

MINUTES

City of Las Vegas

BOARD OF COMMISSIONERS

COMMISSION CHAMBERS • 400 E STEWART AVENUE • 386-6011

DATE: Oct 12, 1977

TIME: 7:00 P.M.

INVOCATION: Rev. David M. Bowers
Echoes of Faith Center

PLEDGE OF ALLEGIANCE:

BOARD OF CITY COMMISSIONERS

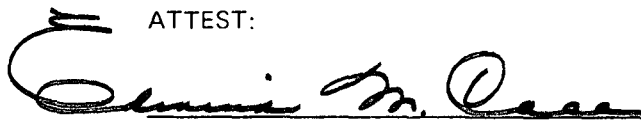
	PRESENT	ABSENT	EXCUSED
MAYOR BILL BRIARE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMM. PAUL J. CHRISTENSEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMM RON LURIE MAYOR PRO-TEM	<input checked="" type="checkbox"/>	<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 October 26, 19 77

ATTEST:



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CITY CLERK



MAYOR

MINUTES

October 12, 1977

A Regular Meeting of the Board of City Commissioners of the City of Las Vegas, Nevada, held this 12th day of October, 1977, was called to order by His Honor, Mayor William H. Briare, at the hour of 9:00 A.M.

AGENDA POSTED October 6, 19 77 (See Page 3 of these Minutes - Affidavit)

AGENDA MAILED October 5, 19 77 (See Page 4 of these Minutes - Affidavit)

**STAFF
ATTENDANCE**


	PRESENT	ABSENT	EXCUSED
City Manager			
LAURENCE HAMPTON P.E. Acting City Clerk	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
EDWINA M. COLE, C.M.C.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director, Dept. of Business Activity			
HOWARD CROW, Deputy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director, Dept. of Community Planning & Development			
DON W. BROWN, Supervisor of Zoning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director, Dept. of Cultural Services			
HAROLD A. FOSTER	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Director, Dept. of Financial Management			
MARVIN A. LEAVITT	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Director, Dept. of Fire Services			
SAM COOPER	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Director, Dept. of Funds, Coordination & Projects			
RONALD JACK	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Director, Dept. of Municipal Services			
J. C. CATHCART	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director, Dept. of Parks & Recreation			
RICHARD L. CAMPBELL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director, Dept. of Personnel & Employee Relations			
J. ROBERT McPHERSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director, Dept. of Public Services			
WILLIAM PURVIS P.E. Acting	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS CHAPTER 241)

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 5th day of October, 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 12th day of October, 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).


(name - an employee in the Office of the City Clerk)

Subscribed and sworn to before me

this 5th day of October, 1977

Notary Public in and for said County and State

INVOCATION AND
PLEDGE OF
ALLEGIANCE

Mayor Briare: Good evening ladies and gentlemen it is nice to see you all here. We are pleased this evening to have with us Rev. David M. Bowers of the Echoes of Faith Center who will give us the invocation. After the invocation we will have the pledge of allegiance. Please if you will now lets all stand for the invocation.

Rev. David M. Bowers: Almighty God our Father we come to You in the name of Jesus Christ. Father I thank you for our Mayor, and for every official of this City government, and I thank You Father that they invite You in to their meeting. I thank You too oh God that you are just as concerned with these meetings as You are with our spiritual life. I ask Your blessings upon every member of this Board, and upon every man woman and child here this night. That Your divine will and guidance shall be done here. In Jesus name Amen.

Pledge of Allegiance.

Mayor Briare: Thank you very much Rev. Bowers. The first item on the agenda this evening are the Public Hearings that have been scheduled. The first of which is an appeal filed by Guillermo, and Esperanza Lezcano.

PUBLIC HEARING - 7:00 P.M.

APPEAL FILED
BY
ESPERANZA
LEZCANO
V-67-77
Denied

Mayor Briare: Are the appellants present? (Affirmative response).
Mr. Brown are you going to present this? (Affirmative response).
Are you Mrs. Lezcano?

Mrs. Lezcano: Yes.

Mayor Briare: Mr. Brown will you present this to the Commission please?

Mr. Brown: This is an appeal on a property on Rexford Place. You will notice on the screen that on the East side is the parcel in question this evening on the West side. On South of that is a parcel which you denied a similar request in August for three dwellings, where two dwelling units permitted in the R-2 district. That is basically the case.

Sammie McElroy: I am broker owner of Nevada Realty and Investment Properties. We sold the property to Mrs. Lezcano. She asked me to come with her.

Mayor Briare: We will ask you to make a statement, or present something, and then if there is anybody here in the audience that wish to oppose this they will be heard on the matter. The letter that was addressed to the City Commissioners from yourself. The letter simply stated that I wish to appeal the decision of the Board of Zoning Adjustment on V-67-77. Now will you please state the basis of your appeal?

V-67-77
Continued

Mrs. McElroy: Mrs. Lezcano purchased the property approximately last September. When she purchased it it was rented as three units, and to our knowledge had been rented as three units for approximately 8 years. In fact she inherited a tenant in the third unit that is referred to as a dwelling, that had been there approximately six years. That dwelling does not have a kitchen. There are two, two bedroom apartments, and a dwelling with no kitchen. This is simply a sleeping room with a bath. She applied for permission to get a power meter installed. Apparently the City had given her permission to install the meter, then the inspector came back saying that this was not proper, or legal. I don't know exactly the terminology. This is what brought about her being here now. She does want to continue renting it as a third unit.

Mayor Briare: I see in other words there was nothing that you haven't already presented to the Board of Zoning Adjustments that is new or unusual about it. You just didn't appreciate the Board of Zoning Adjustments turning you down.

Mrs. McElroy: Could I ask a definition at this point? Then I have one question after that.

Mayor Briare: What definition?

Mrs. McElroy: The definition of an R-2 zoning, and also an R-3 zoning.

Mr. Brown: R-2 zoning permits two, two single family detached dwellings. There are duplexes in that area. R-3 is a multiple family in which 1750 square feet is needed per dwelling unit. Duplex are permitted in the R-2, and multiple family in the R-3.

Mrs. McElroy: Is that 1750 under one roof?

Mr. Brown: Yes under one roof.

Mrs. McElroy: I believe this building complies with that. It is my understanding that there are R-3 units on many R-2 lots in Las Vegas. So we were wondering if this could stay at the same zoning R-2, and still be allowed to have that third unit? You will notice on her application. She had requested to have two dwelling units, which the definition means with a kitchen, and one dwelling which is without a kitchen. In a two year period to go in, and put a kitchen in this third unit. This is not of any great significance the kitchen, but it was recommended when she made the application that she put down this two year period in which to put in a kitchen. So if that makes a difference that is not of any significance. She has gone to considerable time, and expense in getting a power meter in. Which she can't use. She put \$500.00 on that, plus of course coming down, and requesting to be able to use it now, and to keep renting that third unit.

Mayor Briare: Is there anyone in the audience this evening that wishes to protest this appeal?

