Board with regard to representation. They have been in a majority position on funding. That has not changed. It is true we are on a 50-50 basis now, but as I said at the last meeting 50-50 is really not 50-50. It is more like 70-30 because of the fact that the 50% that is paid by the County is supported 40% by the Citizens of Las Vegas. They pay 40% of the County's and 50% of the City's. I agree with a Bond Issue to the extent that it could be used as a Straw Poll. Maybe we could also get a Straw Poll from the people to show to the Legislature how they feel about double taxation. As far as the Police Commission is concerned. The

ITEM C - Continued \$3.5 Million Dollars that you keep referring to, unless I misunderstood the situation at the Police Commission Meetings. The County money has not been offered without the City's share to match. It isn't the case of supporting the Sheriff and accepting the County's money. It hasn't been offered. That is not up for grabs.

Mayor Briare: If that is the case then I think they should be asked to offer it.

Commissioner Christensen: I think we made that pretty plain at the last meeting and they still didn't offer it.

Mayor Briare: I wonder then who would be holding this thing up? I have asked the representatives on the County on the Police Commission if they doubt Mr. Sloan's legal opinion, then to get their own legal opinion. Whether it is the responsibility of the City to come up with that money. If they happen to have it in hand then how can they hold that reasoning over our heads. Because we don't happen to have it in hand? It is going to cost. If a short term loan were to mature in a normal manner, it would cost the City about \$4 Million Dollars.

Commissioner Christensen: You also have to realize that the County Commission is made up of 7 members, of which 3 are on the Police Commission. So they don't constitute a majority of the County Commission on the Police Commission. The place to ask this question is not at the Police Commission Meeting, it is at the County Commission Meeting.

Mayor Briare: Well I agree with you. But is the County sincere about putting up \$3.5 Million or aren't they? Furthermore on a Bond Election that would probably be one of very very few ways where the City would not be double charged. Because the unincorporated area, if they want to come up with their money in any way they want is fine.

Commissioner Christensen: Well when that original theory was advanced there was much question by the attorneys as to whether or not you could use collateral twice for a Bond Election, and that is what you would do if you had a Bond Election for the jail. Unless only the City participated, and if only the City participated you would still end up paying twice your share.

Commissioner Leavitt: Well I would also point out in regards to the County's Revenue Sharing Money. First of all that \$3.5 Million Dollars has been appropriated out of their Revenue Sharing Money, but it has not been expended of course. That is subject to be changed in time. The fact that they haven't expended it. They actually haven't offered it. Under the Bill the City should put up its half, and they will put their half up. They are ready and able to proceed if the City is willing to put it up. But the problem here as I see it

ITEM C - Continued even though it is the intention on the part of the City not to borrow this money until next year, once we get a firm commitment out of the City Commission that we are going to borrow the money, that we do have the money available. At that point the County can put up their money. We can use that as possible front money to proceed with this project. We are not going to borrow the money until July of 1978. There is still a lot of things that could be done between now and then. Your talking about drawing up the plans. Your talking about architect selection. A lot of things we could proceed with. At this point the counter parts on the County Commission have indicated that they do not want to proceed until the City is committed. Firmly committed to put up the money. Now as far as the Bond Issue is concerned. Everybody has been referring to it as a Straw Poll. We have to decide as to what is the best way to proceed. Actually what you are asking the people to do is to determine whether or not they want to go to a Bond Issue, or whether they want to proceed to borrow the money to start the project, and pay interest on it that way. That is what the proposal is. Is to ask the people what you want to do. I hardly see the reasoning of going to a Bond Issue to have the people decide how the City should get the money.

Mayor Briare: I think this. That if the people of the City were to determine Commissioner that they prefer long term financing, then they wouldn't be faced with this situation where they borrow \$3.5 Million now. Knowing that down the road you are going to have to borrow another \$3.5 Million. Plus all the money that is required to operate the jail. There is monies there too. But I would like to ask you a question Commissioner. First of all as far as a firm commitment from the City. If this is a gentlemen's agreement sort of thing. In view of past history, I can understand why either side would not trust the other. However this is not a gentlemen's agreement. This is a matter of law. That if the County puts up their money the City must put up their money. We have no choice in the matter. We must put it up. Also I question, that if we were to wait until July to borrow the money even if we took action today or the 21st of September. If we wait until July Commissioner what are you going to use to do these preliminary plans that you are talking about? Where does that money come from?

Commissioner Leavitt: First of all if the City passed a Resolution that they will borrow the money then the City is Committed. I don't think then there will be any problem on the part of the County putting up the front money. Once that commitment is made. Unless there is a unanimous commitment made by this Board, that they will borrow the money to proceed with the start of construction. Then there is no reason why the County couldn't put up the money that they have. But you indicated too Mayor, the need to borrow in the future. That is the whole point. We don't need to borrow in the future. You yourself indicated it. That the Public Works money might become available from the Federal Government

ITEM C - Continued There may be legislative action in 1979. This is the whole point I am making. So to tell the people that they are going to have to borrow \$11 Million may not be true. It may not have to happen. There may be other sources of money that we may get where you don't need to sell Bonds. You don't need to borrow money. I think that it is quite possible that we might have some more Public Works Money available. In any event I would just request in the motion that the Public Hearing be set for the 21st. I want to add that to the motion that we set this for well lets make it for 10:00 in the morning. Rather than have it the first thing in the morning I think maybe it ought to be some other time. Maybe 2:00 would be a better time. I would like to request that the Public Hearing be set on the 21st at 2:00 P.M..

Commissioner Christensen: Well in regards to this long term financing. We have an unusual situation here. We can talk to these legal terms all day long but you have to get down to the realistics. You and I both know that if the money is there it is spent. If you pass a Bond Issue authorizing \$11 Million Dollars for a jail, somebody is going to spend that \$11 Million Dollars and they are going to blow it. I don't think for one minute that our Representatives in Carson City intended for the City Residents to pay 70% of the cost of the jail. Now that may be the law, and that may be the way it came out, but I don't think that was their intentions. Now if we can come up with \$3.5 Million and get that started, there is a good chance we can change that situation in the Legislature before we have to spend \$11 Million. If you come up with \$11 Million before the Legislature meets you can bet your bottom dollar they are going to spend \$11 Million. Then the Legislature is not going to help us. We are going to be stuck with \$11 Million Dollars when we don't need to be stuck for \$11 Million Dollars.

Mayor Briare: Commissioner I happen to feel that that is the most valid point that has been made on either side of this question since we started talking about it. It is a dirty shame that the Legislators, the majority of whom come from Clark County, are the ones that sometimes least look out for the needs of Clark County. It really is a shame that that is the case, but I think you are absolutely correct.

Commissioner Christensen: I don't think that you should come up with any more money than you have to on a peace meal basis, with the hopes that maybe you can shut it off. What has happened here is that we have been very cleverly been put in this position. We have been asleep sometimes. To transfer the burden that the County Government has, and is authorized to collect taxes for to provide these area wide facilities. They have transferred that burden gradually to the backs of the taxpayers of the City of Las Vegas. There is no community that I know of, where the municipality has to shoulder the burden that we have to shoulder

ITEM C - Continued on the jail. I just think that it is a horrendous thing for us to come up here and fund half of an anticipated jail that is going to last a number of years. Once you put that money up it is gone. That is like giving a \$20.00 Bill to your wife and expecting change.

Commissioner Leavitt: I think Commissioner Christensen has made some very valid points. One of the things that I indicated recently, that we were talking about, is the fact that we could have some Legislative help in 79. I look at it from that standpoint. That the Legislature can help straighten out the situation in 79. I look at that from that standpoint rather than look at it that they won't help us. But that is a good valid point. I think that if the people were to indicate that they wanted to go that route, there is a possibility that the money would be spent. The Legislature would not be so prone to help correct the situation. I think we ought to set this for a Public Hearing, and then maybe between now and then we can get some answers to the legal questions that have been presented, and some of the other questions that have been presented.

Commissioner Lurie: I agree with Commissioner Christensen. I see one of our Senators sitting in the audience. I want you to know that I lobby from up here. I get your attention better, and I think as I said at the last meeting. That we need some financial help here in Clark County, and we hope that all of our delegation who goes up to the session in 79 can resolve some of the problems here in Clark County by working with us, and not creating such a burden on the taxpayers here in Clark County. We have asked for help in the Metropolitan Police Department area, the transportation, and we always seem to run in to a brick wall when it comes to asking for funds. There are some funds there that come right out of Clark County. Almost 8 Million Dollars that goes into the General Fund of the State. We would like to have some of the money funneled back down to Clark County to help us in this problem of fighting crime and completing our Criminal Justice System here. I hope that when the Legislature meets in 1979, that they are going to consider these things that we have brought up concerning finances. The thing that concerns me is that I don't feel that it is appropriate to put questions on the Ballot that might mislead the voters to the cost of this facility. Now they say that this is going to cost. This facility is going to cost any where from \$25 to \$30 Million, and here we are just asking for 7 Million Dollars for Phase I for the Detention Facility. I think that as far as the cost is concerned, that we have to look at the bottom line. Not only the cost of what it is going to be to build the facility, but we also need the cost of what it is going to cost to operate it down the road. I think these are all important questions that really haven't been answered. I think before any question is on the ballot, and before the voters would consider a bond issue, the answers to these questions had

ITEM C - Continued better be made available to the voters. As a voter at this time I wouldn't support a Bond Issue. Not knowing all the ramifications down the road of where the money is going to come from to operate the facility.

Commissioner Leavitt: In fairness to the Legislature. They did appropriate the money at the last session for the Nevada League of Cities. It was the Nevada League of Cities request that the Legislature appropriate money to study the financial needs of the Cities. So there is a study at the present time to determine the needs of the Cities regarding the financial problems between now and the next session. That study will be available in 1979, and of course it will be available to us.

Commissioner Lurie: I want to make a comment on studies. If we wouldn't spend so much money on studies, and put the money toward the Capital Improvement of the Jail it would eliminate a lot of our problems.

Commissioner Leavitt: Well I think it was only \$25,000.00.

Mayor Briare: That wouldn't even get them warmed up.

Commissioner Christensen: Well I was going to say that the studies come up with two answers always. Number one we need more money, and number two we need another study.

Mayor Briare: That is the truth.

Commissioner Woofter: Mr. Mayor I call for the question.

Mayor Briare: On the question I just want to make this statement.

Commissioner Woofter: The motion of Commissioner Leavitt.

Mayor Briare: Just before putting the question I want to comment. I am going to support Commissioner Leavitt's motion, however, I don't want my support of this motion to be misconstrued. Because I am going to certainly be listening very very carefully to the comments at the next meeting of the Metropolitan Police Commission, when they consider some of the points that were brought up this morning by means of a letter, that I addressed the Commission about. I am really going to be interested to see what the County Commission representatives of that Commission have to say relative to some of the comments that you made Commissioner Leavitt. There is no question in my mind with some of the statements, and they were quite curt, that the County has authorized that money. If they have authorized it then it certainly should be within the prerogative of the Metro Commission to accept it.

Commissioner Lurie: Mayor I would like to tell you that the Metro Police Commission meeting for the 22nd was cancelled.

ITEM

Commission Action

Department Action

CITY COMMISSION - REGULAR MEETING - MINUTES - AUG 17, 1977 - Page 25

I-D DEPARTMENT OF FINANCIAL MANAGEMENT
MARVIN A LEAVITT, CPA, DIRECTOR

*CONSENT AGENDA

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

*A. SERVICE AND MATERIAL WARRANTS

Nos. 98874 to 99265, 100716 to 100723, H943890, H210643, F1178, G1198, G406050, H1192, H406500 to H406501, H406503, H406506 to H406524, H406531, H406536, H406539 to H406847, H406593 to H406847, H406851, inclusive.

In the amount of \$ 3,525,687.85

*B. PAYROLL WARRANTS

Nos. 99266 thru 100715

For Pay Period Ending 7-23-77

In the amount of \$472,058.93

C. REQUEST PERMISSION TO PUBLISH INTENTION TO ACT ON A RESOLUTION REGARDING SHORT TERM FINANCING IN THE AMOUNT OF \$3.5 MILLION.

Items A and B
Approved
as presented

Director
authorized
to issue

Approved
Leavitt - unanimous

Clerk to proceed
(Public Hearing
to be held at
2:00 P.M., Sept.
21, 1977

AGENDA

City of Las Vegas

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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PHONE 386-6011

CITY COMMISSION - REGULAR MEETING - MINUTES - AUGUST 17, 1977 Commission Action Department Action
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I. (c) DEPARTMENT OF PERSONNEL &
EMPLOYEE RELATIONS

BOB McPHERSON, AEP, DIRECTOR

AUTHORIZATION TO FILL POSITIONS

A. FEDERALLY FUNDED

<u>Dept/Class</u>	<u>Monthly Salary</u>	<u>Justification</u>
(1) Human Resources Accountant (replace vacancy)	\$970	To assist the CETA Analyst in handling Grant funds and in preparing required reports.
(2) Funds, Coordination & Projects Program Analyst (provide needed services)	1306	To conduct the labor standards determinations prescribed by HUD and will assist in general administration responsibilities for the Block Grant Program.
(3) Senior Citizens Senior Citizens Aide (replace vacancy) Until 2/4/78	549	Responsible for meeting room pre- parations, running errands and con- ducting assigned program services.
(4) PS/Animal Control Kennel Attendant (replace vacancy) Until 2/30/78	721	To maintain Kennel Attendant support to feed and care for animals in the Animal Shelter.

Items 1 thru 7
Approved
as recommended
Lurie - unanimous

Director
authorized
to proceed

Page 27

I. (c) DEPARTMENT OF PERSONNEL &
EMPLOYEE RELATIONS

A. cont. FEDERALLY FUNDED

(5)
Human Resources 795 Responsible for
Supply Clerk maintaining a master
(replace control, tagging
vacancy) all existing and
newly purchased
equipment and
non-consumable
supplies and having
full knowledge and
accountability as
to the property's
location.

(6)
PS/Maintenance 622 To maintain
Maintenance acceptable level
Aide II of service in the
(replace CETA paint crew.
vacancy)
Until 9/30/78

(7)
PS/Quality 836 Responsible for
Control handling workload
Assistant of construction and
Engineering location surveys.
Technician
(replace
vacancy)
Until 9/30/78

B. CITY FUNDED - FULL TIME

(1)
PS/Traffic 1125 Responsible for
Engineering supervising crews
Traffic Signal providing traffic
Foreman signal installation,
(replace repair and main-
vacancy) tenance Citywide.

See Page 4

See Page 4

Items 1 thru 5
Approved as
recommended
Lurie - unanimous

Director
authorized
to proceed

AGENDA

City of Las Vegas

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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COMMISSION - REGULAR MEETING - MINUTES - AUGUST 17, 1977 Commission Action Department Action

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I. (c) DEPARTMENT OF PERSONNEL &
EMPLOYEE RELATIONS

B. cont. CITY FUNDED - FULL TIME

(2)
Cultural Services
Junior Cultural Programs
Assistant,
(replace vacancy)
758 Responsible for coordinating activities at Whipple Center during evening hours. Also responsible for visual arts segment of Cultural Services.

(3)
PS/Traffic Engineering
Traffic Maintenance Worker
(replace vacancy)
796 Responsible for the maintenance and placement of all traffic control signs.

(4)
PS/Building & Safety
Building Plans Checker
(provide needed services)
1125 To adequately provide services required in plans checking. This position is self supporting.

(5)
PS/Quality Control
Assistant Engineering Technician
(replace vacancy)
836 Responsible for conducting annexation surveys in compliance with State Statutes and to assist with increasing workload of construction and location surveys.

C. - ADDENDUM No. 1. ITEM
Creation of new Branch Engineer - Dept. of Public Services - Appointive

See Page 5

See Page 5

No action

DEPARTMENT OF FUNDS, COORDINATION & PROJECTS

RONALD C. JACK, ACTING DIRECTOR

STATUS REPORT
ON THE RELOCATION
OF THE DOWNTOWN
LIBRARY

Approved as
Recommended

Mr. Jack: The first item for your consideration is the status report on the relocation of the Downtown Library. Based on the request at the last Commission Meeting staff has conducted renegotiations of the proposed facility out there on two basis. First in terms of the price per square foot, and secondly in regards to the length of the term of the lease. We were able to get them to agree to move the price for per square foot down by 11%. So that it now is at .32¢ per square foot. It would cost \$48,537.00 per year. Additionally they will provide for parking. They will have signs in both the front and the rear of the building. They will provide for \$60,000.00 worth of improvements for the facility. The best package we could work out in terms of the length of the lease. The new property owner will not accept leases under four years from us. They would agree to accept the lease on a four year basis with the .32¢, and again putting the \$60,000.00 worth of improvements in. This is now for your consideration and action.

Commissioner Lurie: Move we approve and the Mayor be authorized to sign it.

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.

1976-77 "701"
PROGRAM - SUBMISSION
OF UPDATED LAND USE
AND HOUSING
ELEMENTS FOR REVIEW
AND APPROVAL BY THE
MAYOR AND BOARD
OF COMMISSIONERS
Approved as
Submitted

Mr. Jack: The second item deals with the completion of the 1976-77 "701" Program. One of the things that HUD requires now as part of its "701" Program is the completion of an updated housing and land use element. Which basically modifies the existing plans to include for example; an implementation methodology. Staff has now completed such a plan. It has been reviewed and approved by the Planning Commission, and is now being tended for your consideration and approval, so that it can be forwarded it on to HUD.

Commissioner Lurie: Move that the statement be approved, and forwarded to HUD.

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.

SUBMISSION OF STAFF
RECOMMENDATIONS
FOR SELECTION OF
CONSULTANTS TO
UNDERTAKE CONTRACTS
WITH THE CITY FOR
1977-78 "701"
HISTORIC PRESERVATION
ASSESSMENT AND
PLANNING PROGRAM

Ron Jack: The third item is part of this years "701" Project. The City received a grant of \$15,000.00 as part of the "701" Package for historic preservation element. We had been able to augment this by a potential grant from the State Parks System. They are going to provide us with \$7,000.00 with State Survey and Planning money, so that we can provide for an expanded element. We have now received the proposals. They have been evaluated, and our recommendation is that we split the work involved in this element, so that we have one contract for the architectural services. Which will be with the University of Nevada, Las Vegas, and the second element which will be with the Historic Architectural Cultural components of that study to be handled by Charles Page Associates of San Francisco. We have met with both parties. I have worked out an agreement in terms of the scope of services, the price, etc. This is now before you for your consideration and approval.

Mayor Briare: This is a requirement isn't Ron? We don't have any choice. We have to have this type of work done with the Anthropology, and the other parts?

Ron Jack: One of the problems we're having your Honor is that, almost any kind of a Federal or State Program requires that we have an Archeological site investigation. It is terribly expensive. You can spend four or five thousand dollars on one of those surveys. What we are attempting to do with this program then is to provide for as much as we can this year. A complete inventory of our historic, cultural, and archeological facts within the City, so that we can evaluate those. Therefore we will not have the additional expense on the project of going out and doing this work.

Mayor Briare: Those funds are included within the "701" Program?

Ron Jack: They are.

Commissioner Lurie: I will move for the approval.

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

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

Mayor Briare: It is after 10:00 and we have a couple of Public Hearings. If you will turn your agenda to Page 27. The first Public Hearing scheduled for this morning is an appeal filed by Dale Rodela.