V-67-77
Continued

Danny Stein: I own the property at 1601, 1603 Rexford Place. It has come to my attention that various people who are looking for variances on this particular street do not live on the premises. They are primarily seeking this variance for the sole purpose of profit, and not hardship. Where there are two kitchens I have no objection. However, to allow a third kitchen to be placed in various parts of Rexford Place creates an inequity. I have no objection to the amount of people that occupy the premises, but the placing a third kitchen in various parts of Rexford Place is creating an additional hazard there. It is my contention that we should not grant these spot variances. We will be back here six or seven times a year. I say that we grant for that entire street and allow them multiple dwellings whatever they want, or we deny it completely. But to have somebody next door to me build another kitchen, and take in another family. I have a count here. At 8:00 on August 31 we counted 231 vehicles on the street. Evidently there are quite a few people that have these kitchen facilities. The third unit is not my argument. My argument is that if they are going to put a kitchen in one then put it entirely on Rexford Place. That is my objection sir.

Mayor Briare: Anyone else present who has any objection to this request?

Sidney T. Gilligan: I live at 1406 Rexford Place. I have copies here I got from the City Hall. To put a kitchen in our building. Why did they issue these copies of these permits to let me do this? This was done February 1974. There is the little stamp put on it by the inspector, now I am told by the Planning Commission that I have to tear this thing apart. Why did they give me these things. They errored, and I have to take the responsibility. I don't see why I should. If they made the mistake it wasn't on my part. I had a legal contractor. I can give you his legal number. Do this job for us, three years and eight months ago.

Mayor Briare: Excuse me. Are you the present owner of the property?

Mr. Gilligan: Right.

Mayor Briare: You are trying to sell it to Mrs. Lezcano?

Mr. Gilligan: No we are not selling it. We want a variance or something.

Commissioner Leavitt: Your property is across the street. You don't have anything to do with this property.

Mr. Gilligan: Right.

Commissioner Leavitt: What you are saying is that you were allowed to do it, and why shouldn't they be allowed to do it.

Mr. Gilligan: Yes.

Mayor Briare: Oh I didn't realize that you were for it.

V-67-77
Continued

Did you get your change?

Mr. Gilligan: No I can't get nothing. They want me to tear this thing out.

Mayor Briare: So you feel that if they get theirs, that you will get yours. If you get yours they will get theirs. Thank you very much folks.

Mrs. Gilligan: Well when we got the place we didn't put the petition in. That was there when we bought it.

Mayor Briare: I think this lady is having the same problem.

Commissioner Lurie: Is there three families living in one duplex?

Mrs. Gilligan: No it is just the one family.

Mr. Gilligan: In other words there is two bedrooms with the third at the back on the street. Somebody took that one wall and cut it off. It has the shower, and the bath and everything.

Commissioner Lurie: So there is three rentals where there is only two allowed?

Mr. Gilligan: Right. What they did to make the kitchen was to take the fire trap out. It was a storage area. They put everything they could think of in there. Paint, rags, clothing everything.

Mrs. Gilligan: There was a mattress with the stuffings coming out of it.

Mr. Gilligan: If the Fire Department ever went down there and looked at those storage areas I think they would close them all up.

Mayor Briare: Thank you very much folks.

Mrs. Lezcano: I wanted to say that I was granted the permission for the meter. In other words the meter for the studio is there legally.

Mayor Briare: Do you have three meters on the property?

Mrs. Lezcano: Yes.

Mr. Gilligan: We do too sir.

Mayor Briare: Do you have anything else folks? Is there anyone else? Do you have something else Mr. Stein?

Mr. Stein: Yes sir. I just wanted to mention Mr. Mayor that there was no notice for this particular hearing, involving this particular case. That was submitted within an area of 300 feet I believe it is. We are suppose to receive a notice. It was just brought to my attention just last night.

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Continued

Mayor Briare: Mr. Stein every effort is made to comply with a general policy of sending out notices. Sometimes if notices are not applied naturally things like that will happen.

Mr. Stein: I have quite a few people here that are all in the same problem next door, and so forth. They didn't know about this thing either.

Mayor Briare: I see, and they are here to protest are they? Are they all immediate residents of the area?

Mr. Stein: Yes. They are not protesting particularly this case here itself. They are protesting with the way that we are going to be in here every few weeks for the next year to get this thing resolved.

Mayor Briare: Unfortunately in matters such as this everybody has a right to ask. Whether they receive or not has to be determined, but they have the right to ask. Which means that notices have to go out, and hearings held. Then depending upon the results of the hearings the decisions are made.

Mr. Hampton: I would request that Mr. Weber be given an opportunity to discuss this matter. He has gone in to it in depth. Maybe he can put some of these problems in perspective.

Mr. Robert Weber: What I wanted to point out is the electrical permit that Mr. Gilligan was showing just a moment ago. It had a little sticker on it which gave him approval to have the meter hooked up by the Nevada Power Company. Now he is allowed to have as many meters as he would like, as long as he has permits to have those installed. He did do that in accordance with the Code, and that is why he was given a little silver sticker. That has nothing to do with allowing additional dwellings over the two.

Commissioner Lurie: Does that mean that you can have three meters on a dwelling where only two are allowed, so that the person say renting that room pays his own utilities, but they can't have kitchen facilities?

Mr. Weber: To clarify that. Normally an individual wouldn't want more meters than they had dwellings. What I am suggesting is that the National Electrical Code will allow you to put on more meters. If you would like to put on one for your washer and dryer for example you would be allowed to do it as long as you installed it properly. Now in the case of Mr. Gilligan. He made application, he received authorization to go ahead and do this. He was given a little sticker that he showed. In the case of the applicant here tonight. She has installed an additional meter, and there is no problem with that. The problem is with the third dwelling, and that is why we are here this evening.

Commissioner Christensen: As I understand what you are saying is, that some of these people are under the mistaken belief that when they get a permit to install a meter, that that gives them a permit to install a third dwelling. Which is not necessarily the case. You can have four meters, but that doesn't mean you can have four dwellings.

V-67-77
Continued

Mr. Weber: That is correct. You have to take out a building permit in order to do the building modifications to the structure.

Mayor Briare: Commissioner Christensen points out a very good problem. We might be able to resolve this with perhaps a little better communication between the building department when they issue a permit to put all the meters in, that it becomes very crystal clear to the applicant that a permit to put another meter on is not an indication that they can have another residential unit.

Mr. Weber: That is the policy sir. Whether it is done in all cases is a question. Certainly in the case of the applicant here tonight there was some misunderstanding.

Mayor Briare: Well and the folks that live across the street too. Did this lady want to say something here.

Lucille Sondag: I am the neighbor next door. I was allowed to put in a meter a few years ago. I do not have a kitchen. I don't live here all the time. I received a permit to put it in.

Mayor Briare: Well meter permits are easy. It is when you want to change these in to a separate living unit. Is yours a separate living unit?

Lucille Sondag: Well it is. They said that the door had to be accessible inside. I am using it for myself now. I understood that it could be rented as a room you know. Right now I am not. But these people next door they did get the permit. I know that. It was approved for them.

Mrs. Leczano: When I asked for the meter I specified that it was a unit. That the studio was connected to the two bedrooms, and that I wanted to separate them by putting a separate meter on. I specified that it was especially for this studio.

Commissioner Christensen: Well it seems to me that we slipped up somewhere. If she requested on her building permit to install a meter for the reason to build a third dwelling unit where only two is allowed. The Planning Departments that approved that building permit should have caught that also should they have not?

Mr. Weber: This is not done on the permit. She took out an electrical permit back in June of 77 for the electrical service. At that time this particular item was hot, and that is why she is here this evening. Because she was in violation.

Commissioner Christensen: In other words then they did catch it.

Mr. Weber: That is correct.

Mayor Briare: Were you the broker that sold the house to Mr. and Mrs. Lezcano?

Mrs. McElroy: Yes I am.

Mayor Briare: Did you describe to them what the zoning was on that property?

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Continued

Mrs. McElroy: Yes, we discussed the property being basically a duplex. Which is currently rented as three units. But you are not allowed to have a kitchen in there.

Mayor Briare: You explained that to them?

Mrs. McElroy: Yes. I always do on that street up there. May I explained the floor plan to you? The ownerships up there have not necessarily gone in and installed a third unit. The duplex itself is broken down in to two bedrooms, one bath, and a three bedroom two bath. The third bedroom being a large master bedroom, with its own private bath, and an outside entrance. So what the majority of them are doing is simply locked the door on both sides from that bedroom in to the hallway.

Mayor Briare: Does this map indicate the general zoning in that neighborhood?

Mr. Brown: Yes Mr. Mayor. It is R-2 up and down there. The yellow is the R-1. (Pointing to the screen). About 35% of the units on Rexford from Oakey North for the three blocks had more than the two dwelling units permitted. We now have before the BZA for this month two more appeals on this.

Mayor Briare: On the same general thing?

Mr. Brown: Yes.

Mayor Briare: Is there anyone else who wishes to be heard?

Mrs. Gilligan: I would like to ask a question please. I would like to know that if you hire a contractor to do the work. Don't they know the rules and regulations as to what they can do, and what they can't do?

Mayor Briare: They sure should.

Mrs. Gilligan: Well how come they....

Mayor Briare: I can't answer for the contractor.

Mrs. Gilligan: When we are responsible. They go ahead and they take their money. It cost us more than \$3,000.00 to put the kitchen in. Why didn't they tell us we couldn't do it? Now are we responsible for their mistake. These guys here. Out of our tax money we pay them.

Mayor Briare: Did you pay the contractor out of tax money?

Mrs. Gilligan: No but our tax money is paying for people here.

Mayor Briare: Well if the contractor took out a permit, and he is a licensed contractor he certainly should be aware of the zoning regulations. I can assure you that we can't sit here, and discuss the qualifications of contractors that you hire yourself.

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Continued

Mr. Weber: Sir in that particular case the owner did take out the permit as an owner builder.

Mayor Briare: Listen Mr. Gilligan your application no doubt will be before us in the future. We have got to take care of one application at a time.

Mr. Gilligan: That was something that I was tricked in to. That contract was brought to me, and as the owner I had to sign it for that contractor. I was tricked in to signing it. He knows it to

Mayor Briare: Have you contacted the State Contractors Board?

Mrs. Gilligan: We didn't know we had to.

Mayor Briare: I am saying as a result of your complaint against the contractor. We would suggest that if you have a grievance with your contractor that you take it before the State Contractors Board. Which you can locate in the telephone directory under Nevada State of. I am sorry that this Board can't do anything along the lines of contracting.

Commissioner Christensen: If we have 3 or 4 more coming in this month, and so forth. Maybe we could postpone this until such time as we could hear them all at once. The applicants could all come at once.

Mayor Briare: I was going to hear from this gentlemen right here, and if there was no one else I was going to close the Public Hearing, and suggest because of the things that we had in the past. We have turned some down, and some of them have been approved. I am not sure what the history is in front of this particular Commission. Obviously some have been approved, and some have been turned down. I think from the standpoint of consistency we should do one or the other, and let everybody be on record as to what it is going to be.

Mr. Hampton: I am not aware of any that you have approved Mayor.

Commissioner Christensen: Well if there is a way that we can really hold one hearing for all these applications I am sure it will accomodate most of these people better.

Paul Foust: I am a real estate broker. We in 1974 sold two facing units down there on the opposite side of the street backing up to the commercial. The same street on the other side. All I am concerned with is giving you some information that you can use as you see fit. I think it should be handled by the Planning Department, and consideration given to some type of zoning there. These two units are down at the curve below there. (Referring to the screen). On the other side where the other black outlined property is across the street from this one.

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Continued

Against that is commercial in the red. When we sold this to May Hansen who is the present owner, then half of those are converted to a third unit. By the fact of closing off; it was a three bedroom apartment with two baths. The one being a large bedroom which could become a second unit by the simple fact of sealing in the door. Closing the door off. You had an access to it from the rear. Our client did make an application for a third unit. It was at that time a three bedroom unit. She made application for another meter, and gave it to a contractor, and he made application and received a permit for another meter. It was closed up, and it became a separate unit. It has no kitchen. It is just a sleeping room with a bath. It has its own entrance. That was common down there and still is. There are many people there that have done this. Because by intent or otherwise the design lends itself very easily to this use. So it has been done. I don't know who is responsible for checking things like that to see if that is in violation. We didn't think so, and neither did our clients when they purchased it. No kitchen, no other facilities other than a sleeping room with a bath. There is another factor also, and that is that all of the properties on that one side which faces the commercial is R-2, the same as it is across the street, but it is C-2 directly behind it. I personally feel that the properties that back up to commercial should have a different zoning. Maybe R-3, or R-4. Which is common with commercial backing it. I am kind of talking for and against, because I live at one place where I don't want to see it go to high density, and on the other side it should be because it backs up to commercial.

Mayor Briare: What you are suggesting is that perhaps that area should be zoned in a manner to allow these people to do what they want to do. Now unfortunately the property is not zoned that way today, and there are a number of people that Mr. Stein has commented about. We have a number of letters of protest that think differently from you. However the matter before us is not one of a zoning, it is a zoning adjustment. I think that perhaps this Commission is not interested in taking individual single cases where one will lead to the next, which will lead to the next. Really there should be a look at the whole area to be determined whether a zone change is in order. We have some obviously who would be in favor, and some opposed. The matter before us right now is this individual application. This one single one is the one that has to be determined. We have already denied one. I gather from our City Manager here that there has been perhaps more than just one in the recent past that has been denied by this Commission. There has only been one before us in the last several years. Thank you very much Mr. Foust.

Mrs. McElroy: In addition to this C Zoning to the West that Mr. Foust mentioned, there are R-2 Zoning to the East. There is C-1 to the West, and R-1 to the East. There is P-R to the South, and there is commercial to the North. So it would indicate that if we could have the consideration the area is progressing forward.

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Continued

Commissioner Lurie: Well the area on the North side of Oakey is not changing. The South side of Oakey has changed it is P-R on that side, but I don't think that this warrants us to change because one side of the street has changed. To have it carry over, and start zoning P-R on the North side of Oakey.

Mrs. McElroy: I was just trying to take four directions, and point out where the zoning is.

Commissioner Lurie: I grew up in that area, and lived there for many years. That is a nice area, and it was planned with the C-1, C-2, the R-1, R-2, and R-3. I can't see changing the zoning to allow a higher density now that the people who bought the property on the West side of Rexford, backing up to C-2; they knew when they bought that that it was backed up to commercial. We have many problems with zoning all over the City now, with trying to find locations to fit R-3, and R-2. Which is compatible with existing R-1. We can't be changing this and increase the density because of those people who have violated the Ordinances.

Mrs. McElroy: The majority of the people I believe on Rexford inherited this problem.

Commissioner Lurie: Because a lot of the people who purchased the duplexes purchased them after they had already been converted illegally.