PUBLIC HEARINGS - 10:00 A.M.

APPEAL FILED BY
DALE A. RODELA
V-45-77
Motion to follow
the Recommendation
of the BZA for
Denial

Mayor Briare: This is an appeal to action of the Board of Zoning Adjustment in Denying his request for a variance to allow a third dwelling unit. Is Dale Rodela in the audience? Would you like to make a statement?

Mr. Rodela: No.

Mayor Briare: It was a matter concerning an electric power meter or something wasn't it?

Mr. Rodela: Yes sir.

Mayor Briare: Is there anyone in the audience here to speak on this appeal other than Mr. Rodela? (No response).

Mr. Rodela: One comment I would like to make. As I was waiting. The last time I was in here a couple of weeks ago, the lady that I spoke of that had hers approved. She was up for the same thing to see the Planning Commission for the very same thing. She had a meter set, but she was since told to remove it. She was filing for a variance to do that.

Mayor Briare: Any comments or questions by the Commission?

Commissioner Lurie: What you are asking for is permission to put two services on this dwelling?

Mr. Rodela: A third service.

Commissioner Lurie: You have two and you want to put a third service so that you know exactly what power usage the tenant is paying in the third dwelling?

Mr. Rodela: No I just want him to pay for his own power usage. If people in the one two bedroom unit leave and turn off the power, then he is going to be without power, and we will have to go through that.

Commissioner Lurie: Actually what it boils down to, is that there are three rentals where two are allowed?

Mr. Rodela: Right.

Mayor Briare: Any other comments or questions? Mr. Saylor.

Mr. Saylor: This was held in abeyance, and you directed staff to evaluate the entire area because it was brought to your attention by the applicant that there was some other situations of a like nature. A report was made and has been submitted to you. It points out that there is a number of violations, and many of them have been tagged by the building department. We suspect it is going to cause a chain reaction in terms of filing for a variance to allow more units in the R-2 zone than

are presently permitted. The report also points out the fact that very few if any of them are in a position to provide additional parking areas.

Mayor Briare: Any other comments or questions?
What is the pleasure of the Commission?

Commissioner Lurie: I move that we follow the recommendation of Planning and recommend denial.

Mayor Briare: O.K. Mr. Rodela. A yes vote on this motion denies your request. A no vote would show some hope. Cast your votes. Motion is approved and the application is denied.

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

APPEAL FILED
BY LOLA
PIVAVAROFF
V-42-77
Appeal
Approved

Mayor Briare: The next item is an appeal filed by Lola Pivavaroff.

Mrs. McCauley: I live at 2220 Santa Paula. I would like to briefly explain the reason and intent to the extensions of the North and South sides of 2220 Santa Paula. On the South side of the house we have a refrigerator, a freezer, a washer and a dryer due to the fact that we didn't have a garage. We thought that covering this eye sore would surely make our one neighbor to the South happy, who is here protesting. She furnished the paint for us after it was up, which we voluntarily painted two coats. When we were finished she decided that she didn't like the covering. She noticed that we did not have a building permit and she intended to report us. We immediately applied for a permit but we were told that we could not receive one until this was over. We did receive a citation. He did not give us a termination date to tear it down because we are in an old neighborhood, which is a nonconforming neighborhood. There are many violations in the neighborhood. I have the citation and signatures from the neighbors and a letter from a neighbor across the street. I also have neighbors here that would like to talk. (Passing letters and petition to the Commissioners)

Mayor Briare: Are you going to comment on these.

Mrs. McCauley: I am going to let John take over here.

John McCauley: (Showing slides of the neighborhood and the additions in question) These are the neighbors directly across the street from my house that, well showing that their home was built right to the edge of the property line as ours is extended. This is looking out of our yard at a house just directly to the South of our neighbors. They have two carports similar to ours where they just touch one another. In other words there is no set-back, they just touch one another.

V-42-77 Continued This is the extensions looking from my neighbors home. Our house is the two story house. This looks directly at our neighbors house that is complaining about our situation. As you look across the street it has been there for some 20 years. You can see where the carport touches the property line to the South of us there. If you see that house coming back the other way, they touch one another. She has looked at this thing for years. This is looking from across the street at our house. It actually shows the extension on the South side. Again that is across the street looking at the house itself with the extension put on. This is really the view that lady would have from her own house. If she walked out of her driveway that is what she is looking at that she thinks is such an eye sore. When I asked for this variance I think that I did it wrong. What I should have done was ask for a variance to look like my neighbors. They have all had this condition, and it has been this way for years. When I talked to the Building Inspector about it, he said it is just a street of nonconforming structures, and that is really what we want to do. Just be a structure in the midst of nonconforming structures. That is about all I can say.

Mayor Briare: Any questions of Mr. and Mrs. McCauley? (No response). Are there any people in the audience that wish to speak in opposition to this application?

James Brown: I am appearing with and for the individual who lives next door immediately South. To place this in perspective. Mrs. Cavalier has lived in this area at that home since it was built for 26 years. Mrs. McCauley has lived there I believe less than a year. They put the structure on shortly after he moved in. There was a request to extend the wall. Mrs. Cavalier consented to extending the wall, and provided the paint with respect to the extension of the wall. There was no discussion with respect to attaching the wall to his house, which is what he had done. He has the entire lot made up of his home on both sides. The wall on one side is connected with boards to his house, and the wall on the other side is connected with board to his house. So his entire house now takes up the lot. The Planning Board recommended denial of this. When we are talking about nonconforming uses in that neighborhood. Admittedly the homes have had carports for 25 and 26 years. Most of these homes have put on their carports, and they have been there ever since they have been built. At the time that they were constructed they were probably not according to the Code, but they are literally nonconforming uses, but they are carports. We don't have a carport here. We don't have a patio cover. We have an enclosed storage area on the side of the house. I have here two black and white photos which I would hand to the Commission. They show what they are doing on both the North, and the South side of this house. The house is as it appears totally restricting

V-42-77 Continued

complete access to the rear portion of the yard. I know the Commission is very familiar with Title 11, Chapter 124 dealing with variances and that the sole purpose of a variance is to prevent discrimination, and it would not be granting a special privilege not shared by others. If we were talking about putting a carport where he was going to park his car, then there would be no objection. But we are not talking about that. I am sure that this Board is well aware of the four requirements that have to be established before a variance is granted. That there are exceptional or extraordinary circumstances at this piece of property that are not generally applicable to the other properties. There has been nothing shown with respect to that. That it is necessary for the preservation and enjoyment of a substantial property right that is possessed by other persons in the area. No one else in the area has their storage areas totally enclosed on the front portion of their property. Not another home within that immediate area of the house that is in question.

Commissioner Leavitt: Can I interrupt you here. This is a request for a variance to allow a patio cover to the North, and a covered storage area to the South. I am a little confused. I am familiar with the neighborhood. I have looked at the neighborhood, and as you have indicated there are several carports in the area, and you have also indicated that these are nonconforming. You indicated that the Code also requires that we can't discriminate. Well if you build a carport it is alright, but you can't build a storage shed. Is that what you are saying?

Mr. Brown: That essentially would be correct.

Commissioner Leavitt: What is the difference?

Mr. Brown: Well to look at the house, in view of the fact that it has been made in to two storage areas, the house takes up the entire house. From fence to fence it is house.

Commissioner Leavitt: There is no Code requirement that says you can't build two storage areas is there?

Mr. Brown: No, that only compounds the problem. The storage area that is being used in the immediate South I personally observed motorcycles. There are items in there that would appear to me to be combustible items.

Commissioner Leavitt: They are not visible. You can't view it from the street. See I have looked at this particular piece of property because I knew it was coming in. I looked at the other areas, and I see a couple of other houses on that street who have exactly the same type of thing. We have a patio cover from the house straight down to the wall. There is one specifically in there that has a green patio cover from the house to the wall. They have an area in front that is used for storage. I don't see the difference between a

V-42-77 Continued carport and a storage area. The fact that there might be something stored in there. If you can't see it from the street. I don't see the point that you are trying to make. That it is O.K. if we build a carport, but you can't have an enclosed storage area.

Mr. Brown: I don't care if they put a carport on both sides.

Commissioner Leavitt: Well that is in violation too.

Mr. Brown: You couldn't put it on both sides of the house. The way he has done it. He has put a board, what appears to be an attempt to make a roof from both sides of the house to both walls. So that from wall to wall it is structure. The entire lot is structure. There is a fire hydrant in the immediate front, but there is no other fire hydrants in the immediate area to cover the rear of that house.

Commissioner Leavitt: You are talking about Santa Clara.

Mr. Brown: If there were houses immediately behind him.

Commissioner Leavitt: Well that is something that we have to straighten out with the Fire Department. Your trying to say that because you have a fire hydrant on Santa Paula, and there is not a fire hydrant on Santa Clara that you can't put that in there.

Mr. Brown: If that is the only access. One particular issue of the variance is that the granting would not be detrimental to the public safety or welfare, or injury to the property improvements in the same vicinity.

Commissioner Leavitt: Don't they have a fire hydrant on Santa Clara?

Mr. Brown: Not immediately accessible to the houses to the immediate rear.

Commissioner Leavitt: There is no fire hydrant in front of my house either.

Mr. Brown: Well I don't know how many blocks you would have to go to get to the fire hydrants.

Commissioner Christensen: Are you saying that there is an easement along side of his house?

Mr. Brown: No, I am saying that if you had a patio cover a carport, then there is access through that.

Commissioner Christensen: It depends on what you have got in the carport. It could very easily be restricted access.

Mr. Abraham Miller: I live 2210 Santa Paula. I live on the North side of these people. The fire hydrant is not in front of their house, it is in front of my house. If they want to use it

V-42-77 Continued they could go through my house any time to use it, or my wall. That fire hydrant is not the factor here.

Commissioner Lurie: Mr. Saylor on these homes the Code requires 5 feet on both sides of the house correct? Were these homes built before that Ordinance was in affect. That you had to have 5 feet on each side of the house? If these houses were built, and this addition was put on without a variance, and there are other nonconforming homes in the area, how did this get by us for such a long time?

Mr. Saylor: I think they all have the required proper side yard set-backs as this home does. They have gone in there illegally without benefit of permit, and made additions. Now on this one it is connected from wall to wall.

Commissioner Lurie: To get to the rear yard you have to go through the front door to the house?

Mr. McCauley: No that is not true. The North side of the house you can walk right through. It isn't enclosed like they say, but it looks that way.

Commissioner Lurie: Well my folks live over there, and it looks enclosed to me.

Mr. McCauley: It isn't though. I can open the gate and walk right through in the back.

Mayor Briare: Mr. Miller you are their next door neighbor.

Mr. Miller: I am on the North side.

Mayor Briare: Do I construe your comments to the effect that you are supporting Mr. and Mrs. McCauley, and Mr. Brown you represent the neighbor on the other side.

Mr. Brown: On the South side.

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

Mr. Brown: I feel that if the Commission takes into consideration the specific requirements that have to be shown by the City Code, that this variance should not be granted. Because it is not the nature of one conforming use being a carport. It does not give rise to allowing other types of nonconforming use. The law is quite clear that a nonconforming use would restrict itself to the use being made. A storage area is not a use that is the same as a carport area.

Mayor Briare: Now if there is no one else here to protest this item is there anyone else who wishes to speak in rebuttal

V-42-77 Continued to the protestants.

Mr. Brown: I think there are letters on file.

Mayor Briare: Right.

Mary Weicikoski: I live at 2200 Santa Paula. If you saw the house before the McCauleys moved in, and after the improvements. They are lovely, and they are very nice and becoming to the neighborhood.

Mayor Briare: Thank you. Anyone else.

Mr. Miller: I feel that they did a lot of work to the house. Before they came in there the house was really run down, and they have the same thing on my side as they have on the South side. On the North side it goes all the way through. The South side is closed up on account of the refrigerator, and the washing machine, and all that. To protect them from the rain and all that. The fire hydrant is on my side of the house, and in case of a fire they can always go through my house. But that is not the question. It is not their fault that there is no fire hydrant on Santa Clara. I feel that we should leave this up. They did a lot of work to that house. They have been working day and night, and Mr. McCauley is not a well man.

Mayor Briare: Any comments by the Commissioners?

Mr. Brown: I have one other brief comment. I would make reference to the fact that at the time the City came out and red tagged him for a zoning violation, he brought it to the attention that the neighbor to the South was also in violation because she had a patio cover, and a grape harbor extending to the wall. That was removed at her expense upon receipt of the citation. She had a person come out and remove this item that she had had for 26 years. Because she was in violation of the Code that was brought out by those persons. I think it is also necessary for the Board to consider what is being stored in the storage area. I feel that it is dangerous with respect to the combustible items that are being stored next to the wall, next to her home. That is why I feel that it is relevant because it does constitute a danger and fire hazard to her house.

Commissioner Christensen: What combustible items are there?

Mr. Brown: As I saw there was motorcycles or gas cans.

Commissioner Christensen: Well is that something that you can't store in a carport?

Mr. Brown: It is being stored....

V-42-77 Continued Commissioner Christensen: Is a motorcycle more combustible than an automobile?

Mr. Brown: A motorcycle might.

Commissioner Christensen: I have to differ with you on that. I can't see any difference. In other words if you put a carport on your house you can store anything you want in there.

Mr. Brown: Would you allow if it went up right next to you at your next neighbors house? You wouldn't put any restrictions on what is going to be stored?

Commissioner Christensen: I don't think that it would be in my power to put restrictions on what a guy puts in his carport. If it is a fire hazard that is one thing, but I couldn't tell a guy what he could or couldn't put in his carport.

Mr. Brown: But the point is, that when you are granting the variance in the first instance. Since you are granting a special privilege, you have to take into consideration the manner in which it is being used.

Commissioner Christensen: What you are saying is that all of these nonconforming carports you don't have any objection to. Because they have been there a long time. If this is granted then you would want us to put restrictions on all those carports, that they couldn't put gasoline or gas tanks in their carports.

Mr. Brown: No because they are literally in law nonconforming uses. After 26 years this Commission can't do anything about. They are nonconforming uses. They have been there. This is not a nonconforming use. You are granting a special privilege for storage.

Mayor Briare: I think Mr. Brown has made his point. The Public Hearing is closed. The motion is to allow the appeal. Any comments on the motion? (No response). This is to approve the appeal and allow the variance. Any comments? (No response) Cast your vote. The motion is approved, and the variance is allowed.

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

AGENDA

City of Las Vegas

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BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

CITY COMMISSION - REGULAR MEETING - MINUTES - AUGUST 17, 1977 Commission Action

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I-e DEPARTMENT OF MUNICIPAL SERVICES

J. C. CATHCART, DIRECTOR

J. E. Park, Purchasing and Contracts
Officer

*CONSENT AGENDA

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

*A. PERMISSION TO RECEIVE BIDS

1. Test Equipment for Testing Paving Asphalt (Public Services - Quality Control)
2. Testing Gauge, Oil Content in Asphalt (Public Services - Quality Control)
3. Twenty-four (24) Each Traffic Signal Poles - Replacement (Public Services - Traffic Division)
4. Thirty-six (36) Each Fiberglass Partitions - Brewster Corp (C.E.T.A.)
5. Furniture and Office Equipment - New (C.E.T.A.)
6. Expendable Office Supplies - Six Months - Replacement (Municipal Services - Purchasing and Contracts Staff)
7. Expendable Janitorial Supplies - Six Months Replacement (Municipal Services - Purchasing and Contracts Staff)
8. Miscellaneous Equipment to Outfit ~~Two~~ (2) New Fire Pumper Engines (Fire Services)
9. Twenty-Seven (27) Each Scott Air Paks with Spare Bottles - Replacement (Fire Services)

Items 1 thru 9
Approved as
recommended
Lurie - unanimous

Director
authorized
to proceed

Page 41 I-e DEPARTMENT OF MUNICIPAL SERVICES, CONTD.

***B. AWARD OF BIDS**

1. Bid #77.32 - Annual Street Sweeper Broom Contract, Fiscal Year July 1, 1977, Through June 30, 1978 (Municipal Services - Vehicle Services Staff)
2. Bid #77.33 - Annual Tire and Tube Contract, Fiscal Year July 1, 1977, Through June 30, 1978 - BID GROUPS III AND IV - HELD IN ABEYANCE FROM BOARD OF CITY COMMISSION MEETINGS OF JUNE 15, 1977, JULY 6, 1977, JULY 20, 1977 AND AUGUST 3, 1977 (Municipal Services - Vehicle Services)
3. Bid #77.70 - Cash Register - Replacement (Public Services - Building and Safety Division)
4. Bid #77.72 - Replacement Pump at Fountain Park (Public Services)
5. Bid #77.74 - 158 Pair Rubber Boots, Fire Fighter 3/4 Length - Replacement (Fire Services)
6. Bid #77.75 - Class "A" Uniforms - Replacement (Fire Services)
7. Bid #77.76 - Blueprint Machine - Replacement (Public Services)

Items 1 and 3 thru 7
Approved as recommended
Lurie - unanimous

Director authorized to proceed

Item 2
Tabled

AGENDA

City of Las Vegas

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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CITY COMMISSION - REGULAR MEETING - MINUTES - AUGUST 17, 1977 Commission Action

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I-f. DEPARTMENT OF BUSINESS ACTIVITY

ILA M. BRITT, DIRECTOR

*CONSENT AGENDA

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

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

1. THE LEAGUE OF WOMEN VOTERS OF LAS VEGAS VALLEY -- tickets to a dinner/dance
2. NEVADA ASSOCIATION OF LATIN AMERICANS -- sale of donated and hand-craft items
3. CATHOLIC DAUGHTERS OF AMERICA, COURT AVE MARIA # 1420 -- tickets to a luncheon/fashion show; raffle tickets
4. GAMMA PHI DELTA SORORITY, ALPHA RHO CHAPTER -- sale of advertising in souvenir booklet
5. GORMAN HIGH SCHOOL, PARENTS' BOOSTER CLUB -- tickets to a dance; raffle tickets
6. GRIFFITH METHODIST CHURCH, UNITED METHODIST WOMEN -- a church fall festival
7. HOME OF THE GOOD SHEPHERD AUXILIARY -- tickets to a dinner/dance

Items 1 thru 11
Approved
as recommended
Lurie - unanimous

Director
authorized
to proceed

AGENDA

City of Las Vegas

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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

See Page 10

See Page 10

*A. CHARITABLE SOLICITATIONS PERMITS
(cont'd)

8. LIONS CLUB, WEST CHARLESTON -- tickets to Lions All-Star High School football game; sale of advertising in program
9. OPPORTUNITY VILLAGE ASSOCIATION FOR RETARDED CITIZENS -- a thrift shop
10. STOP E.R.A. COMMITTEE -- general solicitations
11. UNITED WAY OF SOUTHERN NEVADA -- direct solicitations to corporations and employees

*B. GAMING -- Additional

1. FOXY'S JACKPOT CITY, INC.

Foxy's Firehouse Casino
2423 Las Vegas Blvd South
4 slots
2. MINI-PRICE MOTOR INN CASINO, INC

Bingo Palace Casino
2540 S. Rancho Road
2 Twenty-One games
*1 Sports Book

Items 1 thru 12
Approved as
recommended -
Item 2
Subject to
condition
Lurie - unanimous

Director
authorized
to proceed

*Subject to final action by the
State Gaming Commission on 8/18/77.