Mrs. McElroy: Is it necessary in the legal conversion if the door is just simply locked from both sides of the apartment? It is not another installed apartment. Just like if you took a third bedroom which has its own private bath in your home, and an outside entrance, and you rented a room out in your private home. You are not installing a third apartment.

Commissioner Lurie: I am sure there are a lot of them around the City, and it just hasn't been brought to our attention until such time the one was brought before us about a month ago. That started, and stirred up all these other applications.

Mrs. McElroy: Then the question comes up that if all the parties renting a third unit out of their home, or out of another apartment. They have not been required necessarily to raise the zoning.

Mayor Briare: There is a lot of discussion that could be held on principles, and philosophy of zoning. I think we probably need now to close this Public Hearing, and then ask the Commissioners if there are any comments or questions that they have of the applicant. I would like to make one comment. The Commission has been furnished with a memorandum from the Director of Community Planning and Development. I don't know if you are aware of this, and I don't know what the action of this Commission is going to be. I would like to call their attention to this. Mr. Brown I think you might have a copy of Mr. Saylor's memorandum from October 6th. The last paragraph says "if you deny the variance which is following what the Board of Zoning Adjustment did, the only action the applicant would have to take would be to provide interior access to the rental unit, which consists of a bedroom, and bath, and thereby make it legal as a room rental." I don't want to add any more confusion to

V-67-77
Continued

what already exists, but I don't know whether these folks are aware of this or not. It is something that one way or another it could probably be explained to them.

Mr. Brown: Yes it has been explained to the applicant. It just means that the owner must have interior access to all the rooms in a dwelling unit. What these people have done is come in, and close the door, and put up dry wall, and made it a separate unit. Which makes it a dwelling rather than a room to rent.

Mayor Briare: Any comments by the Commissioners?

Commissioner Christensen: I would still like an answer to my question from our legal staff or somebody. Is there any way that we can have these at the same time.

Mr. Hampton: I would like to comment on that. When our Department was requested to make this survey, and found the number of violations we discussed this with Mr. Saylor, and I believe Jan Stewart. As to whether or not we could schedule one mass hearing on all the violations. We were told that the Ordinance did not provide for that. If they all made applications the same time this could be done. This is not our prerogative to wait, and hold up an application, or to give one special processing to hear them all at one time. So apparently we do not have provision to do that.

Commissioner Christensen: I don't have any problem with that, but I would like at this time to request that we draft an Ordinance changing that. So under a circumstance like this we can schedule all the Public Hearings at one time.

Mayor Briare: Any other comments? (No response). What is the pleasure of the Commission? Does the Board wish to take action on this?

Commissioner Lurie: I move that the request be denied.

Mayor Briare: Comments on the motion? (No response). Cast your votes. Motion is approved, and your appeal is denied. That means you can't go ahead maam.

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

AGENDA

City of Las Vegas

October 12, 1977

Page 3

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

CITY COMMISSION - REGULAR MEETING - MINUTES - OCT 12, 1977

Commission Action

Department Acti

Page 17 II COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT
DON J. SAYLOR, AIP, DIRECTOR

THE ITEMS LISTED BELOW, WHERE APPROPRIATE, HAVE BEEN REVIEWED BY THE VARIOUS CITY DEPARTMENTS INCLUDING SANITARY SEWER, STORM DRAINAGE, TRAFFIC ENGINEERING, PUBLIC SERVICES, FIRE AND BUILDING, AND THEIR COMMENTS AND/OR RECOMMENDATIONS AND REQUIREMENTS INCORPORATED INTO THE ACTION.

A. PETITION OF VACATION - VAC-12-77 - DONALD J. CROSBY, ET AL

Petition of Vacation submitted to vacate that portion of Adams Street from North 4th Street west to the easterly property line of Edgeview Manor Subdivision.

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

1. Satisfaction of the requirements of the various utility companies.
2. Conformance to code requirements and design standards of all City departments.
3. Vacation shall not be recorded until all of the above conditions have been met.

PROTESTS: 0

SET DATE FOR PUBLIC HEARING
NOVEMBER 16, 1977

Set Public Hearing
for 9:00 A.M.
Nov. 16, 1977

C/A to prepare
Notice

Clerk to proce

11/16/77 Agend

AGENDA

City of Las Vegas

October 12, 1977
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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 388-6011

CITY COMMISSION - REGULAR MEETING - MINUTES - OCT 12, 1977 Commission Action

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III. 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. GAMING -- Additional

1. MINI-PRICE MOTOR INN CASINO, INC

Bingo Palace Casino
2540 S. Rancho Road
6 slots

2. JOHN D. GAUGHAN
MEL EXBER et al

Hotel Nevada & Casino
235 South Main Street
5 slots

3. AUTOMATIC AMUSEMENTS OF L.V.

Shell Inn
312 N. Eastern
4 slots

4. UNITED COIN MACHINE CO

Shell Inn
312 N. Eastern
3 slots

Items 1 thru 5
Approved
Lurie - unanimous

Director
authorized
to proceed

AGENDA

City of Las Vegas

October 12, 1977

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BOARD OF CITY COMMISSIONERS

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III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

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

5. NEVADA COIN MACHINE CO.

Al's Deli
320 E. Carson
2 slots

See Page 4

See Page 4

*B. RETAIL TOBACCO -- Additional

1. C. C. VENDING CO.

Desert Star Motel
1210 Las Vegas Blvd So.

Classic Club
3819 W. Sahara

Wally's Coffee Shop
3977-3999 W. Charleston

Items 1 and 2
Approved
Lurie - unanimous

Director
authorized
to proceed

2. ODYSSEY VENDING CO.

Fong's Garden
2021 E. Charleston

City Liquors
416 N. Las Vegas Blvd.

C. LIQUOR -- New

1. *BATTER BEATER
4437 W. Charleston Blvd
Restaurant Beverage

R & J, Inc. --
John J. Haboush, President
Ruth M. Haboush, Secretary

Approved subject to
conditions
Lurie - unanimous

Same as above

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

AGENDA

City of Las Vegas

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BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE
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Page 20 III

DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

D. LIQUOR -- Change of Location/
Reclassification

1. SOUTH CHINA RESTAURANT

From: 1050 E. Sahara
Restaurant Beverage

*To: 3909 W. Sahara # 9 & 10
Supper Club License

Stella K. Teng, 100%

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

E. LIQUOR -- Change of Business Name/
Change of Location

1. From: Kelly's Liquors
1541 N. Eastern

To: *THE LIFT
3045 Valley View
Package Liquor/Beer Bar

Kelly's Liquors, Inc. --
Bill A. Pappas, President
Earl Wilson, V.P.
Melvin Wolzinger, Secy

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

Approved subject to
conditions
L - unanimous

Commissioner
Leavitt abstained

Director
authorized
to proceed

Approved subject to
conditions
Lurie

Commissioner
Woofter voted "no"

Same as above

AGENDA

City of Las Vegas

October 12, 1977

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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CITY COMMISSION- REGULAR MEETING - MINUTES - OCT 12, 1977

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Page 21 III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

F. LIQUOR & GAMING -- Deletion of Corporate Officer & Stockholder

1. WEST HILL LANES
4747 W. Charleston

West Hill Lanes, Inc. --

From: Joseph W. McNamee, Pres/
Director, 19%
R. Julian Moore, V.P./
Director, 19%
Theresa G. Massa, V.P./
General Mgr., 19%
Nelson Conway, Secy/Treas,
Director, 19%
H. Bruce Trent, Stockholder,
11%
Patrick O'Donnell,
Stockholder, 13%

To: Joseph W. McNamee, Pres/
Director, 19%
R. Julian Moore, V.P./
Director, 19%
Nelson Conway, Secy/Treas,
Director, 19%
H. Bruce Trent, Stockholder,
11%
Patrick O'Donnell,
Stockholder, 13%

Approved
Lurie - unanimous

Director
authorized
to proceed

G. LIQUOR, GAMING & RETAIL TOBACCO --
Change of Corporate Officers

1. SHIFTY'S
3805 West Sahara Avenue
Tavern License

Marlan, Inc. --

From: Floyd Williams, Pres
Agnes Williams, V.P.

To: Lawrence K. Dayton, Pres/
Director, 50%
Gary L. Boyter, Secy/Treas/
Director, 50%

Approved
Lurie - unanimous

Same as above

CITY MANAGER

LAURENCE HAMPTON, ACTING

See Page 32 of these minutes - Annotated Agenda

CITIZENS
COMPLAIN Re
CLARK COUNTY
HEALTH DISTRICT
REQUIREMENT
FOR PAVED
ROADS (Fred
West)
Recommended
that Mr. West
present
complaint to
Health Dist
Board

Mr. Hampton: The next item is a citizens complaint regarding the Clark County Health Districts regulations regarding paved roads in connection with the Nevada Power Companys application to install a second oil fire gas turbine at the Clark Station. Mr. Fred West is here to present his case. I would just like to comment that I have reviewed the order by the Health District. I have talked to Mr. Don Arkell this afternoon, and it is their calculations that the particular emissions that they are referring to required that the Nevada Power Company pave roads to the extent of \$33,000.00 for this one application. The paving of the roads is to off set the emissions that would be generated by the installation of the gas turbine. I would suggest that we refer this matter to the City Attorneys Office in light of a possible justification for a rate increase due to this expenditure.

Mayor Briare: This is a citizens complaint relative to the Clark County Health District requirement. Is this Commission in any posture to change or amend or comment on Health District matter?

Commissioner Lurie: Well Mayor Fred wants to tell us that if this was allowed. For the air pollution control to make the Power Company to pave roads to their generating stations, then that would give the Power Company justification to come back, and ask for a rate increase to pay for those roads. I believe that is what Fred is going to mention, and what he wants us to do is have rate experts intervene in any type of assessment.

Mayor Briare: Even before hearing you Mr. West I agree with you. There is nothing that this Commission would like to see more than a reduction in the Nevada Power Company rates.

Fred West: I reside at 6325 Factor Avenue. A brief run down on the history of this particular case is that just before the first of the year the Nevada Power Company applied to the Clark County Health District for registration, and operating permits for two additional gas turbine units, which are oil fired at the Clark Station. In the original determination they submitted a report from Rogers stating that these units would not particularly increase pollution conditions in that area. The Clark County Health District did not at that time come back and did not on that first unit, on their final determination of the first unit put a stipulation that the Nevada Power Company pay certain mileage of unpaved County Roads in order to off set the particular emission that they would achieve by these two gas turbines. They have done it on this second one. I realize that Mr. Arkell, and the Health District is going by an ETA Policy, or regulation. I am also quite well aware of the fact that as the City Manager says. \$33,000.00 by the time it gets

CITIZENS
COMPLAINT
Re CLARK
COUNTY HEALTH
DISTRICT
REQUIREMENT
FOR PAVED
ROADS
(Continued)

to the Public Services Commission, then suddenly it is \$50,000.00. By the time you get your interest and all the other stuff on it then we have a nice justified expense for a rate increase. It disturbs me quite frankly to see the residents of Las Vegas have to pay to pave roads that we should be paying out of our tax dollars. This is what we pay the taxes for to pave these roads. This is setting a very bad precedent. Especially in view of that fact that Nevada Power currently financed about two more gas generating units down there in the very near future. They currently have on their books to build a 2,000 megawatt coal fired station 18 miles Northwest of the City. At a cost of about \$2 Billion. I am wondering if this thing gets started just how many roads are we going to wind up having to pave through our utility bills? I don't think this is just and fair. We have to large a population in this community that cannot afford another penny on their utility bill. Especially our senior citizens, and our lower income groups. I feel that the City Commission, and the City Attorneys office should somehow find a way to appeal this thing, and have the requirement removed from the Power Company to have to pave these roads. I am not asking for you to deny the permit. We went through that, and we lost our case there. We do not like this requirement that they pave these roads. The precedent being set here is no good. It doesn't do us one bit of good. There is coming a point in time where we can no longer afford this type of thing. We have pointed out to them that their already exists at Clark Station a gas turbine. They tell us that it is natural gas fired. Well Mr. Mayor if it is natural gas fired, then we were paying in 1976 for about 1 billion some odd barrels of fuel oil for that gas turbine. That is out of the Nevada Power statistics for rate increases. We don't feel that this is justified. It has got to come to a halt someplace. There must be some board we can appeal to. This is why I brought it to this Commission.

Mayor Briare: I am trying to decide what action if any this Commission can take other than perhaps refer it to our City Attorney for some legal advice to take a consumers position on it. Rather than the position of the Public Utility. I think I am getting your point, but is there something specific other than perhaps some legal advice that you are asking for?

Mr. West: Well I have talked with Mr. Sloan about this, and I don't think there is much we can do there. What I am looking for is somewhere to appeal to somebody higher than Mr. Arkell. Where do you appeal it from his decision?

Mayor Briare: Well what his decision is, that he is requiring paved roads.

Mr. West: Isn't there somebody in the County or the State level that this can be appealed to.

Mayor Briare: How about the County Commission?

Mr. West: I am not aware of who is over there.

CITIZENS
COMPLAINT
Re CLARK
COUNTY HEALTH
DISTRICT
REQUIREMENT
FOR PAVED
ROADS
(Continued)

Commissioner Leavitt: Well I am the Chairman of the District Board of Health, and this is the first time I have heard this. I don't think that decision has been made yet. That is one of the alternatives that the Environmental Protection Agency provides. When someone is going to build an industry of some kind that lets pollutants in the air, that they can off set that by eliminating pollutants some place else. That is one of the ways. It is not necessarily the City just paving roads. There are other methods that they can use. To off set pollutants some where else. I am the Chairman of the Board of Health, and I am the Chairman of the District Board of Health Air Pollution Control Committee, and this is the first time I have heard it. So nobody has made a final decision on this.

Mr. West: I have discussed this with the Power Company, they have a final report on number two unit which I have here. This is in writing that they are requiring Nevada Power to pay certain mileage on County roads.

Commissioner Leavitt: Lets get Mr. Arkell down here. It is my understanding that there hasn't been a decision on this. I think you are very premature. Now am I right Don or am I wrong?

Mr. Don Arkell: Commissioner Mr. West has complained as I understand it. This is the first time I heard about it too. This morning when I read about it in the papers.

Commissioner Leavitt: How can the District Board of Health make a decision when they haven't even heard about it yet?

Mr. West: The Air Pollution Control Division has made a decision, and mailed us a copy of that decision. To require Nevada Power to pay certain mileage of unpaved County Roads with the condition of getting permission to operate these turbines.