AGENDA

City of Las Vegas

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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CITY COMMISSION - REGULAR MEETING - MINUTES - AUGUST 17, 1977

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

See Page 11

See Page 11

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

3. FREMONT HOTEL, INC.

Fremont Hotel & Casino
200 E. Fremont
1 Bingo Game

4. HERBERT B. PASTOR

Golden Goose Casino
20 E. Fremont
2 slots

5. F. STEVE RATAJCZAK

V.F.W. Post # 1753
705 Las Vegas Blvd North
1 slot

6. EXBER, INC.

Western Hotel & Casino
899 E. Fremont Street
7 slots

7. AUTOMATIC AMUSEMENTS OF LAS VEGAS

Pink Panther
601 Maryland Parkway
1 slot

8. GAMES OF NEVADA

Rendezvous Hotel & Casino
400 E. Ogden
2 slots

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BOARD OF CITY COMMISSIONERS

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

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

See Page 11

See Page 11

9. BALLY DISTRIBUTING CO.

Honest John's
2444 Las Vegas Blvd So.
9 slots

Union Plaza Hotel & Casino
#1 Main Street
2 slots

10. NEVADA COIN MACHINE CO.

Cleaning Station
5225 W. Charleston
2 slots

L & B Casino Car Wash
1736 Las Vegas Blvd So.
4 slots

11. ROMAN INDUSTRIES

Golden Nugget
129 Fremont
3 slots

12. UNITED COIN MACHINE CO.

Social Circle Bar
235 N. Eastern
2 slots

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BOARD OF CITY COMMISSIONERS

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Y COMMISSION - REGULAR MEETING - MINUTES - AUGUST 17, 1977

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

C. LIQUOR -- New

1. *NIGHT TRAIN SNACK BAR
810 West Bonanza
Restaurant Beverage

James Andrew Nelson, 100%

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

2. *BEEF & BREW
3889 West Charleston Blvd
Supper Club

Beef & Brew, Inc. --
James A. Perkins, 100%

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

3. *PARODI'S
1000 E. Sahara Avenue
Restaurant Beverage

Panorama of Las Vegas, Inc. --
Ralph A. Petillo, 100% stock-
holder/President
Melanie E. Grim, Vice President
Suzette C. Petillo, Secretary
Emily J. Petillo, Treasurer

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

Approved subject
to conditions
W - unanimous

Director
authorized
to issue

Approved subject
to conditions
Lurie - unanimous

Same as above

Denied
Leavitt - unanimous

Director to
notify

LIQUOR - New
PARODI'S
Denied

Mayor Briare: The applicant Mr. Petillo is present. Mr. Petillo will you come forward please. Are you aware Mr. Petillo of the investigation that is given to each and every license application?

Mr. Petillo: Yes I am.

Mayor Briare: Were copies of the investigation that was made on your application given to you? Are you aware of the content?

Mr. Petillo: I wasn't given a copy, but I spoke with a Lieutenant, and he voiced his objections, and told me what they were.

Commissioner Leavitt: Do you have an attorney?

Mr. Petillo: Not with me no.

Commissioner Leavitt: Do you want to go ahead and proceed without your attorney?

Mr. Petillo: I think so.

Commissioner Leavitt: Well there were some questions that were raised in this investigative report, and some of these things may be of a confidential nature. You may not wish to have these exposed in a Public Hearing. Are you willing to waive that, so we can proceed and ask you questions?

Mr. Petillo: Yes I have nothing to conceal.

Commissioner Leavitt: Are the other applicants on the license present?

Mr. Petillo: No, they are my daughters.

Commissioner Leavitt: Your daughter is an applicant is she?

Mr. Petillo: All three of my daughters are members of the corporation, and as such they were investigated along with me.

Commissioner Leavitt: I would point out to you that this investigative report indicates some rather damaging statements, and evidence regarding you, and your daughter. The question is whether you wish to let us ask you questions regarding this report without having seen it.

Mr. Petillo: That is alright with me.

Commissioner Leavitt: It is alright to proceed?

Mr. Petillo: Certainly.

Commissioner Leavitt: There are certain statements that have been made in here that might be derogatory to both you and your family. You have no objections for us bringing them out at this time?

PARODI's Continued Mr. Petillo: We have had derogatory statements made for some time.

Commissioner Leavitt: Does our City Attorney feel that in view of what he has said, that we can go ahead, and reveal the information in this report, and ask questions concerning it?

Mr. Sloan: It seems to me that he has waived any confidentiality.

Commissioner Leavitt: I have a couple of questions that I would like to ask. Mr. Petillo there is an indication here that you closed a bank account on June 30th, 1977, and the account number was 68655772 at Valley Bank Sunrise Branch. That you closed that account on June 30th, 1977, and at that date your account shows that you had issued 190 checks without sufficient funds to cover it. Is that true?

Mr. Petillo: I don't know. There were checks that were returned which have been made good.

Commissioner Leavitt: Well the report indicates that there were 190 checks that had been issued and had insufficient funds.

Mr. Petillo: At the bank? I don't understand that. Was there 190 checks returned the same day? What does that mean?

Commissioner Leavitt: Also the investigation report indicates that from May 1976 to February 1977 that you issued \$14,000.00 in bad checks in California, and they are presently preparing a case against you at the Southgate California Police Department. Is that correct?

Mr. Petillo: No, when Mr. Brim spoke of me he said that he was going to do this. Now we have talked, and in fact I have a letter in my office from him with a bid from him to buy the Panorama. He has made me an offer to buy the paper.

Commissioner Leavitt: Did you issue \$14,000.00 worth of bad checks in Southgate California?

Mr. Petillo: No I issued \$14,000.00 worth of checks, and by the time they came back from California they didn't clear my bank.

Commissioner Leavitt: They didn't clear is that correct?

Mr. Petillo: No, but I would like to point out one thing. In defense of my financial situation. I am presently being printed by the Review Journal. I have my bills here from January through today. The month of July I paid \$43,200.00 in printing charges, and at the end of the term I had a \$50.44 credit. From the 1st of January through the 25th of July I spent upwards to \$300,000.00 with the Review Journal.

Commissioner Leavitt: I see, well now according to the records we have here in December 1964 you were charged with unlawful flight to avoid prosecution for forgery and uttering worthless checks

PARODI's Continued Are you aware of that charge against you?

Mr. Petillo: There was no charges, no warrant on that.

Commissioner Leavitt: But there was a charge is that correct?

Mr. Petillo: As I recall there was a charge of unlawful flight. There was never a warrant.

Commissioner Leavitt: Was that unlawful flight? Did that have to do with uttering worthless checks and forgery?

Mr. Petillo: No sir.

Commissioner Leavitt: Now on December 18th 1967 you were charged with nonsufficient funds checks, and in that case it was subsequently dismissed. You were charged with that, and then in January 23rd 1969 there was a warrant issued for you for nonsufficient checks, and you were fined \$2.00. I assume you made restitution. On January 23rd 1969 there was another warrant for nonsufficient checks and on 5/20/69 you were fined \$50.00.

Mr. Petillo: That is correct.

Commissioner Leavitt: Well the point I am making here is that obviously there has been a pattern here for issuing checks without money in the bank. This goes back as far as 1964. There are a couple of cases in December 1967 and January 1969, and now we get a report that you issued 190 checks without sufficient funds from 1977. We also get a report that from May of 76 to February of 1977 you issued \$14,000.00 in checks that didn't clear. Do you want to comment on that?

Mr. Petillo: Yes, unfortunately I am in a business that requires financing. Most of these people who advertise with me take 60, 30, 90 sometimes 120 days to pay. Unfortunately I have got to pay my bills as I go along. My help must be paid every week.

Commissioner Leavitt: You mean by check?

Mr. Petillo: Yes.

Commissioner Leavitt: When you write those checks is there money in the bank to cover them?

Mr. Petillo: There is at the time, but I also have a very heavy paying schedule in which, well I might write 40 or 50 checks in advance and send them to New York and they will deposit them each week as it goes along. Sometimes the corporation deposits more checks than they are supposed to, and it leaves a shortage. The only thing I can say is that I got my paper out every week and I pay my bills as best I can.

Commissioner Leavitt: Well I would like to ask you about this. Looking at your financial questionnaire your total assets

PARODI's Continued are \$450,000.00, which represents stock in your Publishing Firm. That your liabilities are only \$2,750.00 which represents two hospital bills. But your total assets here of \$450,000.00 is what you value your stock in your publishing firm, is that correct?

Mr. Petillo: Those are the figures that my accountant put down.

Commissioner Leavitt: At any rate that is what your stock in your publishing firm has been listed as \$450,000.00. Now this firm that prepared your financial report on Panorama Inc. says that the Panorama has total assets of \$66,078.00, but the liabilities were \$238,116.00.

Mr. Petillo: I think those are fixed assets. That is \$66,000.00 in cameras and equipment and so forth.

Commissioner Leavitt: According to this you have bills of \$238,116.00.

Mr. Petillo: Well I suppose you could take any business like General Motors, and if you just took their fixed assets, you would have one figure, and if you took the value of the company you would have another figure. That \$66,000.00 there is strictly our physical assets.

Mayor Briare: Commissioner it says total assets. I don't know whether Mr. Petillo knows that. It says in this application total assets \$66,000.00.

Commissioner Leavitt: Also according to the report you told everybody that you had no bank checking account.

Mr. Petillo: At that time. At the time I spoke Commissioner I had no bank checking account. I spoke to the man on the 20th of June. I am now at the Valley Bank at the Sahara Branch.

Commissioner Leavitt: Are these liabilities that are listed, does that include the Internal Revenue Lien against the Panorama for \$9,000.00?

Mr. Petillo: There is no lean against it. I owe them \$9,000.00

Commissioner Lurie: You mentioned that you talked to the investigator on 6/20, and it says here that the account was not closed until 6/30/77.

Mr. Petillo: I don't know. I think at the time....

Commissioner Lurie: There is a discrepancy in dates. I'll forget about that discrepancy, but the other one. The new bank account that you opened up at Valley Bank revealed that when they checked the rating they did find out that the first check that was written on that account was insufficient funds.

Mr. Petillo: That is not so.

PARODI's Continued

Commissioner Lurie: On the bank you move from. From Sunrise over to Paradise Valley.

Mr. Petillo: No.

Commissioner Lurie: You are saying that the bank records are not correct then.

Mr. Petillo: There must be a misunderstanding there.

Commissioner Lurie: What about the checks that were cashed at Circus Circus, and now you are in the process of paying those checks off at a monthly rate of \$463.00.

Mr. Petillo: That is something that just happened.

Commissioner Leavitt: In your applicants personal history form. The question asked in that personal history form, one of the questions that we were asking is; have you ever been arrested for anything whatsoever, and list all cases without exception. According to the information we have you listed one arrest which was July 9, 1976 for obstructing a police officer, which was subsequently dismissed. Is that a correct statement, that you only listed that one arrest?

Mr. Petillo: Yes it is very possible.

Commissioner Leavitt: In December 11, 1950 there was a fugitive warrant issued to you on fraudulent checks in which you plead guilty, and then the complaint was withdrawn. Is that correct?

Mr. Petillo: I didn't recall that.

Commissioner Leavitt: That was an arrest wasn't it?

Mr. Petillo: That was in South Orange. I can't remember if it was or not.

Commissioner Leavitt: On November 7, 1956 were you arrested for neglect of children and mistreatment of children, and released to another jurisdiction?

Mr. Petillo: Yes.

Commissioner Leavitt: On November 13, 1956 were you charged with two counts of contributing to the delinquency of a minor, and nonsupport of minor children?

Mr. Petillo: Is that the same instance you are referring to before.

Commissioner Leavitt: Well it has a different date. That was six days later. I assume that it is the same thing. It was subsequently dismissed.

PARODI's Continued Mr. Petillo: Now those things sound very harsh when you read them off there in official terms, but you will note that there is no conviction there of any kind.

Commissioner Leavitt: Let me ask you about this one then. How about March 14th 1957, disorderly conduct and bookmaking, and the bookmaking was dismissed, and you were fined \$200.00 on disorderly conduct.

Mr. Petillo: Was that in Atlanta Georgia?

Commissioner Leavitt: I don't have the place where it was. You didn't list that on this application.

Mr. Petillo: Well listen I am 62 years old, and to be very frankly I don't recall that. I recall it now, and if you like to hear....

Commissioner Leavitt: Were you arrested on June 1st 1961 for vagrancy and being a known gambler, which was subsequently dismissed?

Mr. Petillo: I don't know. I was taken to the police station there. We were sitting in the hotel lobby with a racing form. I owned race horses and I have been playing the horses for many years. With someone who has played horses for so many years you are subject to police scrutiny.

Commissioner Leavitt: Well on December 8th, 1964 there was an unlawful flight to avoid prosecution, forgery, and uttering worthless checks, and you were released to another jurisdiction on that one. There is also a nonsufficient funds checks that was subsequently dismissed in December 1967. You admitted to those two, is that correct?

Mr. Petillo: The only thing I can say Commissioner is that I am 62 years old. I have never been arrested for, and convicted of a felony, and I have worked hard all my life, and I have been here 12 years, and I think....

Commissioner Leavitt: Now in regards to the others that I mentioned to you, you really think that is true, that in January 1969 there was a warrant for nonsufficient checks. Two different cases. Well the thing that bothers me is that you were charged with obstructing an officer, and if you recall I asked you. In the questionnaire it says, "if you are arrested for any reason whatsoever, list all without exception." Even if you didn't know the dates.

Mr. Petillo: As I said I am 62 years old. I have lived a long life, and I work 7 days a week, and I put in many many hours. When this came up I thought a beer and wine license was a very innocuous license. They had a questionnaire. I went through it as rapidly as I could, and I didn't have the time. Perhaps I should have taken more time, and been a little more diligent with it. Unfortunately I didn't, and this is where we are at now.

PARODI's Continued Commissioner Leavitt: Well you indicate that to go in to this business that you are going to invest \$17,000.00 from your newspaper business. Is that right?

Mr. Petillo: That is right.

Commissioner Leavitt: The bank account doesn't show that money in there.

Mr. Petillo: Well I bought the business for \$9,400.00 with weekly payments. I assumed an obligation of \$1,000.00. We kept the doors open up until today, and without a beer and a wine license.

Commissioner Leavitt: You say you are going to take \$17,000.00 from the newspaper business to use in this business? The newspaper business shows a bank account balance of \$465.50.

Mr. Petillo: My newspaper business grosses \$25,000.00 per week. So I assume that out of the money that was coming into this business that I would be able to do these things.

Commissioner Leavitt: Yes, but your newspaper business has a total liability of \$238,116.00.

Mr. Petillo: That represents 90 days delinquency. I gross a million dollars a year in my newspaper business. If I owe \$200 and some odd thousand it is a 90 days delinquency, and I am sure all of the major hotels on the strip are that far behind. Now we are talking about a very small business here. A business that would cost less than \$10,000.00.

Commissioner Leavitt: We are talking about also \$14,000.00 worth of bad checks in Southgate California, and 190 bad checks...

Mr. Petillo: I am sure that the Southgate people have recourse in the courts, and he can take them if he wishes to.

Commissioner Leavitt: We are talking about six checks in Circus Circus with insufficient funds.

Mr. Petillo: Circus Circus has been satisfied. They have been paid.

Commissioner Leavitt: They are being paid, but they are not satisfied.

Mr. Petillo: They are satisfied with the arrangements.

Commissioner Leavitt: They haven't been paid in full in other words. I don't see how you can expect us to believe this situation when you have a bank account with 190 checks. I can understand a couple, but 190 checks without sufficient funds. Then we get this report from Southgate California that you have \$14,000.00 down there.

PARODI's Continued Mr. Petillo: We have been through all that now, and I waived my rights and you made your point. Just let me say this to you. I still don't understand 190 checks. That is over the period that I was with Valley Bank.

Commissioner Leavitt: All that I can tell you is that the reports that we have at the bank that you have your account now, that as soon as the first check bounces they will close it. Is that the agreement that you have with the bank now?

Mr. Petillo: That is the agreement that I have with the bank.

Commissioner Leavitt: In other words that the first check that is issued without insufficient funds they will close the account?

Mr. Petillo: They are going to close my account.

Commissioner Leavitt: The minute you have a check with insufficient funds?

Mr. Petillo: Right.

Commissioner Leavitt: Why is that necessary if you haven't issued them in the past?

Mr. Petillo: Well let me ask you one question too. Why did Commissioner Lurie say that the first check that I issued bounced, and why is the account still there if that is our agreement?

Commissioner Leavitt: I don't see where Commissioner Lurie has to do with your problem.

Mr. Petillo: Commissioner Lurie said that the very first check that was written on the new account was with insufficient funds. If that had been the case my account would have been terminated according to our agreement.

Commissioner Christensen: I think Commissioner Lurie may have misread the report.

Commissioner Leavitt: Well in any event you have a history going back....

Commissioner Lurie: I did misread the report. It does say that the first check that is issued with insufficient funds that the result will be the account being closed. I apologize.

Commissioner Leavitt: You have a history going back to 1964.

Mr. Petillo: I also have a history of never being convicted and never going to jail, and I have a history of showing up every day and working hard, and very diligently.

PARODI's Continued

Commissioner Leavitt: That is fine, but evidently you are having some financial problems.

Mr. Petillo: I have a good past record in town and if you want you can check around.

Commissioner Leavitt: Well did you pay off your checks when you were fined \$2.00 for issuing insufficient checks?

Mr. Petillo: Those checks were set aside before I went there. I appeared before the judge Richards....

Commissioner Leavitt: Another time when you were fined \$50.00. Did you pay those checks off?

Mr. Petillo: Yes, I appeared the same day with both of those checks. One was \$20.00 to Remco and one was \$25.00 to a grocer. They had both been satisfied and the checks were there and he proceeded. The City Attorney asked for a continuance on the one check because he hadn't a witness there. Because of the circumstances the Judge fined me \$2.00 on the one, and said "I don't ever want to see you back in this court again". Sure enough a week later I was back in front of him because of the continuance, and he said "You back again, \$50.00 fine."

Commissioner Lurie: Let me ask you another question. I have questions concerning all of the other individuals on the application along with you. If they are not here. Some of these are serious charges, and I don't want to bring them up because they didn't waive their rights.

Mr. Petillo: I would like to bring it up. My daughter Suzette was convicted on a narcotics charge. She was 18 years old when the crime was committed. A few weeks later she went to trial and was found guilty. I have here a petition signed by Judge Pavilkowski that says, "it is therefore ordered that the previous finding of Guilty be changed to Not Guilty, and the information herein dismissed. It is further ordered that said defendant be released, and is hereby discharged, released from all penalties resulting from the crime of which she has been convicted." That is dated September of 1973.

Commissioner Lurie: O.K. what about 1974, possession of a controlled substance "Hash", 4/18/74 possession of controlled substance, 4/25/74 probation of violation of failure to maintain registration. What about those.

Mr. Petillo: I am prepared to defend my daughter. Lets get this out in the open. When my daughter was arrested when she was 18 this was the first time.

Commissioner Christensen: Well she indicated one arrest on her application, and I count 8 arrests, so apparently she is 62 years old and can't remember how often she was arrested too.

PARODI's Continued Mr. Petillo: When she was arrested the first time there was an undercover agent who was supposed to have bought some marijuana at my home.

Commissioner Christensen: What I mean is that she didn't list her arrests on the report. What she was arrested for doesn't make any difference.

Mr. Petillo: Sometimes what constitutes an arrest is not clear in a persons mind.