Commissioner Leavitt: Did you do that Don?

Mr. Arkell: If I might read from the final determination. By way of background if I might explain this. Mr. Leavitt explained that the purpose of the off set policy. What it means is that in an area where standards are exceeded, these are the health related standards for air pollution in the Las Vegas Valley, and other areas where air pollution is a problem. We are required now to base our decisions on major point sources which this turbine is classified. To require that any emissions caused by that facility be off set by some emissions reductions elsewhere. Through the course of Nevada Powers Application, and our frequent meetings with Nevada Power some of which Mr. West was a party to, we did determine that one way of reducing particular emissions to off set the increased emissions from the turbines, was to pave roads. Now specifically the condition is that particular emissions are to be off set by reducing particular emissions from a currently used road in the Las Vegas Valley, which lacks an asphaltic surface. This does not say that Nevada Power must necessarily pave the roads. It just says that the Power Company must show that a sufficient length of road is to be paved. This does not close out other options. We do place some conditions, or some criteria upon which the road selection is made, and upon which the determination is made whether the

CREATION OF
DEPARTMENT OF
COMMUNITY
ACTIVITIES
Approved as
Recommended
except that the
Senior Citizens'
Center, at this
time, is not to
be included
in the
reorganization
of a new
Department to be
known as the
Department of
Recreation and
Leisure Services.
Youth Affairs to
be responsible
directly to
Director of
said Department

Mayor Briare: The next item ladies and gentlemen we are kind of delighted that it is on the agenda because we have some very lovely visitors with us this evening. That came as a result of this item being on the agenda. If that is what it takes to get you nice people out, then by golly we should have more of them on the agenda. I am going to split this next item in two parts. There are two very distinct parts. One part involves the Senior Citizens Center, and the other part involves the Recreation and Parks Department. In order to have the matter presented to us I am going to ask the City Commissions representative on the Senior Citizens Advisory Board Commission Ron Lurie to present the matter that has just come before the Commission. You must remember that no matter what transpires before it gets to this meeting of the City Commission. There is no rules, there is no holds barred, but once it gets here is when the action is ready to take place. Whatever has been discussed in the past only comes to us in the way of recommendation, but nothing is final until it is determined here. Commissioner Lurie would you please make some comments on the Senior Citizens part?

Commissioner Lurie: Thank you Mayor. As you know I am the token Senior Citizen you might say, and I serve on the Senior Citizens Advisory Board. It is an honor, and a privilege to sit on that Board to discuss the needs, and the problems concerning the Senior Citizen Center. After the last meeting this item came up for discussion on the combination of the Cultural Services, Parks and Recreation Services, and the Senior Citizens Center in to one Department. The members who are in the audience today were the same members who were at that meeting, and made their opinions known that they weren't satisfied with having the Senior Citizens Center placed under the Cultural and Community Affairs branch of the Parks and Recreation. So Mayor I have discussed this proposal with the members of the Advisory Board, and the Advisory Board met yesterday in a special meeting, and has a recommendation that I would like to present to this Board, and I would also like this Board to take action on this. What the recommendation would be is to leave the Senior Citizens Center under the direction of the City Manager, and not place it under the Director of Community Activities.

Mayor Briare: Now Commissioner Lurie has indicated a recommendation, and I am quite sure that Commissioner Luries recommendation to this Board, that the Senior Citizens Advisory Committees recommendation be followed, and we just leave everything as is. Are there any Commissioners that take exception to that?

Commissioner Woofter: Well I might have to play a little bit of the devils advocate. I just want to know why? Do you think that if it goes under the Parks and Recreation that it is going to be converted to a gymnasium, or what is the reason why you would rather be separate?

Mayor Briare: Now don't everybody jump up. I think you know what the feeling of this Commission is, and Commissioner Woofter has very clearly made; just for the purpose of allowing some discussion on it.

CREATION OF
DEPARTMENT OF
COMMUNITY
ACTIVITIES
Continued

He brought it up. That is perfectly proper. I know how he is going to vote on it.

Jewel McKay: I live at 3719 Colonial Drive. I am here on behalf of the Senior Citizens of Clark County. Not only those of the Senior Citizens Center. Now in my mind it was not clear what Commissioner Lurie stated, but what the recommendation of the Advisory Board yesterday. I was of the opinion that they said, "until such a time that a City Manager, a full time City Manager is employed." But maybe I was wrong about that.

Commissioner Lurie: You were right. What it says is, "there are advantages and disadvantages on both sides of the reorganization proposal, however the City Manager is the key figure in the organizational structure. Since we presently do not have a permanent City Manager I will so move that this Board recommend to the Mayor, and the City Commissioners that they take no action to change the existing structure until a new City Manager is hired, and takes office. At which time he and his staff may wish to consult with this Board and up date an effective program to best serve the needs of the Seniors. Those having voted in favor of the motion have affixed their signatures." There were seven who signed. That was the motion.

Jewel McKay: In other words then the Manager of the Senior Citizens Center will be able to communicate directly with the City Manager?

Commissioner Lurie: Yes.

Jewel McKay: They will not be going through someone else. If I may I would like to tell you about the proposal that the Senior Citizens have prepared as an alternative, and tell you what we as Senior Citizens have in mind for the Senior Citizen Program for Clark County. Not only for the Center. I have made out an organizational chart. I have put the letter in a memorandum form to be given to each of you. I would like to have the privilege of also reading my statements.

Commissioner Lurie: Why don't you go ahead and read them. If it is O.K. with the Mayor.

Mayor Briare: Is this going to be a recommendation other than the fact that it will remain as is?

Jewel McKay: It will be a question about the future planning in to a Department of Gerontology. Our City has grown so rapidly, and so many Senior Citizens are moving in to this area. It is imperative that we do something to take care of the Senior Citizens.

Mayor Briare: Let me conclude one quick matter here, and then by all means you go ahead and read that to us. I would like to have it clear in everybodys mind. If this Commission concurs with Commissioner Luries recommendation here, and that is that it stays just the same. Once that is cleared then you will know where we stand. Are there any Commissioners that object to the position that Commissioner Lurie has stated here? (No response). There are no objections, so it is clear to all of you that the decision of the Commission at this time is that the Senior Citizens Center operation

CREATION OF
DEPARTMENT OF
COMMUNITY
ACTIVITIES
Continued

will stay exactly as it is. O.K. (Applause)

Commissioner Lurie: I would just like to say that the information that you are going to present to us, and your recommendations, and ideas can be made through the Director. It is going to be the Directors responsibility now to provide us with the needed information, and the material for us to determine about additional funding and so on to provide those needed programs, and services. I think that Bob is very capable of doing that.

Jewel McKay: You took the words right out of my mouth.

Mayor Briare: I think this is a pretty good indication. As I indicated when we first brought this up before the Commission on the agenda. Just how pleasant it is to have you all here. We always welcome visitors to the Commission Meetings. This particular item seems to have brought out more than the usual number that we receive. I wish you would come down, and be a part of government with us. You have indicated very clearly how effective people can be when only they make their wishes known. We thought that perhaps there was some merit in trying to improve a good thing. Lets always try to improve. Even an effort to hopefully improve something met with some excellent comments, and some decisions that were made by the Senior Citizens themselves, would indicate that everything is going pretty good. You have in a sense complimented the Senior Citizens Center operation. I think that is darn nice. (Applause)

Mitzi Gruen: I live at 260 East Desert Inn Road. Obviously the people who are here were well organized over at the Senior Citizens Center. However, there are over 40,000 Senior Citizens in Las Vegas, and I believe that all Senior Citizens should have a voice in this matter just how they would like to have their affairs handled. Not just a few, because this Center is not built and being operated for only a few that obviously get certain benefits for themselves.