Commissioner Christensen: Six times it is not clear?

Mr. Petillo: How many times was she tried and convicted under six times.

Commissioner Christensen: That is not what the question asks. The questions asks arrests. Are you telling me that a person charged with possession of marihuana, or sale of marihuana, possession of dangerous drugs, sale of narcotics, possession of hash, possession of another controlled substance drugs, that she doesn't know that she has been arrested?

Mr. Petillo: None of those things were ever substantiated. I think it was just pure harrassment of my daughter.

Commissioner Christensen: That is not what it asks on the questionnaire. When I fill out a questionnaire like this I list traffic tickets, and I can remember. Because when the police say "you are under arrest" I am under arrest.

Commissioner Lurie: I think another important thing is that the conclusion of all the investigations of the whole family shows that it is unfavorable, because you have bad credit. You falsified the application, and my concern is is the credit situation, because of the fact people cannot do business on the fact as to whether your check is going to clear the bank or not. I cannot approve a license for you under this investigation report.

Mr. Petillo: Let me say this. I have been here 12 years, and everyone who I might owe money has all the recourse that is available to anyone. I am sure that if I didn't pay my bills I would be out of business.

Commissioner Lurie: People cannot wait 60, 90, 120 days for you to get money to go pick up these checks. You are in business to provide a service. You should have money ahead to pay your bills, and wait for your money to come in.

Mr. Petillo: Many people start a business with no money just hard work. I thought that was the American Way. I don't think a man has to be financially sound to own a business.

PARODI's Continued

Now here is my record of the Review Journal. \$300,000.00 paid since January 1st. I am sure if I can pay them this money I can maintain a small Italian Restaurant which has practically no expenses. We have had the restaurant which we have had for 66 days without beer and wine, which is a severe hardship. If I had been in the County I could have had a temporary license from the very beginning. I think your licensing laws here are much too stringent. I don't think that when a man opens up a little Italian Restaurant, and goes in there that it is a big thing that he has to have impeccable credit, or be of impeccable character even. I think a beer and wine license is an innocuous license.

Commissioner Leavitt: At this time I would like to move that this be denied based on the following reasons. The past record of the applicant. The applicant in this case Mr. Petillo. His past record of issuing checks without sufficient funds. No showing a financial ability to conduct a business that the application is made for. The financial statements made to us indicate that the money is not available as he said it was. Not in the bank account like he said it was. That the business where he was going to take the money from has assets of \$66,000.00 and the liabilities are \$238,000.00. Also because of the false statements made by the applicants on the personal questionnaires regarding the arrests, and the fact that the statement was made that there was no checking account, and there in fact was a checking account with 190 checks issued without sufficient funds. Based on those I move that the application be denied.

Mayor Briare: Comments by the Commissioners. (No response) Cast your vote. Motion is approved. The application is denied.

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

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

D. LIQUOR -- Additional**

- 1. *SANTA BARBARA MARKET
1418 East Charleston
Restaurant Beverage

Israel Sanchez Lau, 100%

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

**Currently holds an off-sale beverage
license

Approved subject
to conditions
Lurie - unanimous

Director
authorized
to proceed

E. LIQUOR -- Change of Ownership

- 1. *SHELL INN
312 N. Eastern Avenue
General Liquor

From: George O. Gray, 100%

To: Bernadine Ruggers, 100%

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

Approved subject
to conditions
W - unanimous

Same as above

F. LIQUOR & RETAIL TOBACCO -- Approval
of Franchise Managers

- 1. 7-ELEVEN FOOD STORE # 13683
1517 Laurelhurst
Beverage Off-Sale

Southland Corp. --
Billy Lee/Jeane Marie Russell,
Managers

Approved
Lurie - unanimous

Same as above

AGENDA

City of Las Vegas

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

CITY COMMISSION - REGULAR MEETING - MINUTES - AUGUST 17, 1977

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

Approved subject
to conditions
Lurie - unanimous

Director
authorized
to proceed

G. LIQUOR, GAMING, & RETAIL TOBACCO --
Change of Ownership**

1. *COIN CASTLE CASINO
15 Fremont
Tavern License
Gaming: 150 slots

From: Waynrae, Inc. --
Donald Pettit, 100%

To: Herbert B. Pastor, 100%

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

**Subject to final State Gaming
Commission approval. Effective 9/1/77.

H. RETAIL TOBACCO VENDOR -- Change of
Location

Approved
Lurie - unanimous

Same as above

1. SMITH VENDING
From: 1907 Western
To: 818 South Main Street

Music Services, Inc. --
Stephen Smith, President
Emery Engel, Secy/Treas

I. LIQUOR -- Requests for Extension of
Inactive Status

Approved as
requested
Leavitt -
Commissioner
Lurie voted
"no" on Items
2, 3 and 4

Same as above

1. PHILIPS
4595 W. Sahara
Tavern

Philips, Inc. --
Philip Q. Deale, Pres/Secy/Treas
Virginia A. Hart, V.P.

cont'd ----

COMMISSION - REGULAR MEETING - MINUTES - AUGUST 17, 1977 Commission Action Department Action

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

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See Page 16

LIQUOR -- Requests for Extension of Inactive Status
(cont'd)

Item 1 -- Philips -- continued . . .

(Approved 7/6/77. Request for 60-day extension of inactive status for period: 9/4/77 thru 11/2/77.)

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

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

Circle K Corporation --
Frederick Hervey, Chmn/Pres
J. Winslow Smith, Pres of the
Policy Board/Director
et al

(Approved 3/2/77. Extension for 5/1/77 thru 6/29/77 apprvd 5/4/77; extension for 6/30/77 thru 8/28/77 apprvd 6/15/77. Request for 60-day extension of inactive status for period: 8/29/77 thru 10/27/77.)

4. CIRCLE K STORE # NA 1248
SE corner Lamb/Owens
Beverage Off-Sale

(Approved 4/20/77. Extension for 6/19/77 thru 8/17/77 approved 6/15/77. Request for 60-day extension of inactive status for period: 8/18/77 thru 10/16/77.)

AGENDA

City of Las Vegas

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BOARD OF CITY COMMISSIONERS

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

J. REQUEST FOR SHOW CAUSE HEARING
(Recommended by Child Welfare Board)

1. "SMALL FRY" CHILD CARE CENTER
1833 West Charleston Blvd

Licensee: Fred Kluth

Set Public Hearing Staff to proceed
for 11:00 A.M.,
Sept. 21, 1977

COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT

DON J. SAYLOR, AIP, DIRECTOR

ANNEXATION
A-2-77 - REPORT
Accepted Report
for Filing in
the Office of the
City Clerk

Mr. Saylor: The first item is the report on Annexation A-2-77 which after I read to you if you accept it, then it is put on file with the City Clerks Office. The area that we discussed is out in the Northwest part of the City, West of Rancho Road immediately adjacent to an area that was just annexed. It is on the North side of Cheyenne. Here is a summarization of the report. "The area to be annexed to the City is contiguous to the boundaries to the extent as set forth in the Statutes. There is City Sewer available within approximately one mile, and connection thereto of course will be in the usual procedure at the expense of any developers. The usual City services will be provided to the property. Any off-site improvements again will be in accord with the usual City policy through an assessment district, or through a subdivision process." The property is presently vacant. It is annexed under our annexation of nonurban, and of course we anticipate that after the annexation process is complete that they will come in with an overall development plan.

Mayor Briare: Is there a motion to accept and place on file with the City Clerks Office?

Commissioner Lurie: So moved.

Mayor Briare: Any comments on the motion? (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.

REVIEW V-33-76
WILLIAM & ALINE
CHRIST
Approved taking
the limit off as
a condition

Mr. Saylor: The next item is a variance that was approved by you about a year ago to allow a second unit not to be rented, or to have kitchen facilities in it. It is the property located at Hartke Place. You asked that it be brought back before you, which we are in the process of doing. We have notified the property owners in the area. We have inspected it, and have found it to be in conformity to that which you approved.

Commissioner Lurie: This is just a report?

Mr. Saylor: No, you asked that it be reviewed. The variance was granted.

Commissioner Lurie: This is the one where they were accused of putting in the kitchen facility, and they were going to rent it out.

Mr. Saylor: I would suggest that if you are satisfied that you take the time limit off, otherwise it will have to come back year after year.

Mayor Briare: If the time limit were to be dissolved, and a complaint should come in that the use is changed then at that time what kind of procedure would take place?

Mr. Saylor: We would take it on a complaint basis, and we could take action.

Commissioner Leavitt: I move that the matter be taken off so it doesn't have to be brought back.

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

TENTATIVE MAP -
RANCHO SERENO
Approved as
Recommended by
Planning Commission

Mr. Saylor: Tentative Map for Rancho Sereno. This is the property where the Regional Shopping Center has been proposed sometime ago West of Rancho and South of Oakey, which is to the North. This is the R-PD 2 portion. We already have a subdivision approved, and then process on the single family area to the North. The Planning Commission recommends approval subject to the usual conditions. There are 30 acres involved, about 170 lots.

Commissioner Lurie: Move to approve, subject to the conditions.

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

TENTATIVE MAP -
GRANDVIEW HOMES
Approved as
Recommended by
Planning
Commission

Mr. Saylor: This is a tentative map of Grandview which is located in the Eastern part of the City, Owens Avenue, Marion Drive. This is an R-1 subdivision. Approximately 10 acres, 43 lots and the Planning Commission recommends approval subject to the usual conditions.

Commissioner Lurie: Move for approval.

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

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

TENTATIVE MAP
(REVISED) CHARLESTON
HEIGHTS TRACT
51-F-1 AND FINAL
MAP
Approved as
Recommended by

Mr. Saylor: The next item is the Charleston Heights revised Tentative Map and Final Map. This is part of Mr. Beckers development on the Northwest part of the City. This is at Smoke Ranch just West of Jones. It is a relatively small subdivision. The Planning Commission recommends approval.

Commissioner Lurie: Move for approval.

Mayor Briare: Cast your votes. Motion is approved.

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

PETITION OF
VACATION VAC-9-
77 LOUIS R.
OCCHIPINTI, ET AL
Public Hearing
set for
10:00 A.M.
Sept 21, 1977

Mr. Saylor: The next three items are Petitions of
Vacation on the agenda to set dates for Public
Hearings. It should be the second meeting in September.

Mayor Briare: O.K. Edwina will you proceed along that
line.

PETITION OF
VACATION VAC-10-77
WILLIAM E. COX
TRUSTEE Public
Hearing set for
10:00 A.M.
Sept 21, 1977

Mr. Saylor: Item I is under the Downtown Resolution of
intent of a proposed office building. The Plot Plan
(Pointing to the map) shows the building at the corner,
and parking to the rear from the alley and landscaping.
It will effect the removal of a couple of old buildings
I believe. The Planning Commission recommends approval.

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

PETITION OF VACATION
VAC-11-77 NANCY
AUTEN

Public Hearing
set for 10:00 A.M.
Sept 21, 1977
PLOT PLAN REVIEW
Z-100-64

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

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

ARCHITECTURAL GROUP
II. Approved as
Recommended by
Planning Commission

Mr. Saylor: The next one is the Plot Plan Review again
under the Downtown Resolution for some proposed studio
units by Mr. Bigelow, who has been developing several of
these. This one is on first street. It shows two buildings
essentially with an open court, a swimming pool, parking to
the rear. This is on a ratio of approximately one space
for every four units. The Planning Commission has recommended
approval. We are in the process of getting to you a report
on parking on this type of development. I can verbally
advise you at this time that we have checked 10 such developments
during the day, and at night time, and have found vacant
parking spaces in their parking lots. This would allow a
conclusion on our part that there is sufficient parking even
though the ratio is very small.

PLOT PLAN REVIEW
Z-100-64 (99) -
BIGELOW HOLDING
COMPANY
Approved as
Recommended by
Planning
Commission

Mayor Briare: I am glad that you gave that report Mr. Saylor
because it sure makes me feel better about that. It just
seemed like we were heading for a very serious congestion
problem down there. I am impressed with what you just said
here to indicate that the way these things are zoned, that it

Commissioner Christensen: Well these sites are located so that they cater to the walk in crowd.

Mayor Briare: Right, but I just kind of wondered if in practice whether it was so. I could be that in theory but whether in practice it was so. Apparently in practice it is so.

Mr. Saylor: Right, we have checked both day time and night time operations.

Commissioner Lurie: Move that we follow the recommendations of the Planning Commission.

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.

PLOT PLAN REVIEW
Z-31-77 LAS VEGAS
EMPLOYEES FEDERAL
CREDIT UNION
Approved request
for Temporary
Office Facilities

Mr. Saylor: The next item is the two fold request on the part of the City Employees Credit Union. They wanted to be allowed to have a temporary office facility on the new site during construction. The Planning Commissioner has recommended approval. It would be located about half way between Bonanza and Mesquite, and the other is to allow the sign, which would be right at the Mesquite access, and to have a self service gasoline pump facility for members only. That would be about two-thirds of the way down.

Commissioner Christensen: A what facility?

Mr. Saylor: Gasoline facility.

Commissioner Leavitt: A gas station?

Mr. Saylor: It is not a gas station per se. It is gasoline pumps where members can buy gas at a reduced rate. It is a self service type of thing.

Commissioner Woofter: Like 7-11.

Mr. Saylor: Yes except that it is even more restricted in that it is members only. There would be no advertising.

Commissioner Lurie: Would it be up in front or in the back?

Jerry Snider: Behind the parking lot.

Commissioner Leavitt: There is another gas station around that corner, a 7-11 station I believe.

Mr. Saylor: Yes up here. (Pointing to the map). This is Bonanza and Maryland Parkway. This is the parcel in question. The 7-11 is here. This service entrance would be about in here

Commissioner Leavitt: Is this going to be a trailer type office?

Jerry Snider: Yes.

Commissioner Leavitt: Where is your parking going to be?

Jerry Snider: These parking facilities are going to be finished.

Commissioner Leavitt: So there will be plenty of parking and everything.

Jerry Snider: Yes.

Commissioner Leavitt: That is where that street curves.

Commissioner Lurie: Are you moving out of the other building?

Jerry Snider: No sir, we need more staff, and we have to move some of our staff down there so we can hire more people, and get ready for our new building and occupancy.

Commissioner Lurie: Was this gas station on our original plan?

Jerry Snider: No. We went to the Planning Commission to have it reviewed, and they approved it and then they put it on the agenda for today.

Mayor Briare: I am a member of that Credit Union Jerry. Does that mean that I can go buy my gas at a cut rate price?

Jerry Snider: Yes sir.

Mayor Briare: Tell me this. What other kind of things are you going to plan. How about buying some sports equipment at cut rate prices, and maybe some groceries.

Commissioner Christensen: If we have enough members on this board that are Credit Union members; are we going to be able to vote on it?

Jerry Snider: The thing is that it is strictly vulnerable thing that is being offered in the Credit Union movement.

Mayor Briare: Supposing every Credit Union in Las Vegas went into the gasoline business?

Jerry Snider: Well this is a service that they can offer their membership. This is controlled by plastic signature cards, and the individual has to have the signature card with him when he signs for the release of the gasoline at the computered station. The two have to coincide. You can't give your card to even your wife and tell her to fill up your

Commissioner Leavitt: If we do this would it mean that you would have to let the service stations open up and allow savings and loans in service stations? In other words we have a Credit Union here that is going to furnish gas. Would we have to allow gas stations to give Credit Union services? I am concerned about a possible precedent here. There are several Credit Unions in the area. Does that mean that they could open up gas stations and put all the other gas stations out of business? Also could the Credit Unions start selling groceries, and then the grocery stores could open up savings and loan in the grocery stores.

Jerry Snider: It has been started, it is already in progress sir.

Commissioner Lurie: Why can't the Credit Union once it gets in to the gasoline business then get a gasoline station. There is a lot of them around town that has been boarded up. The Las Vegas City Employees Credit Union can take one of those stations over. My concern here is the fire safety. Those people who live behind. You have an apartment there.

Jerry Snider: There is no apartments we have seven homes.

Commissioner Lurie: Also it looks like you have an entrance there, and an exit on the road behind the facility. Is that correct?

Jerry Snider: No.

Commissioner Lurie: What is that arrow? There is still going to be a wall along the back?

Jerry Snider: Yes.

Commissioner Leavitt: You aren't going to put that gas station in there now on a temporary basis are you?

Jerry Snider: No.

Commissioner Leavitt: We can go ahead and approve the temporary trailer and the sign, and the gas station issue we can take up later right?

Jerry Snider: The reason it is proposed now is the fact that the fill dirt that we are taking out to put the tanks in has to be used to put up against the retaining wall, which is required by the Planning Commission to put up the fence.

Commissioner Christesen: I have a question for the attorney. Is there a conflict of interest on this as a member of the Credit Union?

Mr. Sloan: For members of the Credit Union voting on it?

Commissioner Christensen: Yes.

Mr. Sloan: How many members of the Credit Union do we have here? (Commissioners Lurie, Mayor Briare)

Mayor Briare: Well I am a member of the Credit Union, and I am going to vote against this.

Commissioner Christensen: The two members that are members, are they going to be in conflict.

Mayor Briare: Well in a sense if you vote against it Commissioner, then you might be voting against your best interests. Consequently I would say that there is no conflict of interest. I am not serving my interests by voting against it.

Mr. Sloan: The Ordinance requires that if you have a situation which might involve voting for your own benefit. That you disclose that to the other members of the Commission. Under the Ethics in Government Law, again the requirement is the disclosure. It seems to me that if Commissioner Lurie was anticipating to vote aye, he might be better advised to abstain due to the fact that it could be to his benefit. At least that would be my advice.

Jerry Snider: This was discussed once before, and it is the same thing if you have an account at a bank, and the bank came forward.

Commissioner Leavitt: Well a checking account with a bank might be a little different situation too.

Commissioner Christensen: I don't own a piece of the bank, but the Credit Union of which I am a member I think I am a shareholder in that.

Mayor Briare: I just can't see going in to the services business Jerry.

Jerry Snider: That is what a Credit Union is sir.

Mayor Briare: O.K. if that is the question. Why do you put gasoline, why don't you put a food market in. Why don't you go and put in a shoe store, and go into the discount business or whatever.

Jerry Snider: We have the facilities available to you at discount prices, and in all facilities. This was just a permanent facility to put on our property here.

Mayor Briare: Well I know it probably sounds like I am voting against Credit Union members to find the ability to be able to buy their gas at a lesser price than where they
I think there is a principle involved here too.

I am not trying to do any person, including myself, any harm. I have to make my purchases in the most economical manner that I can. I just can't see this to be business people of the City of Las Vegas to be going in to this type of business.

Commissioner Christensen: Your Honor I will vote for approval if they delete the service Station.

Commissioner Leavitt: You are approving the trailer and the sign?

Commissioner Christensen: Yes.

Mayor Briare: Questions on the motion?

Commissioner Woofter: Yes one comment. I am going to vote no on this. Not that I am against the Plot Plan, but I feel a precedent has been made. We have allowed 7-11 Grocery Stores and other grocery stores to have service station facilities. I feel many Credit Unions throughout the country affording services such as this. So there has been a precedent made. I am voting no because of the deletion of the service station.