Mayor Briare: Now I don't know if you are properly presenting this to us. We have heard from you before Mitzi, and unfortunately it is always; by law I am the Chairman of this Commission, and sometimes I get the bad duty of having to say now, Mr. or Mrs. you are out of order, and you are not going to be allowed to continue. I hate to do it to you twice. Do you go to the Senior Citizens Advisory Board meetings?

Mitzi Gruen: Well now....

Mayor Briare: Yes well Mitzi don't you see. That is why it is not fair to come here.

Mitzi Gruen: I was refused. I wanted to go to a meeting....

Mayor Briare: No, now Mitzi I don't want to embarrass you, and I don't want to be embarrassed myself. I had to do this to you once before. Please don't make me do it. When you come up and make a general, or specific statement on something on the agenda. Please don't come up to criticize the Senior Citizen operation, or something. When you should be doing it in front of the Senior Citizens Advisory Board.

CREATION OF
DEPARTMENT OF
COMMUNITY
ACTIVITIES
Continued

Mitzi Gruen: I want all seniors to be present, it is not fair that this is only for a few.

Mayor Briare: I am sure that we have thousands and thousand of Senior Citizens, and I couldn't be more delighted to have them all present.

Mitzi Gruen: Then lets call a meeting Mayor.

Mayor Briare: You just go ahead and get the Senior Citizens Advisory Board, and I know that they would be happy to listen to you, and take whatever steps...

Mitzi Gruen: Lets call a general meeting, and have all Seniors voice their opinion. Thank you.

Mayor Briare: I am going to hand you Jewel McKays papers here Edwina. Please make sure that each Commissioner gets a copy of it. We are going to be in recess for about five minutes. Then we will continue our agenda.

(Commission Meeting recessed at 8:15 P.M.)

(Commission Meeting reconvened at 8:30 P.M.)

Mr. Hampton: I would like to propose a slight variation of the original proposal in light of the fact that the Seniors Citizen will remain as is. I would still recommend the creation of a combined Department of the existing Parks and Recreation Department, and the Department of Cultural Services. I would propose that this Department be combined. I propose that it be created with two branches. One the Parks and Recreation Branch that would be headed up by Chris Stanfill, and would have the following divisions therein. Recreation Services; Golf Course; and the Park Services along with the Cemetary. The Cultural and Community Affairs Branch would be headed by Mr. Foster, and we would have divisions broken down in the Schools, Fine Arts, and the Library. Then I propose that there be a separate unit which would be the Youth Affairs Unit to answer directly to the Director Mr. Campbell. I propose that Mr. Campbells and Mr. Stanfills salaries be elevated as recommended. As far as the Department is concerned in lieu of the name that was originally proposed we have supplied six names in our second memorandum that may be more descriptive. In talking to Mr. Campbell we feel that either the Department of Recreation and Leisure Activities, or the Department of Recreation and Cultural Activities would be more descriptive, and we would recommend either one of those two names. Mr. Campbell indicates to me that the word "Leisure" is becoming a widely used name for such departments throughout the country. I think personally it is very descriptive. I think either one of those two names would be very informative to the public.

CREATION OF
DEPARTMENT OF
COMMUNITY
ACTIVITIES
Continued

Commissioner Woofter: I will make a recommendation. First of all Larry you are making a recommendation that we follow the plan elevating Youth Affairs up to be directly responsible to the Director Mr. Campbell, and the chart as is, other than the Senior Citizens Center to remain as is for the time being. I would make a motion to adopt such a plan.

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.

Commissioner Woofter: Secondly I would make a motion at this time that the new Director be entitled Director of Recreation and Leisure.

Mayor Briare: I would like to make comment. We are taking away a known thing, and putting in a brand new one. The known thing is the use of the word Cultural. I would certainly prefer having the word Cultural in there. Because this Commission for the last several years has been very aggressive in the promotion of cultural affairs, and cultural activities. Now to drop that name, and put in a new one I think is going to be a disservice to the efforts of this Board. What was that other suggestion Mr. Hampton?

Mr. Hampton: Department of Recreation and Cultural Activities, or Department of Recreation and Leisure Activities.

Commissioner Lurie: The Director will have that title, and under him will be cultural and community affairs is that correct?

Mr. Hampton: Right.

Commissioner Lurie: You will still have cultural.

Mayor Briare: O.K. Commissioner based on that very argument you give. One of your departments is called cultural, and the other department is called recreation, but there is not another item in this whole organizational chart that says anything about leisure. I think it is a matter of semantics. I do hate to lose the word "cultural" when we are talking about a "Reed Whipple Cultural Arts Center", we are talking about fine arts, we are talking about cultural in the parks. We are not talking about leisure here, and leisure there. I think it is a better name.

Mr. John Knight: I live at 343 Desert Inn Road. To me there is a very distinct difference between leisure and culture. You can be very leisure, and be uncultured. The two are not tied together. One is not the alternative to the other. As you say Mr. Mayor, this Commission has for several years now built up the culture idea. That this Community acknowledges that there is room for culture. It would seem to me to be a mistake to abandon the word "culture" in the title in the major department.

CREATION OF
DEPARTMENT
OF COMMUNITY
ACTIVITIES
Continued

Commissioner Woofter: Well I made this motion in that supposedly this is the way it is going Nation wide.

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

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

REQUEST FOR
SPACE TASI
Denied as
Requested
Approved use
of Naval
Reserve
Bldg.
temporarily
to build stage
sets

Mr. Hampton: The next item is a request by the Theatre Arts Society for office space at Reed Whipple Cultural Center. I would refer to the memorandum that I sent to the Commission. We would recommend denial of their request for office space, however, we do believe that it would be appropriate for them to use the space at the Naval Reserve Center on a temporary basis to build their stage sets.

Commissioner Leavitt: Move we follow the recommendation.

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.

MINUTES
REGULAR
MEETING
Sept 28, 1977
Approved

Commissioner Lurie: Move for approval of the minutes.

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.

DEPARTMENT OF FINANCIAL MANAGEMENT

MARVIN A. LEAVITT, DIRECTOR

See Page 33 of these minutes - Annotated Agenda

AGENDA

City of Las Vegas

BOARD OF CITY COMMISSIONERS
 COMMISSION CHAMBERS • 400 EAST STEWART AVENUE October 12, 1977

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PHONE 386-6011

CITY COMMISSION - REGULAR MEETING - MINUTES - OCT 12, 1977

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IV.(a) CITY MANAGER - LAURENCE HAMPTON, ACTING
 CITY MANAGER

- A. CITIZEN'S COMPLAINT re CLARK COUNTY HEALTH DISTRICT REQUIREMENT FOR PAVED ROADS (Fred West)
- B. CREATION OF DEPARTMENT OF COMMUNITY ACTIVITIES
- C. REQUEST FOR SPACE - TASI **

Recommended that Mr. West present complaint to Health Dist Board

*Approved as recommended, EXCEPT W
 Mayor Briare voted "no" on change of name for new Dept.