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

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

RANCHO BEL AIR
UNIT #2 Approved
as Requested

Mr. Saylor: The next item is the Rancho Bel Air Unit #2. Well actually it concerns the entire Rancho Bel Air Unit Subdivision, which is South of Mesquite, West of Rancho just North of Rancho Circle. Mesquite presently exists at a half street width. There is a single family development on the North side, and the sidewalk. This terminates at the water district property on the West, however, it is quite likely it would be continued further West at sometime in the future. In connection with the Subdivision they have to put in the half street improvements on the South side. There will be a wall along the property line. In lieu of putting in a sidewalk on the South side they are asking permission to put in a bridle path. A 10 foot wide bridle path. (Pointing to the map). This would be the street surface. This is the North side with the "L" type curb and sidewalk. This would be the South side with the bridle path.

Commissioner Christensen: What is that made of?

Mr. Saylor: That I can't answer, and the Planning Commission in recommending approval indicated that some type of treatment of it would have to be made. To have satisfactory dust control.

Now I bring this to you with the information that the single family homeowners on the North side of the street have not been notified of this proposal. If you feel....

Commissioner Christensen: Is that inside or outside of the wall?

Mr. Saylor: it would be on the street side of the wall. So the people in this subdivision would have a sidewalk here. (Pointing to the map). Around the other side they would be exposed to the bridle path.

Commissioner Christensen: In other words the people in Rancho Bel Air wouldn't, they would have the benefit of that place to ride their horses up to the Water District Property, but they wouldn't have any of the detrimental effects of it because it is on the other side of their wall?

Mr. Saylor: That is one way to look at it yes. The access to it is out Rancho Road, and there is an existing dirt strip there where people now ride. They will be able to ride up to that point, and then along that.

Commissioner Christensen: I move that we hold this until we notify the property owners of what is going to happen. It looks to me like they are trying to send the problem across the street. Without the block wall I don't see much of a problem with it, but you are transferring it to the people across the street.

Barry Becker: I am the applicant in this case. The main reason that we are suggesting this, is because there already is the existing bridle path down Rancho. The subdivision to the North has the sidewalks and the half street, and that is all the City deemed was necessary for that subdivision at the time it was put in. We just felt that since there are some horses in the area. Rancho Bel Air isn't zoned for horses and the people in our subdivision won't be having them, so whatever dust or whatever blows over the fence will be just as great a problem to them as it is to the other people. Since there are horses and things in the area, and it will probably exist there for some time we just felt that instead of....

Commissioner Christensen: In other words what you are asking for is the deletion of the sidewalk, because there is not much use for the sidewalk outside of the wall because nobody is going to use it. The people are going down the street on their horses anyway and they will have to ride on the paved street on the horses?

Mr. Becker: Correct. Also this is pure speculation. We felt that possibly at a later date that some of the water district property there might be open.

Commissioner Christensen: I think that sheds some different light on it. I withdraw my motion. I thought it benefited the Bel Air people that had horses. That is a whole horse of a different color.

Commissioner Lurie: Move to approve.

Mayor Briare: Motion is to approve is there any comments? (No response). Cast your votes. Motion is approved.

Motion carried by the following vote:

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

LAND REQUEST
SOUTHERN NEVADA
MINOR HOCKEY
ASSOCIATION

Approved Letter of
Commitment

Mayor Briare: In addition to the agenda is the Land Request by the Southern Nevada Minor Hockey Association. We have some very nice people here that are Hockey players.

Joseph DeArmas: I am a CPA, and I am here as an officer and Director of the Southern Nevada Minor Hockey Association. To request from the Commission 5 acres of land on which to construct an ice skating rink for the benefit of the community. The Southern Nevada Minor Hockey Association is a non-profit youth organization. Similar to the Little League and Pop Warner Football League. We are affiliated with the Amateur Hockey Association of the United States. We have approximately 175 players, and in the past year our teams participated in regional tournaments against teams from Utah, Arizona, California, Texas, Oklahoma, Colorado, and Canada. We represented Las Vegas. Our revenues and expenditures in the past two years averaged approximately \$50,000.00 per year. Our revenues came primarily from members dues, and contributions, and our principle expense was ice fees. This program which we have undertaken was triggered by the closing of the Ice Palace approximately 1 month ago. The Ice Palace was the only ice skating facility in Southern Nevada. Several private groups, which have attempted to obtain the necessary investment capital and financing to build an ice skating facility have received our whole hearted support. However these groups to date have been unable to obtain the necessary financing. This inability I am sure is due in part to the poor history of the Ice Palace in Las Vegas prior to its closing last month. It was not a successful operation. Through 5 different managements, which included two bankruptcies. The Hockey Association Board determined to pursue a means of acquiring an ice skating facility for the benefit of the entire community, at a cost that will make it possible for a greater number of children and adults to participate. The program we propose can be briefly summarized as follows. The project is being sponsored by the Hockey Association, and will be a nonprofit, tax exempt organization. Resources in addition to the hard work of the members of the organization, and other interested persons will include 5 acres of properly zoned land from the City of Las Vegas. We have considered parcels at Mojave and Stewart, or Cashman Field as good potential sites. Money for construction will be sought from contributions

by local persons, and organizations, and federal funding. At present we have pledges for approximately \$45,000.00. A little later Doctor Tom White from UNLV will present additional information on the funding aspects of the project. The dispersement of the funds obtained, and the running of the ice facility after construction will be supervised by a Board of Directors appointed by the Association. The facility will be run by a professional ice rink manager. The most qualified that we can find. At this time I would like to present Terry Wall, one of our members who will present additional information on the construction and operation of the facility for the benefit of the community.

Commissioner Lurie: Have you contacted the County for any contribution for the ice skating rink?

Mr. DeArmas: Not at this point no.

Commissioner Lurie: Well you are looking for the City to contribute 5 acres of land, but were you planning to go the County for say some funds to help construct the facility?

Mr. DeArmas: We have not specifically considered that.

Commissioner Leavitt: Does the plans for the new sports Complex include an ice rink?

Mr. DeArmas: I have heard that it might include that. It would not be one that would be there on a regular daily basis.

Commissioner Leavitt: Would you use this year around?

Mr. DeArmas: Our facility would be used 365 days a year hopefully 24 hours a day.

Commissioner Lurie: It would be used for open skating as well as hockey.

Mr. DeArmas: Open skating, figure skating, groups, instructional groups. High School, Junior High and Elementary School Groups.

Commissioner Lurie: Well the funding aspect of it. You know that the City and County both contributed funds through Revenue Sharing and other funds to build the Ice Palace. I am just saying that you picked two locations here in the City, but were there any alternative locations that might be in the County. Have you reviewed any of those? I want to support you, and help you in this because I think it is a needed facility. I was disappointed that the other rink couldn't financially stay in business, because I know there is a big interest in ice skating here. I am looking at all aspects to try and help you locate funds as well as properties. If the City has a piece of property that is useful to you then I am going to support the setting aside the land. On the other

hand I want to be sure that the commitment on your side as far as the funding is going to be there also. It has to go hand in hand.

Mr. DeArmas: That is another aspect which Tom White will discuss further in terms of the additional funding, and where we hope to obtain it.

Commissioner Leavitt: Would your group be willing if in the event that there is a legal problem that you would take the property on a lease basis?

Mr. DeArmas: I don't think there would be any problem with that at all. We are interested in a rink and ice facility for the community, and however best it is obtained.

Commissioner Lurie: Well I don't think we can give property to a non-profit group unless there is another Government Agency We can enter in to a lease agreement.

Commissioner Leavitt: Maybe we could enter in to a lease agreement for say 25 years, and at that time it reverts to the City.

Mr. DeArmas: Our facility also would be a self sustaining operation capable of generating the revenues needed for maintaining it at the way that it was built, and to do improvements and additions as needed to provide the community.

Commissioner Leavitt: Do you have the money in the bank before you start construction facility?

Mr. DeArmas: Yes.

Commissioner Leavitt: In other words you are going to have the money available before you start construction?

Mr. DeArmas: Yes.

Commissioner Leavitt: So you don't want the lease to start until you have the money?

Mr. DeArmas: No, and as far as the obtaining of the land or the lease that would be on a performance basis. When we have the funds and we are ready to build, then the land will be made available.

Commissioner Leavitt: That is fine. We want to make sure that you have the money available and that you are ready to go. That is what you are telling us right?

Mr. DeArmas: Right.

That is why I said we needed a commitment at this point rather than the land.

Mayor Briare: When these gentlemen and some others came to my office to tell me a little bit about their project, which I think they have done to some of the other Commissioners and perhaps all. The magic words when they first walked in that put a smile on my face, was that they are not asking for any money. You people are enthusiastic enough, and you have a desire that you are going to go out and do all of this on your own, and all you are looking for is a place to put it.

Commissioner Leavitt: Well it is going to be open is it not? It is not going to be just limited to your activities. You are going to allow this to be open on Saturday night or something like that?

Mr. DeArmas: This facility will be professionally managed for the benefit of the community, and the Hockey Association would obtain its ice and facilities. It would get in line just like everyone else.

Commissioner Leavitt: Well I think you could charge people to come in and ice skate. As long as that program is available. This will provide a facility to play hockey, which I think is just great, but you are also going to allow that facility to be used for general ice skating too?

Mr. DeArmas: This will not be run by the Hockey Association. It will be run, or supervised by a separate Board of Directors appointed to run an ice facility. For the benefit of the community. The professional manager will actually operate the facility. We will not have the Hockey Association directly involved in the operation.

Commissioner Leavitt: I just want to make sure that you understood our view point on it.

Commissioner Christensen: Well they want to make it available for everybodys use. That is the impression that I got from the start.

Mayor Briare: I would like to make an announcement to those folks who are here for something else other than the Hockey. We are going to recess after we finish the hockey people, and then we will continue the meeting at 1:30 this afternoon. So for anybody that is here for reasons other than the Hockey, your matter won't be brought up until 1:30.

Terry Wall: I work at the Flamingo Hotel parking cars. I have been involved in the game of ice hockey the last 28 years professionally, and as an amatuer, and have been around a lot of rinks. I am also a member of the Southern Nevada Minor Hockey Association. I have a boy involved in it. What I am going to try to do

is go through the hand out that I just gave you, and give you some ideas on what an ice rink is all about.

Commissioner Lurie: I hate to interrupt you and all that, but I don't think you have to go all through that. I think we want to support you, and we just have to find a location that is suitable for you. I don't think you have to go through all this.

Mayor Briare: Well you have made copies of all this available to each of us, and it seems to be pretty comprehensive.

Commissioner Lurie: I represent the Western area of town, and I would like to look for a location up in that area.

Mayor Briare: I think what these folks are looking for, they are looking for some sort of a commitment so they can know that when they go ahead and raise the necessary finances, and so forth, that that property will be there.

Commissioner Woofter: I make a motion at this time that we make a commitment in the amount of 5 acres, and donate or to be made available for the construction of the facility when funds are available. The site is to be determined at that time when the funds do become available.

Mayor Briare: I had the impression that they wanted to pin point a site.

Commissioner Christensen: Don't we have to pick a site in commitment for the Federal Grant?

Mr. DeArmas: Yes we do.

Commissioner Christensen: Why don't we just authorize the staff to proceed to make available the land contingent upon their performance. With a performance contingency, and go from there. I think they have got to have the site nailed down in order to seek their federal grant, and that is one of the urgencies here. I have no fight with that site at the Eastern end of town. Mr. Saylor has got some sites in mind and I think the staff could work that out.

Commissioner Lurie: I think another site that is very acceptable is up on Decatur at Ed Fountain Park. We have all that area that at one time was going to be set aside for an indoor swimming pool. We just allocated a new ball field there. I think that location should be a consideration.

Mr. DeArmas: Couldn't we possibly get together with Mr. Saylor and pinpoint some type of a location, and get a letter of commitment.

AGENDA

City of Las Vegas

Aug. 17, 1977

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CITY COMMISSION - REGULAR MEETING - MINUTES - AUGUST 17, 77 Commission Action

Department Action

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I (g). DEPARTMENT OF PUBLIC SERVICES

LAURENCE HAMPTON, P.E., DIRECTOR

*CONSENT AGENDA

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

*A. APPROVAL OF SUBDIVISION PLATS

It is recommended that the following final plats be approved subject to posting of bond and signing of agreements and plans within thirty days. All engineering designs have been submitted and are being processed.

1. Coronado Park (Larry Storjohann, an Individual).
2. Lewis Homes-Smoke Ranch Estates Unit No. 2 (Lewis Homes of Nevada, Earl Monson, Agent).
3. Stewart Place Unit No. 5 (First Western Savings Association & Dasco, Inc., Dudley A. Smith, President).
4. Pinewood Unit No. 2 (First Western Savings Association & Dasco, Inc., Dudley A. Smith, President).
5. Park Bonanza East No. 6-C (Kenney Mobile Homes, Inc., John E. Kenney, Jr., President).

Items 1 thru 5
Approved as
presented
Leavitt - unanimous

Director
authorized
to proceed

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

*B. RELEASE OF SUBDIVISION BONDS

All offsite improvements on the following subdivisions have been completed in accordance with agreements and city standards. All work has been inspected by Quality Control, Street, Fire, Electrical, Sanitation, and Traffic Departments. It is recommended that the improvements be accepted for these subdivisions.

1. Roberts Estates (Western Homes, Inc., John Roberts, President).

2. Lewis Homes-Charleston Unit No. 11 (Lewis Homes of Nevada, Earl Monson, Agent).

Approved as recommended
Leavitt - unanimous

Clerk
to proceed

Withdrawn at
request of Director
of Public Services

*C. SUBDIVISION AGREEMENTS - EXTENSION OF TIME

1. First Western and Loan Association has requested a six months extension of time for agreements on the following subdivision to cover installation of offsite improvements pending an arrangement with a subdivider to complete the tract. The extension of time would be conditioned upon the renewal of bond to cover the improvements with new completion date to be February 17, 1978.

Items 1 and 2
Approved as
recommended
Leavitt - unanimous

Director
authorized
to proceed

Twin Lakes Village Unit 14B-75% complete

2. Hill Top Developers, Inc. (Ron Sainz, Manager) has assumed the following subdivision from Old West Construction Co., Inc. and requests six months extension of time to complete the offsite improvements. The bond with Fidelity and Deposit Co. of Maryland will remain in force. New completion date to be February 21, 1978.

Stagecoach Depot Unit No. 2-A-75% complete

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

*D. RELEASE OF CONSTRUCTION CONTRACT

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

- 1. Bid No.: 75.48
- Contractor: Traffic Control Services, Inc.
- For: Bicycle Route Illuminated Signs - Fantasy Park to Sunset Park & Red Rock Route
- Notice of Completion: June 10, 1977
- Release Date: July 15, 1977

Approved as recommended
Leavitt - unanimous

Clerk and Dept of Municipal Services authorized to proceed

*E. RIGHT OF WAY ITEMS

- 1. Grant Deed
 - From: The Salvation Army, a California Corporation
 - To: City of Las Vegas
 - For: Portion SE-1/4, Sec. 30, T20S, R62E
Radius corners at Salvation Way & Leigon
Dedication (7/6/77)
- 2. Right of Way Grant
 - From: Sombrero Ford, Inc., a Nevada Corp.
 - To: City of Las Vegas
 - For: Portion NW-1/4, Sec. 7, T21S, R61E
Sewer easement vicinity Sahara and Arville
Dedication (7/22/77)

Items 1 thru 10
Approved
as presented
Leavitt - unanimous

Public Services authorized to proceed

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

*E. RIGHT OF WAY ITEMS (Continued)

See Page 21

See Page 21

3. Grant Deed

From: Becker Investment Company
a Nevada Partnership
To: City of Las Vegas
For: Portion SE-1/4, Sec. 35,
T20S, R60E
Monticello Dr. Bldg.
Permit. Dedication
(8/1/77)

4. Grant Deed

From: A. G. Spanos Construction
Inc., a California Corp.
To: City of Las Vegas
For: Portion S-1/2, Sec. 5,
T21S, R61E
El Camino Ave.
Dedication (7/27/77)

5. Right of Way Grant

From: A. G. Spanos Construction
Inc., a California Corp.
To: City of Las Vegas
For: Portion S-1/2, Sec. 5,
T21S, R61E
Sewer easement (7/27/77)

6. Grant Deed

From: John Joseph Baud Family
Trust, John Joseph Baud,
Trustee, and Dora
Elizabeth Baud, Trustee,
as to an undivided 1/2
interest; and Luther
Edward Ragsdale and
Ether Lillian Ragsdale,
Trustees of the Luther
Edward Ragsdale and
Ethel Lillian Ragsdale
Living Trust, as to an
undivided 1/2 interest
To: City of Las Vegas
For: Portion Lots 1, 2, and 3
in Block 5 of Clarks Las
Vegas Townsite
Main St. Dedication
(7/26/77)

AGENDA

City of Las Vegas

Aug. 17, 1977

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CITY COMMISSION - REGULAR MEETING - MINUTES - AUGUST 17, 1977

Commission Action

Department Action

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

*E. RIGHT OF WAY ITEMS (Continued)

7. Grant Deed

From: Lyle L. Beckers, a
married man
To: City of Las Vegas
For: Portion Lots 33, 34, 35,
and 36, Block 3, Boulder
Dor Homesite Addition,
Tract #3
Stewart Ave. Building
Permit. Dedication
(7/26/77)

See Page 21

See Page 21

8. Grant Deed

From: Dale C. Blanchard and
Onita Jean Blanchard,
husband and wife, and
Annie Belle Blanchard, a
widow, all as joint
tenants
To: City of Las Vegas
For: Portion NE-1/4, Sec. 30,
T20S, R62E
Gateway Road. Building
Permit. Dedication
(7/12/77)

9. Resolution Relinquishing Portion of Highway Right of Way

From: State of Nevada, Depart-
ment of Highways
To: City of Las Vegas
For: Portion S-1/2, Sec. 25,
T20S, R60E
Tanya St., Alaska St.
and unnamed connector
road - Surplus right of
way (7/27/77)

RECONSTRUCTION OF
FREMONT - MAIN TO
SEVENTH STREET
Approved as
Recommended.

Larry Hampton: The first report item involves the reconstruction of Fremont. Subsequent to our last discussion on this where you directed us to proceed on the storm drain. We have gotten together with the Downtown Progress Association, and have developed a fifth construction alternate, which is shown at the very bottom. (Pointing to the Diagram). We feel this is the best possible means of reconstructing that section of Fremont. It is a two phase project. We will be coming in constructing the Orange section first. That will take approximately 50 working days. Then we would proceed with the purple section which would take an equal amount of time. Basically what it does is it completes the area in and around the Casinos first, therefore leaving the purple area, the businesses are open during the Christmas season. After Christmas then we would be tearing the sections up in front of the business areas. We will be doing half of the third street intersection in the first phase and half of the Las Vegas Boulevard section during the first phase. We hopefully considered as many possible problems relating to transportation, taxis and emergency access and so forth. This plan was developed primarily with the help of the merchants and the casino operators in the area. Our biggest problem is that we are actually \$250,000.00 short than what was originally appropriated. However the original appropriation was never felt to be enough money. We only appropriated \$121,000.00. The report that was submitted to you last week shows the break down of the finances, and as indicated in my memorandum the financial management department is competent that there will be substantial extra revenue in sales tax. This appropriation could be made from that. So it would be my recommendation that the extra money be authorized, and that we would be able to proceed on the project.

Mayor Briare: Any comments or questions? (No response).
What is the pleasure of the Commission?

Commissioner Leavitt: You are recommending then the 100 days?

Mr. Hampton: That is right.

Commissioner Leavitt: I move that we follow the recommendation.

Mayor Briare: Cast your votes. Motion is approved.

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

SAFER OFF-Systems
Roads proposed
projects
Approved in
Concept

Mr. Hampton: The second item is the Safer Off-System Roads proposed projects. I submitted to you a list of projects that is recommended by our office to cover the \$237,000.00 Grant that we received from Highway Administration for safe road projects. This includes a 5% match which we propose to use, or to use our own labor to install the illuminated signs, which would cover the 5% match. I will be happy to

accept any suggestions as far as this is concerned.

Commissioner Lurie: I have one suggestion. I think these are all excellent projects because I think we have to look towards moving traffic in a safe manner. On item number 4 we have the installation of traffic buttons, and you have \$25,000.00 set aside. I would like to see that reduced to \$15,000.00, and take \$10,000.00 of that revenue and set it aside for the Emergency Highway Telephone Communications System. We approved the Resolution not to long ago. I believe that this is one of the areas that we can take some of that money.

Commissioner Leavitt: Only in the City of Las Vegas?

Commissioner Lurie: Yes, because the County they approved the Resolution also in concept with funds available. I am sure that they have these funds available also.

Mr. Hampton: They actually have more funds than we do.

Commissioner Lurie: Well I will request from the County that they submit a like amount of money, and I think the process now is getting the information back to the Mayor and Commissioners on how many telephones, and what type of system to recommend to the Board through the Regional Streets and Highways, and working with the Telephone Company. I would like to recommend that we do set aside some money at this time for the project.

Commissioner Leavitt: Can I ask if you have any idea what it is going to cost? \$10,000.00 seems like a little high for phones.

Commissioner Lurie: Well I can tell you the estimate for this type of system. The Microwave System is about \$1500.00 per unit.

Commissioner Leavitt: I was just thinking, rather than set aside \$10,000.00 we would just say whatever it costs and then the balance be used for signs.

Commissioner Lurie: Well no. There is a couple ways we can do this as far as putting the system into operation. One we can purchase the equipment outright, and have a maintenance contract, or you can lease the equipment from the Telephone Company, and then pay a maintenance cost.

Commissioner Leavitt: Is that in a way of a motion to approve the project.

Commissioner Lurie: I would move for approval of this project, subject to one change.

Mayor Briare: This is 95% Federally Funded?

Mr. Hampton: That is right.

COUNTY WASTEWATER
RATE STUDY
Approved

Mr. Hampton: The next item is the County Wastewater Study. I submitted to you a copy of the statement that was prepared by our office, and our CPA's, Laventhol and Horwath. Our statement was read yesterday after the Public Hearings conducted by the County. It is important to note that the real crux of the statement says that we do not feel in the City that we should raise our rates, except to pay for the debt service for the AWT Plan. We have no choice in that matter. There is a State Law that says we have to do that. This was originally intended as an informational item, however, it may be appropriate at this time for the Commission to endorse the contents of the statement, and what we will be doing in the future is developing a specific plan with the help of Laventhol and Horwath regarding our Billing. This is a very complicated matter. We Bill completely different than the County, and we will be required to start paying in January 1978 on a completely different type of system than we are now. This will probably be one of the first big projects that we will stick in our new computer. How we are going to conduct our Billing. What we would like is an endorsement of the concept of not raising our rates. The study indicated that the present rates are adequate to cover our existing operations through the year 1985.

Commissioner Christensen: I will so move for the endorsement.

Commissioner Lurie: Also Larry isn't the request by the County to raise the sewer rates to pay the cost of the AWT Plan.

Mr. Hampton: It does not cover the operation or the maintenance. This is just the debt service. For the residential user it will be \$5.00 per year.

Commissioner Lurie: Well the commercial rates are going to be considerably increased too aren't they?

Mr. Hampton: Yes sir. Not as much however as they would be in the County. They are increasing all their rates aside from just the AWT debt services.

Commissioner Lurie: Was the County going to have to go against? I know the Government pays 75% of the cost of the AWT, and the County has to pay 25% the additional money. Is that money coming from the increased rates, or were they going to a Bond Issue to pay the additional costs, and then retire the Bonds through the increase?

Mr. Hampton: That is right. This increase will cover the debt service for those Bonds.

Commissioner Lurie: They don't have to go to the voters to approve a Bond Issue for the AWT Plan?

Mr. Hampton: This increase will cover the debt service for those Bonds. No, that was provided them by the State Legislature to sell those bonds. They are backed by the State.

Mayor Briare: This endorsement Larry is actually for the benefit of the City users as far as the rates are concerned?

Commissioner Christensen: What that means is that we agree with his thinking in the letter.

Mayor Briare: Which is more favorable toward the City people than what the original plan was.

Mr. Hampton: That is right. Substantially more.

Commissioner Christensen: The long and the short of it is, that the State Law gives the County control over the City eventually. Before they take the City's Sewer Plant over they would like to have us raise the rates. Then we are the bad guys and not them.

Mayor Briare: We don't want to do that.

Commissioner Christensen: We treat the sewage to the exact end product before it goes into the advanced waste water treatment plant for roughly 25% of what it costs the County.

Mayor Briare: That is the part that is better. Any further comments or questions? (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.

SOLAR SYSTEM -
MOJAVE AND
STEWART
RECREATION CENTER
Authorization
Given to Director
of Public Works
to continue
negotiations

Mr. Hampton: The next item is involving a grant that we have been offered. It is funding for a 75 ton Solar Energy System. It is proposed to be installed at the new recreation center at Mojave and Stewart. It has a market value of approximately \$400,000.00. The commissions attached are that they will be responsible for maintenance for a two year period, and at that time if the City wants the units removed they will remove them. They have presented an agreement which is to be forwarded to the City Attorneys Office, and will be on subsequent agendas for final approval. However we are having meetings with them on the 18th, and I would like to report that the City is willing to accept their offer contingent upon final approval of the agreement.

Commissioner Woofter: I have been discussing this with Mr. Hampton in the past. I think it is a real good job on the part of Larry Hampton getting this application in. There were other facilities and projects that were being considered for this, and we landed it. I think there is enough said. I would like to make a motion to authorize Mr. Hampton to negotiate with them on August 18th.

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

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

PAVING OF DECATUR -
CHEYENNE TO GOWAN
and
REROUTING OF THOM
BLVD. @ CHEYENNE
Approved as
Recommended

Larry Hampton: The next item involves the paving of Decatur. If you will recall there was a lady in the audience at the last meeting. I can't recall her name. She was concerned with our proposal regarding Thom Boulevard. Thom Boulevard now stems into the intersection of Cheyenne and Rancho Road. It does create a severe traffic problem, and what we are proposing is that the section showing orange be vacated. (Pointing to the diagram). That Donnie Avenue be extended into Rancho Drive. That Decatur Boulevard be paved on the City's side, and we have asked North Las Vegas to consider making the Decatur connection as shown by this section of blue. This triangular section is in North Las Vegas.

Commissioner Christensen: What are we talking about as far as land acquisition on that, and so forth?

Larry Hampton: In the blue section?

Commissioner Christensen: The new blue section that is in the City.

Larry Hampton: We will have to negotiate with the property owners there for the land, yes..

Commissioner Christensen: What would happen to the land that is on Thom that is vacated?

Larry Hampton: Hopefully we could do a little horse trading there.

Commissioner Christensen: That is what I wondered. Is there a possibility that you would come out with a net cost of nothing on the land acquisition?

Larry Hampton: We would probably come out ahead yes. What we are asking today is to approve the plan and concept, and we would then negotiate with the property owners.

Commissioner Christensen: I will move for approval of that because that is a horrendous intersection.

Larry Hampton: Does your motion include the paving of Decatur? With the condition that the property owners along Decatur dedicate the extra 20 feet. I am sure they would be happy to dedicate that 20 feet if they get a paved road. (Affirmative)

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

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

CONCEPT DEVELOPMENT
TOURIST ORIENTED
MASS TRANSIT
Approved in Concept

Mr. Hampton: The next item concerns a concept that our office is proposing. It involves a tourist oriented mass transit system. The vehicle proposed is depicted on the rendering (Pointing to a drawing) to my right. Many of you I have had an opportunity to speak with you on this idea, but I do have a concept development report. The concept is to develop a mass transit system that would do approximately the same thing as the monorail that was previously proposed. That is to carry tourists mainly tourists from the airport to the strip or downtown, or any combination thereof. Since the writing of this report I found out that the City of Phoenix has contracted for 20 articulated buses. Their particular buses however are only in two sections. Those will be manufactured by AM General in Marshall Texas. They are receiving UMTA Grants of 80%. Their vehicle will service 71 people at a cost of \$131,000.00 each. Therefore I feel that the estimate that we have in our report as \$250,000.00 is very close. They will be delivered January 1979. The parts are mostly manufactured in Germany. The articulation of the vehicles proposed we show it in 3 sections. After we study it, it may very well be that we decide to want it in two sections, or maybe even a four. We have presented three just for a starting point. Articulated vehicles make it very easy to maneuver, and this is one of the basic advantages of this type of vehicle. The unique features that we are proposing in this proposal is the use of Opticom, whereas the system would not have to yield to any cross traffic at signalized intersections. The trip time shown we have estimated a total loop time of 100 minutes. We think this is very conservative. It should be less than that. What we are saying throughout the report is what we need is a vehicle that is a part from the normal things that you find in a normal City bus. People will not use the City Bus system with their evening clothes while they travel from one hotel to the other. We feel however that they will use the type of vehicle that we are proposing. I think the report is pretty self explanatory, and it is a very simple concept that could be developed very rapidly without a lot of outside consulting. If the Commission sees fit to endorse the concept we will then make proposals to other agencies.

Mayor Briare: Would you mention to the Commissioners your conversations, or the results of your conversations with the Las Vegas Transit Company, and with the Regional Streets and Highways?

Mr. Hampton: Yes that meeting was held this Monday. I called the Las Vegas Transit Company, along with the Nevada Highway Department. We all met in my office to discuss the project in as much detail as we had. I was very surprised in the optimism that these gentlemen had, in the plans themselves. Mr. Brecker was quite in favor of the project more than any of the others. That was a little surprising in as much as the critical thing in this project is this system and how it affects traffic.

I believe that the consultants that we will be hiring in the next few weeks to study the regional traffic control system, can adequately program this type of thing into their plan. So there will not be any major interruption.

Commissioner Christensen: Have you given any consideration to the fact that the route that you are talking about is pretty well clogged with traffic, and will this be able to move during peak hours. When the traffic is almost at a walk on the strip for instance. Have you considered an alternate widening of the streets sort of speak to accomodate a lane. So you would have better access to this type of vehicle?

Mr. Hampton: This was considered, however it is not proposed at this point. It may be after it is studied more in detail that we would have to look at that. The major problem of an extra lane along the strip would make it so financially impractical that....

Commissioner Christensen: I wondered about the median. They could be narrowed or something.

Mr. Hampton: That is a real important problem.

Commissioner Lurie: I think that we discussed that problem too. I asked that same question. That if you handle that situation just right, if you are in your private vehicle and tag along behind this vehicle here you will be able to move right along.

Mayor Briare: The reason I wanted you to mention the favorable comments you had from the Las Vegas Transit Company was, because I understand that the Federal Financing of UMTA money is very favorable toward a Governmental Agency. There has to be a spirit of cooperation between government and private enterprise on a project such as this. The Regional Streets and Highway Commission, which of course Commissioner Lurie is well aware of, has approved the purchase of 5 buses, and will put up 20% of the total cost for those 5 buses to turn over on a lease arrangement with the Las Vegas Transit Company. Because without the revenues that are derived from the Strip, the Las Vegas Transit Company could not operate. So this should not be construed as a suggestion that we would be going in to competition with the bus company. If we did go into competition with them then of course we might have to say goodbye to the buses. That would put a tremendous burden on the City to try to furnish bus service. All that I am trying to say is, that it would appear that this has a great deal of feasibility, and it is going to ultimately improve the bus transportation in other areas of the City. By putting a project like this together on the Strip, taking those buses and putting them in other areas. I think Larry Hampton what you are looking for here is some words of encouragement. There is nothing more for us to say aye or nay to, other than to say if the Commission approves the concept to proceed to whatever your next step is,

and ultimately you will be back to us in the final form.

Commissioner Lurie: Do you want to submit this before the Las Vegas Valley Transportation Policy Committee for recommendation, and possible support?

Mr. Hampton: Yes. Not for August however, but by the September meeting we will have input from the downtown people, and from the Chamber of Commerce. This committee would have more input as far as concepts are concerned.

Commissioner Lurie: I would move for the approval of the concept, and Mr. Hampton be instructed to contact all the agencies.

Mayor Briare: As fast as you can do it, because you know from the standpoint of getting it into the hands of the Federal Government for request for funding. There is a lot of months there.

Commissioner Leavitt: I think this would have to be approved by the Public Service Commission too. If it is a transit system then you wouldn't have to.

Mayor Briare: Further comments or questions? (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.

Mr. Hampton: I would like to point out that are three things that this proposal has that the Monorail did not have. It has a simplistic system as far as controls are concerned. The monorail was all automated. It does not have a third party involved, we do not have a Mr. Cavanaugh that would stand to make a lot of money. Third you use the street versus the railing.

Commissioner Leavitt: Also the convenience and ease of changing a breakdown. That was always a big problem with the monorail.

Mr. Hampton: Also there were a lot of people who were worried about riding in a suspended vehicle.

Mayor Briare: Thank you very much. I think you should be commended on this. You did this all in house didn't you?

Mr. Hampton: That is right.

Mayor Briare: No outside \$20,000.00 consultants involved.

REQUEST OF
EDWARD PORTELLO
TO CONNECT TO CITY
SEWER FROM OUTSIDE
CITY LIMITS AT
1815, 1825, 1835
AND 1845 LINDELL
ROAD. Approved as
Recommended.

Mr. Hampton: The next item is an approval for a sewer connection. This is at 1815, 1825, 1835, and 1845 Lindell Road. We would recommend approval.

Mayor Briare: Comments?

Commissioner Leavitt: Move for approval.

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

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

Mayor Briare: Mr. Hampton would you dust off the plans that I believe you have in your office for a Motorcross Track out there. I guess the courts Mr. Sloan just ruled in your favor on.

Commissioner Lurie: I have already asked that that be placed on the agenda. I didn't mention Motorcross, but that is a good suggestion.

DEMONSTRATION
LIGHTING PROJECT
CRAGIN AND
DEXTER PARKS
Approved as
Recommended

Mr. Hampton: I am sorry Mayor, there is an item still on the agenda as an extra item. It is a demonstration project at Cragin and Dexter Parks. We have a Parks and Recreation Convention coming in to Las Vegas the first week of October. Mr. Campbell is involved. Mr. Campbell made with a company called the Seiko Lighting Company. They would like to establish a demonstration project at Cragin Park Ball field and Dexter Park Tennis Courts. Their first proposal to us was that they were to supply the materials and we would supply the labor to install them, and then we would have the option to purchase the materials, after the completion of the project. We evaluated the proposal and determined that it was not in our best interests, because it was too much of our money committed at the front end. The Seiko Lighting Company has come back and offered to completely install the lighting, and give us the first option of purchase after the installation. So there is not one dime that the City would be investing in approving this demonstration project. If we do decide to purchase the lighting materials after we have seen them, we would negotiate that. We would recommend that the City approve the installation at Cragin and Dexter Park.

Commissioner Woofter: So move.

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.

AGENDA

City of Las Vegas

Aug. 17, 1977

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

CITY COMMISSION - REGULAR MEETING - MINUTES - AUGUST 17, 1977

Commission Action Department Action

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

*E. RIGHT OF WAY ITEMS (Continued)

10. Resolution Relinquishing Portions of Highway Right of Way
 From: State of Nevada, Department of Highways
 To: City of Las Vegas
 For: Portion SE-1/4, Sec. 8, T21S, R61E Rigel Ave. - Surplus right of way (7/27/77)

See Page 21

See Page 21

F. REPORTS

1. Reconstruction of Fremont - Main to Seventh Street.
2. Safer Off-System Roads proposed projects.
3. County Wastewater Rate Study.
4. Solar System - Mojave and Stewart Recreation Center.
5. Paving of Decatur - Cheyenne to Gowan. (Abeyance)
6. Rerouting of Thom Blvd. @ Cheyenne.
7. Concept development tourist oriented mass transit.
8. Request of Edward Portello to connect to city sewer from outside city limits at 1815, 1825, 1835, and 1845 Lindell Road.

Approved as recommended
Leavitt - unanimous

Director authorized to proceed

*Approved in concept - EXCEPT Lurie - unanimous

Same as above

**Approved
C - unanimous

Same as above

*** Motion to W - unanimous
Items 5 and 6 Approved as recommended
C - unanimous

Same as above

Same as above

Approved in concept
Lurie

Same as above

Approved as recommended
Leavitt - unanimous

Same as above

*that of the \$25,000 allocated for these projects, \$1,000 be ear-marked for Emergency Highway Telephone System

** City's rate schedules to remain as recommended by the Director of Public Services

***authorize the Director of Public Services to continue negotiations

- I-(g) 9. Demonstration Lighting Project at CRAGIN and DEXTER PARKS

Approved as recommended
W - unanimous

Same as above

(ADDENDUM ITEM No. 1)

III. VACANCIES ON BOARDS AND COMMISSIONS

A. LAS VEGAS METROPOLITAN BEAUTIFICATION COMMITTEE
Three Year Term

Margaret Cahill - Resignation submitted 7/23/77 - Term of Office expires 11/3/77.
Appointment to fill unexpired term.

Gary H. Kent - Term of Office expires 9/18/77

B. PLANNING COMMISSION
Four Year Term

Tom Miller - Term of Office expires 9/12/77
(Also serves as the Planning Commission Representative on the Board of Zoning Adjustment)

C. ADVISORY BOARD FOR THE SENIOR CITIZENS PROGRAM FOR WEATHERIZATION AND HOUSING REHABILITATION
On-going Program

Appointment of three persons.

D. CITIZEN PARTICIPATION REVIEW COMMITTEE FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
On-going Program

Replacement of three members.

Abeyance

9/7/77 Agenda

Reappointed
Tom Miller
C - unanimous

Clerk to notify

Appointments made
as recommended
C - unanimous

Clerk to notify

Replacements made
as recommended
W - unanimous

Clerk to notify

CITY ATTORNEY

MIKE SLOAN

APPROVAL OF
TRANSFER OF
FLOYD R. LAMB
(Tule Springs)
PARK TO STATE OF
NEVADA
Approved

Mike Sloan: We have one item which is the approval of transfer of Floyd R. Lamb Park to the State of Nevada. All the documentation is in order. Included for your inspection we have provided a copy of the draft provided by the State Division of Parks. This sets forth their outline as to how they would anticipate handling the development of the Park. I believe the paperwork is all here, including the leases assigning the water rights, and the necessary deed.

Commissioner Lurie: Move for approval of the document.

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

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

NEW BILLS TO BE REFERRED TO A STUDY COMMITTEE OR
RECOMMENDING COMMITTEE

BILL NO. 77-47
1st Reading and
Referred
Commissioners
Lurie and
Christensen

Mayor Briare: Bill No. 77-47, the Uniform Plumbing Code. I think we have some correspondence about one possible change. Are any of the Commissioners familiar with that? In order to review that change I will refer it to a Recommending Committee consisting of Commissioner Leavitt and Commissioner Christensen. Would you read by title Mr. Sloan.

A Bill entitled "AN ORDINANCE TO AMEND TITLE IV OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY REPEALING CHAPTER 2 THEREOF AND ADDING A NEW CHAPTER TO BE DESIGNATED AS CHAPTER 2; BY ADOPTING THE 1976 UNIFORM PLUMBING CODE WITH APPENDICES AND A SUPPLEMENTAL DOCUMENT PROVIDING FOR ADDITIONS AND AMENDMENTS TO THE UNIFORM PLUMBING CODE, 1976 EDITION, ALL BEING ADOPTED BY REFERENCE PROVIDING PENALTIES RELATING THERETO; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH." Read by City Attorney Mike Sloan.

Mayor Briare: I am sorry I made an error in there. I believe that 77-47 had already been introduced. If Commissioner Leavitt won't mind I will replace him on that Committee with Commissioner Lurie who asked for the introduction of the Bill.

Commissioner Leavitt: I would like our Public Services Department to review this letter that we received. I would like that Larry Hampton take a look at it and give us his recommendations on it.

REPORTS FROM RECOMMENDING COMMITTEES

BILL NO. 77-30
Referred back to
the City Attorneys
Office

Mayor Briare: Bill No. 77-30.

Commissioner Lurie: Ready to move it out.

A Bill entitled "AN ORDINANCE TO AMEND TITLE V, CHAPTER 1 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY DELETING THEREFROM SECTIONS 24 THROUGH 30 IN THEIR ENTIRETY AND FURTHER DELETING SUBSECTIONS 10 (A) (4) AND (5); AND PROVIDING OTHER MATTER PROPERLY RELATING THERETO." Read by City Attorney Mike Sloan.

Commissioner Lurie: Move for adoption.

Mayor Briare: Any comments or questions on the motion? (No response). Motion is approved the Ordinance is adopted.

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

BILL NO. 77-42
2nd Reading
and Adopted
Ordinance No.
1895

Mayor Briare: Bill No. 77-42.

Commissioner Christensen: Move it out.

A Bill entitled "AN ORDINANCE TO AMEND TITLE II, CHAPTER 2, SECTION 3, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY AMENDING SUBSECTION 4 AND SUBSECTION 5 THEREOF TO PROVIDE THAT THE WIDTH OF A FLOOD CONTROL CHANNEL MAY BE LESSENED IF CONDUIT IS UTILIZED; PROVIDING FURTHER THAT THIS AUTHORIZATION MAY BE MADE BY MINUTE ORDER OF THE BOARD OF CITY COMMISSIONERS; PROVIDING FURTHER THAT BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS MAY BE ALLOWED ON LAND WITHIN ANY PROPOSED OR EXISTING FLOOD CONTROL CHANNEL WHEN CONDUIT IS USED INSTEAD OF AN OPEN CHANNEL; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING AND RESCINDING ALL ORDINANCES AND RESOLUTIONS AND PARTS OF ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH." Read by City Attorney Mike Sloan.

Commissioner Christensen: Move for the adoption.

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

Motion carried by the following vote:
Commissioners Woolfer, Lurie, Leavitt,
Christensen and Mayor Briare voting aye;

BILL NO. 77-45
Adopted as
Amended to
provide for
4 Meetings each
months - 1st &
3rd Ed., 9:00 A.M.
2nd & 4th Wed
7:00 P.M.
Ordinance No.
1896

Mayor Briare: Commissioner Lurie 77-45.

Commissioner Lurie: This is the Ordinance to increase the number of meetings from 2 to 3. Meeting at the first and third Wednesdays would be day meetings and the fourth Wednesday would be night meeting. This is establishing a third meeting. By Resolution we will have to make the times set for that meeting. I will move for the adoption of this Resolution, and have it read by title.

Commissioner Christensen: I move for an amendment. Is this the proper time?

Mayor Briare: I think we probably better read it by title first, and then when Commissioner Lurie makes his motion then you can offer to amend.

Commissioner Christensen: It has got to be read before the motion to adopt right?

Commissioner Lurie: Well I am requesting that it be read now, and then I will make a motion to adopt.

A Bill entitled "AN ORDINANCE TO AMEND TITLE I, CHAPTER 5, SECTION 6 TO CHANGE THE NUMBER OF REGULARLY SCHEDULED MEETINGS OF THE BOARD OF COMMISSIONERS FROM TWO TO THREE."

Commissioner Lurie: I will move for the adoption.

Commissioner Christensen: I move to amend it to four meetings.

Commissioner Leavitt: You mean the 1st, 2nd, 3rd and 4th.

Commissioner Christensen: However you word it so that you meet four meetings a month. The first four Wednesdays. The only time that you would miss a Wednesday is those months where there is a 5th Wednesday.

Mayor Briare: On the motion to amend, are there any comments or questions? I have a question I would like to ask as to what your intentions are. Now I realize that...

Commissioner Christensen: I would like a Resolution to establish the times. To make two of them night and two day.

Mayor Briare: That is what I need. Those intentions would be made known at a later time when a Resolution to that effect would be....

Commissioner Christensen: Right, the Resolution sets the time. I would like to tell you know that that is what I would like to have the Resolution read. Two days and two nights.

Mayor Briare: Right. Cast your votes on the motion to amend to four meetings. The motion is approved to four meetings.

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

Mayor Briare: The motion now is to approve the Ordinance
as amended.

Commissioner Lurie: I move for the approval of the
Ordinance as amended.

Mayor Briare: Any comments on that motion? (No response).
Motion is approved.

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

Mayor Briare: So at some future time a Resolution will be
put forth.

Commissioner Lurie: I would imagine now that a Resolution
would have to be on September 7th agenda, to establish
the times for the meetings. I would request at this time
that a Resolution be presented, and at that time. I would
imagine that we would have to put the times in now.
If it is in order I would make a recommendation for
a Resolution to be drafted to be presented at our next
meeting, that the first and second meetings be day time
meetings beginning at 9:00 A.M., and that the third
and fourth meetings be held in the evening to start at
7:00.

Commissioner Christensen: Why don't you alternate them.
First and third and second and fourth.

Commissioner Leavitt: I like Commissioner Christensens
suggestion.

Commissioner Lurie: O.K. the First and Third.

Commissioner Christensen: Could I ask for one more thing?
I don't know if it is the proper place to put it, or
whether it could be handled at staff level, but I also
noted from an editorial in the Review Journal, and that
is to indicate to the Public what items would be heard where.
So we don't have people sitting all day long waiting for an
item. If we could establish definite times, even if it
required a longer lunch hour, so we can establish definite
times.

Commissioner Lurie: I think that could be done at staff
level.

Commissioner Lurie: I would request that the Resolution be for the first and third meetings be daytime meetings starting at 9:00 A.M. and the second and four meetings be evening meetings starting at 7:00 P.M. That it be on the agenda for September 7th for consideration.

Mayor Briare: Your request is in.

Mayor Briare: Before we leave the Ordinances may I refer you back to Bill No. 77-30, which we have already passed. I need to ask a question about this. I believe Mr. Sloan did you draw this Ordinance?

Mr. Sloan: Mr. Koch did it. This was probably done prior to my arrival in office. My understanding of the Ordinance is to come in compliance with the Supreme Court decision. As I understand from Mr. Koch, this has knocked out the concept of being able to license either an Adult Oriented Bookstore, or an Adult Oriented Movie Theatre any different than a regular bookstore, or a regular theatre.

Mayor Briare: As we all are aware. If a "T" is not crossed, or an "I" is not dotted we end up in court with this particular type of business. I was particularly concerned on Page 7. Was it the intention of this Ordinance to delete all of the material on Pages 7, 8, 9, and up to page 15. Was that the intention of this Ordinance? By bracketing, which indicates deletion of that which is within the brackets.

Mr. Sloan: As I understand from Mr. Koch, that it was the intention of the Licensing Department, together with the advice of the City Attorneys Office to proceed on the theory of the State Obscenity Statute. This Ordinance does reflect the desire to eliminate that material. If you feel that this is something that you don't want to engage in a percipitus manner, perhaps a motion to reconsider would be in order. Then just let this Bill die and put it in to a Study Committee where it could be reviewed in greater depth. This would not meet with any objection from our office.

Mayor Briare: I wouldn't want to do anything that would delay matters along this nature.

Mr. Sloan: I don't think there is any urgency to adopt this. If there is some concerns I think it might be better and our office would have no objections whatsoever to having you reconsider that, and perhaps it would be better if I provided you with a written justification of the Ordinance. In that light I would urge you to do so.

Commissioner Lurie: Mayor I would under that basis move for reconsideration of Bill No. 77-30.

CITIZEN PARTICIPATION - PUBLIC APPEARANCES

COMPLAINT RE
OPERATION OF
SR. CITIZENS
CENTER BY
MRS. MITZIE
GRUNE

Mayor Briare: Now we go to the portion of the agenda where Citizens are invited to address the Commission for whatever they might have.

Mitzie Grune: I am a Senior Citizen. I appear here in the Senior Citizen Advisory Board Minutes, and perhaps some of you have noticed this. Especially what was said about me. I quote, "Mrs. Mitzie Grune has stirred up a great deal of furor with her complaints about the Center, and its operation. The opinion of the members of the Advisory Board, and City Officials seem to be; let her keep talking we know the Center is doing a good job as proved by the statistics, and comments from participants just ignore her." Now the reason why I keep talking is because I deeply care. I have been a committed lady most of my life, and having been a business woman for many years of my own life I have also learned to be practical. I feel, and many feel that it is very wrong to spend over \$200,000.00 of the taxpayers money to have a Senior Club in operation. Now first of all there are 52 Senior Citizen Clubs in this area that have their own Presidents, and their own people. They run it their own way because it is primarily a social club for the seniors. Now with all the devastating horrendous situations that the Senior Citizens are faced with at the present time especially. It seems to me that we would look at constructive ways to spend our money. Such as transportation which is very serious. Seniors have practically no medical care because they just cannot afford medical care. The same goes for medication. They cannot buy proper foods, and eat properly. This to me is very serious. Now we do not need a Director. We do not need the kind of operation that is going on at the Center primarily for Seniors to go in and dance. There is a phonograph there, and some records there. I don't know if you have had the opportunity to look over the reports. I am speaking of the reports of June the 29th, and previous reports right along. All they keep on talking at the Center, and Mr. Light its Director who seems to be a very business minded oriented. He is not looking out the for the Seniors interest. He is looking out for men and stuff that he has surrounded himself with. He keeps on asking for increased money. As an example here on the minutes it says "October 15th, 1975" he is talking about how he was hired by the Housing Authority, and then the City took over, and he is only getting \$20,000.00, and he showed how he should get more. You know increases, and increases. Also at this time I do wish to establish that....

Commissioner Christensen: Do we have a copy of what you are reading from?

Mitzie Grune: Oh yes I do. I will be very happy to show you the copies, but may I continue please? Everything that is here goes into the Center for, and I will say that there are only a limited number of Seniors that do go there. Those that still drive cars. The others cannot even get there.

Seniors are being deprived of using the Center. There are boxes that are put up you know, and they are continually being asked to contribute. Even when a Senior wants a cup of coffee they charge 20¢ for that cup of coffee. I do know that a lot of groceries, milk and all kinds of things that are sent in to the Center by good citizens who are also donating a lot of money. Nobody looks in to this to see how much money comes in there. Nobody bothers to pay any attention to this. Maybe you just look at the reports, and maybe you read the Rocket. I don't know if anybody reads the Rocket which is the Senior Citizens Newspaper. Which clearly shows where every single consecutive month there is money coming in to that Center, and many times it is anonymous. Where is all that money going to? Does anybody count the money that goes in there? This is one of the situations which is very bad when the Senior Citizens should be an open door for anybody to come in. Isn't this the reason why you originally put the Center there? Also the moment a person sets foot in the door they have two people immediately pouncing on you saying "sign in". This is very distasteful. Because in public places one should be able to walk in freely.

Commissioner Lurie: Who has been deprived from using that building? I am familiar with the Senior Citizens Center. I serve on the Board and there is a lot of people who are happy with the Senior Citizens Building.

Mitzie Grune: Well there are those, and there are a lot of people who still feel that President Nixon was a great President. He also had an entourage, but the people who are complaining can't complain very long. They are very quickly made to feel most uncomfortable, and beyond that there are a lot of people who don't take any stand. They take no position. They take it, and they walk away. Now there are also a few thank God that stand up for the right.

Commissioner Christensen: You didn't answer Commissioner Lurie's question.

Commissioner Leavitt: He wants to know who has been deprived of using the Center?

Mitzie Grune: Well allright. First of all it was very distasteful.

Commissioner Leavitt: We understand what you are saying. It is very distasteful to sign in, but who is being deprived of using the Center?

Mitzie Grune: Well that I did not say, but to walk in there.

Commissioner Leavitt: Nobody is being deprived of using that Center. Anybody can use it right?

Mitzie Grune: Well I should hope so.

Commissioner Leavitt: O.K.

Mitzie Grune: It belongs to all of us.

Commissioner Leavitt: Right, but Commissioner Lurie indicated that you had made a statement that somebody is being deprived of it. We want to know who that is.

Mitzie Grune: I am sorry. I was misunderstood.

Commissioner Leavitt: Nobody is being deprived of using the Center right?

Mitzie Grune: But I am sure you get a lot of complaints.

Commissioner Leavitt: Right, but nobody is being deprived of using that Center.

Commissioner Christensen: Well what is it that you disagree with having people know that you were there?

Mitzie Grune: Well when you walk into the Center this is a public place right?

Commissioner Christensen: Yes.

Mitzie Grune: Well why should you be pounced on to sign in just because somebody has to make a report to City Hall.

Commissioner Christensen: You just got through saying that nobody is keeping track of the money that is coming in, and all of those things, and you made that point. You do want us to keep some records, but you don't want us to keep other records. We have got to know how many people use the Center. I sign in when I go to the Purchasing Department in City Hall.

Mitzie Grune: Well I personally don't like it. This is an open door facility for people to walk in. It is a public place.

Commissioner Christensen: I understand that, but a public place has to account to the public for the money that is spent, and for the people who are there.

Mitzie Grune: The money yes.

Commissioner Christensen: You have to know how many is spent for how many people. You have to know how much money it costs for every person that comes through the door.

Mitzie Grune: If you want to count the people coming there because they want to dance. To dance to records lets say. This is a public place, and if a senior wants to come in he should feel free to come there and dance. We don't have to pay for that we shouldn't have to, but yet there is a charge made when they have the kitty up. People should put money in to it.

Commissioner Christensen: Is there a charge made, or do they have a voluntary kitty up to put money in to it.

Mitzie Grune: It is a voluntary kitty, but a lot of people....

Commissioner Christensen: Well then that isn't a charge made.

Mitzie Grune: But a lot of people are embarrassed if they see you putting in, and the next one puts in money. You kind of feel badly you know. You feel kind of coerced to also open your purse up and put in there.

Commissioner Christensen: A person that is willing to stand up for their rights feels coerced by not putting money in the kitty because somebody else did?

Mitzie Grune: People are embarrassed to open their purse and contribute also. This is a fact Commissioner. There are also a lot of outside clubs that meet there, and they are counted in the records.

Commissioner Christensen: Like what kind of outside clubs?

Mitzie Grune: Kiwanis.

Commissioner Christensen: That is a Golden "K" Club where they have to be Senior Citizens to belong.

Mitzie Grune: Lions.

Commissioner Christensen: I don't know about the Lions Club, but I know about the Kiwanis Club.

Mitzie Grune: I know about the Lions Club.

Commissioner Christensen: Are they Senior Citizens?

Mitzie Grune: I didn't look at their ages. I couldn't tell you.

Commissioner Christensen: Well why do you make these accusations if you don't know then. If they are Senior Citizens they have as much right to be there as anybody.

Mitzie Grune: Well it doesn't say in the Rocket either if they are Senior Citizens or not.

Commissioner Leavitt: Well we are not bound by what it says in the Rocket. We are not bound by any statements that might occur in the Rocket. You can't make accusations based upon something that might be in a newspaper that you read.

Mitzie Grune: That is from the Senior Citizens Center. Are you familiar Commissioner with the Rocket?

Commissioner Leavitt: Yes I read it. We all get the Rocket. We are all familiar with it.

Mitzie Grune: It is solely about and from the Senior Citizens Center.

Commissioner Leavitt: Well I would like to know what your specific complaints are? You made a complaint that people were being deprived, and that is not true. What is your next complaint? You don't like to have to sign in when you come in. Is that correct? What is your next complaint?

Mitzie Grune: The money that is being spent in the operation of that Center.

Commissioner Leavitt: O.K. we can check on that. In other words you want to know what they do and the cost accounting right?

Mitzie Grune: Yes.

Commissioner Leavitt: What other complaint do you have?

Mitzie Grune: The Senior Citizens should go in there and volunteer. If they want to play Bingo....

Commissioner Leavitt: Well they are allowed to do whatever they want now aren't they? Nobody tells them that they have to go play Bingo, or you have to do this or do that.

Mitzie Grune: Well you don't have to pay anybody to call Bingo. Any Senior Citizen can do this. The Senior Citizens Center should have their own Senior Citizens as the President of the Club. Like all the other 52 clubs.

Commissioner Leavitt: Well it is not a private club. It is open to the public.

Mitzie Grune: Well alright, but why spend all that money. If this is for Seniors let the Seniors go in and....

Commissioner Christensen: You want to replace the Director with a Senior Citizen. Is that what you are saying?

Mitzie Grune: Absolutely. There are many qualified Seniors who have been bankers, and lawyers, and doctors, and they would be thrilled to be given the opportunity to perform. Volunteer without any money. Now it isn't only the Director, but then you have these various people who you constantly see. The Director keeps on asking for more and more money all the time. As an example. They hired a young lady to come in and teach Macrame. Now I dare say there are many Senior Citizens who know all these things, and they would be very happy to do it on a voluntary basis. To teach the other Senior Citizens.

Commissioner Christensen: On a dependable basis 8 hours a day?

Mitzie Grune: An hour.

Commissioner Christensen: On a regular basis. Do you have volunteers that would do that?

Mitzie Grune: Oh but there are a lot of people who would be very happy to volunteer, and they do. Most of the things that are done at the Senior Center are volunteers. But all of a sudden after all these people had been in the Center like the Orchestra. Mr. Light now is asking for money for them. All of a sudden this crops up. They were so happy to come in there and play to these dances. Now all of a sudden he got a secretary to work a few hours a week. All of a sudden he asks for \$9,000.00 for a woman.

Commissioner Christensen: Is that money coming out of the Senior Citizens?

Mitzie Grune: I don't know who pays for this.

Commissioner Lurie: It is coming out of his budget.

Commissioner Christensen: Then that is coming out of the City Budget then right?

Mitzie Grune: Yes but the budget is over \$200,000.00.

Commissioner Lurie: But you would like to see us not even have anybody supervise. You just want the doors to be open, and everybody come and go as they please. Just do whatever they want to in that building. As long as they are Senior Citizens.

Mitzie Grune: You have this building, and it costs \$700,000.00. You have somebody come in in a janitorial way to keep it clean. Somebody to open the doors. Somebody who will be responsible for closing the doors at night great. But we can have a President amongst the Seniors who will be responsible. We can handle our own.

Commissioner Lurie: Listen you can't do it on a day to day basis 365 days a year. It is impossible to do.

Mitzie Grune: Well are the Senior Citizens a bunch of babies. We have to be led. If a Senior comes in and there is a pool table there the Senior will play pool. If the Senior wants to play cards they can play cards. The ones that primarily go there are the ones that are mobile. The ones that can get there. So they sit down and play cards. They don't need a leader.

Mayor Briare: I think we have been listening very carefully here. I think you have a general complaint about the whole operation right?

Mitzie Grune: Yes.

Mayor Briare: Joe did you want to make a comment on this?

Joe Cordova: I just want to ask this young lady if she knows who I am?

Mitzie Grune: I am sorry I don't.

Joe Cordova: I am the Secretary of the Senior Citizens. I don't think this has any bearing right here. If you want this discussed I would ask you to take it to us at our regular meeting, and we will tell these people what you want. Because I have never heard what you have got to say. You are making it look as if I am not doing my job.

Mitzie Grune: As a matter of fact when I started out I read what was said about me.

Joe Cordova: I didn't even know who you were lady.

Mitzie Grune: I was complaining, but nobody cared.

Mayor Briare: Mrs. Gruner do you go down to the Senior Citizens Center every day?

Mitzie Grune: No I don't.

Mayor Briare: Once a month?

Mitzie Grune: I just go down for about two and a half months. My husband and I just went down to take a class in creative writing. However I felt that things were bad. There are hundreds of Senior Citizens complaining about no transportation.

Mayor Briare: Where do you hear these hundreds of complaints? When you are down there?

Mitzie Grune: Well I am a very involved lady with a lot of Senior Citizens. I talk to various people at various things.

Mayor Briare: We are very interested, and I think each of the Commissioners have already indicated that. We are very interested in that that Center perform the function that it was designed to perform. However, one of the reasons that we set up a Board of Senior Citizens Advisory Board was to make sure that it was operated in the best interests of the Senior Citizens. Now it would seem that your complaints and so forth. Whether you go down there once a month, or whether you go down there every six months if you got some complaints I know that they would be interested in hearing them. If they are valid, and it does affect the interests of most of the people who use it. Whoever heard of pleasing everybody. It is just impossible to do. I would imagine since you seem to have kind of a large pile of complaints there. In order to be effective, and that is what you are here for. In order to be effective it should go first of all to the Director. It is quite obvious that you are not to fond of the Director.

Mitzie Grune: I have nothing against the Director, but the idea that they cannot get food.

Commissioner Christensen: You have to understand that we can't handle the budget that runs the Senior Citizens Center. For food or transportation. That is not within the purvue of the law. If you have a problem with the cost of a cup of coffee, and there is a lack of food and a lack of transportation there is no way that we can strip the Senior Citizens Center of their operating budget, and funnel funds in that direction. That is what you are talking about. If you are not then the fact that there is no transportation has no bearing on the complaint.

Mitzie Grune: Well I am just merely saying that it is very difficult for the Seniors to get there. Which is a known fact.

Commissioner Christensen: What can we do about it?

Mitzie Grune: All this money that is being spent, it is not necessary.

Mayor Briare: Do you have a copy of the budget?

Mitzie Grune: Yes sir.

Mayor Briare: Is there any specific item that you feel is over budgeted?

Mitzie Grune: The Senior Citizens Director is \$21,632.00.

Mayor Briare: You feel that that is too much?

Mitzie Grune: Well your Honor.

Mayor Briare: Do you feel it is too much?

Mitzie Grune: Yes.

Mayor Briare: O.K. when the budgets are made up that is when that should be made known. But to come in in a middle of a budget, and make complaints about something that is a matter of a public hearing when we take up budgets. It would be the same way if you complained if someone in City Government at this date in the middle of the year. You feel that he is getting paid to much and you come before us, and say "that person is getting paid to much". It is nothing that we are going to be able to discuss, or take care of today. I am inviting you to present your complaints to the Senior Citizens Advisory Committ. You might be surprised. Maybe you will get some changes made. Now have you talked to Mr. Mulroy on this material that you have here? Do you know Mr. Mulroy?

Mitzie Grune: Yes I went to see Mr. Mulroy.

Mayor Briare: Mr. Mulroy has been designated as the person who acts as the liaison between the Senior Citizens Center, and the Board of City Commissioners. We would very much appreciate it if you would allow that liaison to continue. It has been quit effective, and it has been effective to the good.

Now you are shaking your head no, but I don't think really you do know. I think you should give it a try because it has been effective. If you have specific instances in your files there. I don't know whether you spend the time down at the Senior Citizens Center to be able to justify some of the things that you have already said. You are not going to accomplish anything. Even if we stayed here until 7:00 tonight having a dialogue back and forth.

Mitzie Grune: Well more and more of our taxpayers money is going in there, and I feel that it is not necessary because we Seniors can take care of this ourselves without any kind of funding. We will do it on a voluntary basis.

Mayor Briare: If the whole program is wrong, and I happen to feel that it is quite right. If the whole program is wrong then you are right. I don't think the program is wrong because this has been set up and running quite successfully. From time to time naturally complaints are going to come about, but to kind of castigate the whole system at this stage of the proceedings it is just not going to serve any purpose for you or us. Then we have all wasted our time.

Mitzie Grune: How come that they are continually asking for more and more funds?

Mayor Briare: Now Mrs. Grune, we are not going to allow this to continue. When you ask questions like that this Commission is not equipped to answer questions like that. I am sorry if you think that we are. Perhaps you don't have an understanding as to why staffs are employed.

Commissioner Lurie: Mayor all those questions could be answered if Mrs. Grune would appear before the Senior Citizens Advisory Board. I am sure that after your meeting with Mr. Mulroy that he could answer all of those questions for you. Answer all the technical questions that you presented. I happen to know a lot of the answers because I serve on the Executive Board, and the Advisory Board of the Center. Tom can you set up a time and meet with Mrs. Grune.

Mayor Briare: When is the next meeting of the Citizens Advisory Board Mr. Mulroy?

Mr. Tom Mulroy: The first Thursday of the month. September the 1st.

Mayor Briare: On September the 1st would you call Mr. Light, and ask Mr. Light to put on the agenda a time for Mrs. Grune. Also that Mr. Light can make time available for Mrs. Grune, so that she can go in to his office and discuss these things.

Commissioner Lurie: I might suggest that Tom be there too.

Mayor Briare: Would you do that Mr. Mulroy?

Mr. Mulroy: I would be glad to.

Mayor Briare: Do we know how to get in touch with you Mr. Grune? Would you give your address or number to Mr. Mulroy, and then Mr. Light will call you and tell you the time of day that they are going to meet on September 1st. He will set up an appointment for you prior to September 1st, and then you and Mr. Mulroy and Mr. Light can sit down, and resolve as to how you can best present this to the Senior Citizens Advisory Board. Then you will be able to be heard in a manner that would be most effective. O.K.

Mitzie Grune: I really have come to establish that this is a Senior Citizens Social Club for Seniors to come to.

Commissioner Lurie: It is not a club, it is the Senior Citizens Center.

Mitzie Grune: That we should have the privilege of running the Center. It should have a Senior Citizen to head the operation. Thank you.

REQUEST FOR
RECONSIDERATION
OF Z-63-77

Mayor Briare: Mr. Wowerner.

Mr. Wowerner: I live at 1600 Bearden Drive. I am here representing 9 out of 12 homeowners on Bearden Drive. We respectfully request that the City Commissioners reconsider the action they took on August 3, 1977 wherein they changed the zoning on 1711 Bearden Drive from an R-1 to a P-R Zone. In just sitting, and listening through, and reading some of the instructions I notice that in Item 4 it says, "Your City Commission carefully considers all of the facts before a decision is made, and so forth". I feel, and a great deal of leg work has been done by some of the women. I was hospitalized at the time and couldn't be present. There are facts that were erroneously presented. They are misleading, and the information upon which a decision was based was not proper. I also refer to, and I can go into the whole thing which I would rather not. If the Commission would answer our request, and put this on the agenda for reconsideration at your next meeting.

Mr. Sloan: Your Honor I would like to suggest that perhaps of the requirements of the Open Meeting Law that it would be inappropriate for the Commission to take any action on this matter today. Other than perhaps putting it on the next agenda. First of all we have a situation which is not noticed in accordance with the Open Meeting Law, but secondly in accordance with the Open Meeting Law if you were actually going to vote on the reconsideration, there should have been notice to the person who is a successful applicant. He obviously has a very strong property interest in the decision. In that context I would certainly think that the best thing to do would be to put this on next month for a consideration of the motion to reconsider. Additionally I would like to be able to give the Commission the benefit of a legal opinion at that time, as to the legality of such a procedure.

REQUEST FOR
RECONSIDERATION
Z-63-77 Continued

Mayor Briare: This is an interesting point. Because Mr. Wowerner was in the hospital. He had knowledge of something that might have been purposely, or unintentionally misrepresented to this Commission. From now until this could come on the agenda is there anything you can do to stop proceedings or to stop, and I am not sure of the details.

Mr. Wowerner: A permit has been issued for remodeling.

Mayor Briare: What do you do then Mike?

Mr. Sloan: From the City's point of view the person has to come to this proceedings in accordance with the law. As I explained to the people who were unhappy with the fact that the Commission issued that, that their recourse is to go to court, or should they be successful in getting the Commission to reverse their decision then the City may well be in court. When this question was first broached to me I looked through the Code, and found no specific provision addressing itself to these reconsiderations. I was advised by people in my office that in the past the advice you got was; well if you want to do it go ahead and do it. I think however, in fairness to you that that is the kind of advice I want to give you on September 7th, and I want to be able to research this matter, and advise you accordingly as to whether or not I think it is legal to reconsider this once a person has already proceeded.

Mayor Briare: Mr. Wowerner is making a strong suggestion to this Commission that there was a misrepresentation made to us. Would it be proper to write a note, or a letter to the successful applicant that this charge has been made. In the event it turns out that that is a correct charge then it is possible that action might be rescinded. You can put him on notice that perhaps that he might best not proceed until this matter is resolved.

Mr. Sloan: I think you should put him on notice that this matter is going to be considered on the agenda for September 7th. The Clerk should send a letter saying that the Commission has decided to put this on....

Mayor Briare: To possibly reconsider its action.

Mr. Sloan: But you know...

Mr. Wowerner: Your Honor it is my feeling in looking at it, and I didn't intend that we try it right now, or present it now. All we are asking for is that the Commission put it on the agenda, and then all of the property owners be properly notified. Because even in the motion that Commissioner Woofter made; he was under the impression that it was a corner of Shadow and Bearden. It is not in fact. So there are many other details in terms of the petitions that were issued, and so forth that were not looked at in terms of who and what. We are not asking for a trial at this point. We would like to forestall if possible any construction work wherein there might be a liability created. Incidentally while I am on my

REQUEST FOR
RECONSIDERATION
Z-63-77 Continued

I want to thank you for providing for two more meetings. I think it is important that the citizens get a chance to participate.

Commissioner Christensen: Mike I have a question on this. We might be stumbling over terminology, but as I understood it with the parliamentary procedure and so forth that is involved. The motion to reconsider has to come from a member of the prevailing side of the motion. If you put this on the agenda we are talking about the same thing. You are having somebody on the prevailing side of the motion asked to put it on the agenda, and then they have moved for reconsideration technically. Even though you can't consider it until the next meeting. It all shakes out the same way. The property owners in the area have to be noticed. Now if one of the members on the prevailing side of that motion doesn't request that then it isn't going to happen, and if they do request it that means that they have moved for reconsideration. It shakes out the same way does it not?

Mr. Sloan: I am trying to do the best I can with the law as we see it. It seems to me that you could ask to have it on the agenda regardless of whether you are on the prevailing side or not. If there is no Commissioner present who wants to put it on the agenda then obviously I think the citizens are going to get the indication that....

Commissioner Christensen: Are you saying that I should ask to have it on the agenda?

Mr. Sloan: I see nothing wrong with that. All you are going to put on there is a motion to reconsider. Should you at that time approve the motion to reconsider....

Commissioner Christensen: Then it would be better if I did ask to have it put on the agenda then to have someone else ask to put it on the agenda, because if I asked it doesn't give them any hope. If somebody else asks at least they know that they have got somebody.

Mayor Briare: Mr. Adams would you make sure that this is on the agenda. Mr. Saylor would you notify the proper parties, and tell them that this is going to be on the agenda because there has been a request made that it be on the agenda for possible reconsideration. Mr. Sloan if you feel it is proper within the scope of the City Attorneys Office, to notify the applicant that this matter is going to be on the agenda, and there is a possibility that it might be reconsidered. You put him on notice that depending on what is presented to this Commission that it might be reconsidered, and you best not do anything until that is resolved.

Mr. Sloan: I don't know about my authority to tell him that he best not do anything until it is resolved. I can advise him that you may reconsider it, but he has the legal right at the present time.

Z-63-77 Continued Commissioner Woofter: I think the first thing we have to decide is what Mike has brought out. If we are legally able to reconsider. That is the first thing, and my question is whether to inconvenience a lot of people as far as both sides of the issue in regards to that until we get a legal opinion. I think possibly if the legal opinion is favorable that we can open it up for a motion for a rehearing, we could take it up at that time and notice the people for the following meeting. Because it might be mute on the basis of Mike's opinion saying that we can't even consider a motion for a rehearing. Here then we would have all these people we have inconvenienced on both sides.

Mr. Wowerner: I am representing a citizens group that just live in a pocket in there. Surely if we see an inpropriety in the way the decision was made I would think that the Commission would act accordingly.

Commissioner Woofter: You misunderstand. I am saying that Mike might come back and say that there is no way.

Mr. Wowerner: I am not asking for a delay. All I am asking for is that it be put on the agenda, and the people be notified, and the facts be brought before the Commission.

Commissioner Woofter: What if Mike comes back and says, "We can't consider the facts again".

Mr. Wowerner: I can't conceive of you not reconsidering any action. You have already rescinded some actions today I have heard you rescind.

Commissioner Lurie: First of all the man has taken out a building permit already, and it might be under construction, and now you are leaving us liable.

Mr. Wowerner: Commissioner Lurie if we obtain that zoning under improper or inaccurate information, and I understand that the decision of this Commission was made on the facts presented.

Commissioner Lurie: Not only the facts presented, but also on the facts that we do a little research ourselves. Not just what is presented before us at the meeting. I went out there and I looked at it, and I drove up and down your street, and I drove around the entire area. I am familiar with what was presented to us.

Mr. Sloan: If we could have an opinion ready for the City Manager prior to the time the agenda is prepared, and at that time it is the determination of my office that it would be improper for you to reconsider it obviously I don't think the Manager would put it on the agenda. If we conclude that it is proper for you to reconsider it then it will be placed on the agenda. I am no position to tell you what I am going to do because I haven't looked at the book.

Z-63-77 Continued

Commissioner Leavitt: As a matter of chronological, what would happen down the line. Our next meeting would be September 7th. At that point if somebody on the prevailing side moves to reconsider, at that time we would have to set it for a hearing. For a hearing on the 21st. Is that the procedure that we would follow?

Mr. Sloan: We will have a hearing on the motion to reconsider to determine whether or not there were facts sufficient to justify a reconsideration.

Commissioner Leavitt: What you are saying is, if the motion to reconsider passes, at that point you don't start with the Public Hearing. We just made a motion to decide whether to reconsider this matter. So then we have to send our notices out. I don't think we can send the notices out now to everybody in the area saying we are going to have a Public Hearing. We first have to reconsider it, and then if that goes then it would be September 21st. Now in the mean time this man has taken out a building permit. I believe that it was said that the only recourse for the homeowners is to go to court and get a restraining order until this reconsideration question can be decided. There is nothing that we can do to force that homeowner to stop. He has taken out a building permit. We can't order him to stop, but as the Mayor said we might send him a letter putting him on notice, and that may minimize our damages. We can at least do that much, if we should decide to reconsider and revoke this thing.

Mayor Briare: Do you want to make a comment?

Mrs. Lagan: I live at 1712, and I have spent the better part of the last few weeks playing yoyo from this City Hall, to the Clark County Court House, to my house, Johns house, and I have been running up and down the streets. I wish somebody knew what was going on. We have been talking to you people for two weeks.

Commissioner Lurie: You don't understand.

Commissioner Christensen: We are playing with a different set of rules that we are not familiar with either. As a matter of fact the Attorney General just issues his guidelines the other day, and we still don't have a copy of them because they were only issued yesterday. We are playing under a new set of rules. If this would have happened prior to the 1977 session of the Legislature we would have known exactly what to do.

Mr. Wowerner: As I understand it now the City Attorney is going to rule as to whether it is proper to reconsider, and then at the next City Commission meeting you will either reconsider, or not reconsider based upon the ruling that he gives. If he rules that you can't reconsider then where are we?

Z-63-77 Continued Commissioner Christensen: Then we have to set a Public Hearing which would be the following meeting. It may not be the 21st.

Mr. Wowner: But you can reconsider.

Commissioner Leavitt: If he says that we can reconsider then there has to be a motion to do it. Just because he says we can doesn't mean that we will. If Mike gives us an opinion that we can in fact reconsider this, then somebody on the prevailing side has to make a motion to reconsider it. If that doesn't happen it is not reconsidered. If a motion is made, and it is reconsidered and the majority votes to reconsider this matter then we have to send out notices.

Commissioner Christensen: But it could come before the 21st meeting because we passed an Ordinance to meet four times a month. It might be the 14th.

Commissioner Leavitt: Then after we do all that we can still grant the application.

Mr. Wowner: Then the only recourse we have is through the courts.

Commissioner Leavitt: But the fact that somebody may move to reconsider doesn't mean that there is going to be a change in the action of this Board.

Mr. Wowner: We would just like to present the information.

Commissioner Lurie: So if they get a Temporary Restraining Order against this man from proceeding against any remodeling.

Commissioner Leavitt: Well they can go to court and get a restraining order if they want to.

Commissioner Lurie: That is their only recourse at this time.

Commissioner Leavitt: To stop it from going ahead yes.

Commissioner Lurie: Until such time as we decide whether or not....

Mr. Wowner: Well our concern would be in terms of the reluctance of the City Commissioner in terms of exposing themselves of a possible liability suit from the standpoint of the man having a legal permit right now. I would hope that you would at least notify him. It is my feeling that the court probably would sustain any kind of a loss to him if he received it under what I would call fraudulent information.

Commissioner Leavitt: Suppose he has this all built by the 21st?

Mr. Wowner: Well it is his tough luck.


Z-63-77 Continued Commissioner Leavitt: Well it may not be it may be the City's tough luck. The City is the one that gave him permission to build.

Mr. Wowerner: I am willing to take that risk. All we are asking for is the opportunity, because when these petitions were presented to you they were not evaluated. You had a long session, and I was not available, and nobody looked at them, and they were just presented,


Mayor Briare: You take people at their word. We will follow along the lines that you have had explained to you by the City Attorney. Anything else? (No response), Then this meeting is adjourned. I will remind you of a Special Meeting that was called for 10:00 Friday morning in the City Managers Conference Room.

There being no further business to come before the Board, at the hour of 3:05 P.M., Mayor William H. Briare declared this Regular Meeting of the Board of City Commissioners
A D J O U R N E D.

APPROVED.


WILLIAM H. BRIARE, MAYOR

ATTEST:


EDWINA COLE, CITY CLERK

APPROVED BY REFERENCE at a Regular Meeting of the Board
of City Commissioners held on the 14th day of September
1977.