C/M to proceed

*that the Senior Citizens' Center, at this point in time, is not to be included in the re-organization of a new Department to be known as the DEPARTMENT OF RECREATION AND LEISURE SERVICES.

TABLE OF ORGANIZATION (with exception of Senior Citizen Center) and that YOUTH AFFAIRS come under direct jurisdiction of Director of Community Activities (Richard Campbell)

Approved as recommended
 Leavitt - unanimous

C/M to proceed

 ** Request for Space - T A S I

Denied as Recommended (approved use of Naval Reserve Bldg. temporarily to build stage sets)
 Lurie

C/M to proceed

D. MINUTES

REGULAR MEETING - Sept 28, 1977

Approved by reference
 Lurie - unanimous

Mayor and Clerk authorized to sign

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City of Las Vegas

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IV (b) DEPARTMENT OF FINANCIAL MANAGEMENT -
MARVIN A. LEAVITT, DIRECTOR

A. SERVICE AND MATERIAL WARRANTS

N
o
n
e

B. PAYROLL WARRANTS

N
o
n
e

DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS

BOB McPHERSON, AEP, DIRECTOR

See Pages 35 thru 37 of these minutes - Annotated Agenda

DEPARTMENT OF FUNDS, COORDINATION & PROJECTS

RON JACK, ACTING DIRECTOR

See Page 38 of these minutes - Annotated Agenda

DEPARTMENT OF MUNICIPAL SERVICES

J. C. CATHCART, DIRECTOR

See Pages 39 and 40 of these minutes - Annotated Agenda

DEPARTMENT OF PUBLIC SERVICES

WILLIAM J. PURVIS, P.E. ACTING DIRECTOR

See Pages 41 and 42 of these minutes - Annotated Agenda

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Page 35 IV. (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) PS/Streets Maintenance Aide I Until 9/30/78 (replace vacancy)	\$592	To assist with manual labor required of a cement street patching crew.
(2) MS/Facilities Support Custodian Until 9/30/78 (replace vacancy)	721	To perform custodial services throughout City Hall Complex.
(3) Senior Citizens Food Service Manager Until 9/30/78 (provide needed services)	563	To assist in providing comprehensive food service program to Center participants.
(4) Human Resources Office Assistant Until 9/30/78 (replace vacancy)	721	To assist in task analysis, monitoring subcontractors and implementation of PSE interviewing component.

Items 1 thru 4
Approved
as recommended
Lurie - unanimous

Director
authorized
to proceed

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Page 36 IV. (c) DEPARTMENT OF PERSONNEL &
EMPLOYEE RELATIONS

B. CITY FUNDED - FULL TIME

(1)
MS/Facilities 721 To provide full time
Support Support
Custodian custodial services
(provide needed at the Animal
services) Shelter.

(2)
PS/Traffic 836 To assist Traffic
Engineering Signal Electricians
Electrical Trades in the installation
Helper of traffic signals,
Two positions relamping traffic
(provide needed signals, painting
services) poles and excavation
work.

(3)
PS/Electrical 994 To assist in providing
Electrician electrical services.
(replace
vacancy)

(4)
Fire Services 1135 To perform invest-
Fire Prevention igitations and inspections
Inspector of industrial and
Two positions commercial estab-
(replace lishments for the
vacancy) enforcement of
fire prevention laws
and ordinances.

(5)
Community Planning 836 To provide design
& Development assistance due to
Assistant Engineering increase in design
Technician team project workload.
(replace
vacancy)

Items 1 thru 7
Approved
as recommended

Director
authorized
to proceed

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Page 37 IV. (c) DEPARTMENT OF PERSONNEL &
EMPLOYEE RELATIONS

B. cont. CITY FUNDED - FULL TIME

(6)
Municipal Court 622 To be responsible
Junior Office for typing of
Assistant warrants and
(replace judgments.
vacancy)

(7)
Business Activity 836 To perform
Secretary secretarial duties
(replace for Deputy Director
vacancy) of Business Activity.

See Page 11

See Page 11

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IV(d) FUNDS, COORDINATION & PROJECTS

N O N E

IV(d)1 DEPARTMENT OF CULTURAL ARTS

N O N E

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IV-e DEPARTMENT OF MUNICIPAL SERVICES

J. C. CATHCART, DIRECTOR

*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.

PURCHASING AND CONTRACT ITEMS

*A. PERMISSION TO RECEIVE BIDS

1. Two-Year Elevator Maintenance Contract for City Hall Complex, From January 1, 1978, Through December 31, 1979 (Public Services)
2. Three Reel Gang Mower (Parks and Recreation Golf Course Division)

Items 1 and 2
Approved
as requested
Lurie - unanimous

Director
authorized
to proceed

*B. AWARD OF BIDS

1. Bid #77.87 - Fire Alarm Dispatch Console (Fire Services)
2. Bid #77.96 - Furnish and Install Playground Equipment - Mirabelli and Wildwood Parks (Parks and Recreation)
3. Bid #77.101 - Weatherization and Rehabilitation - Senior Citizens Program - Federally Funded
4. Bid #77.107 - Annual Street Overlay - Phase II - (Public Services)
5. Bid #77.108 - Relocation of Illuminated Signs Due to Five Points Construction; 2500 and 2512 East Fremont - REGIONAL STREETS AND HIGHWAYS COMMISSION; AND STATE OF NEVADA FUNDED (Public Services)

Item 1 Tabled (at
request of Director)

Items 2 thru 5
Approved
as recommended
Lurie - unanimous

Same as above

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IV-e DEPARTMENT OF MUNICIPAL SERVICES, CONTD.

C. PURCHASE ORDER APPROVAL

1. Request Purchase Order approval to Standard Wholesale Supply Co., Las Vegas, NV, in the amount of \$3,114.00, for Mueller hydrants. Only bid received. Local Mueller Representative. (Fire Services)
2. Request Purchase Order approval to S.P.D. Office Equipment, Las Vegas, NV, in the amount of \$3,881.25, for office furniture. This is a sole source purchase due to the requirement of matching existing furniture previously purchased for the Senior Citizens Center. (Senior Citizens)

Items 1 and 2
Approved
as presented
Lurie - unanimous

Director
authorized
to proceed

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City of Las Vegas

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IV (f). DEPARTMENT OF PUBLIC SERVICES

WILLIAM J. PURVIS, P.E., ACTING 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. RELEASE OF SUBDIVISION BOND

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

1. Villa Tierra Verde Subdivision Unit I. (Douglas Development Co., Douglas Schroeder, President)

Approved
as recommended
Lurie - unanimous

Clerk :
to proceed

*B. 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.: 77.11
Contractor: Desert Construction Co.
For: Tennis Court Lighting -
Las Vegas High School &
Western High School -
Unit #2 Western High
School

Notice of
Completion: September 16, 1977
Release Date: October 21, 1977

Approved
as recommended
Lurie - unanimous

Clerk and
Purchasing to
proceed

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IV (f). DEPARTMENT OF PUBLIC SERVICES (Continued)

C. REPORTS

1. Request of Faith Assemblies of God Church, 3825 Melody Lane to hook into city sewer from outside city limits.

Approved as recommended

P/S to proceed

D. DISCUSSION ITEM

1. Downtown trash containers.

Approved request for permission to advertise for Bids Lurie - unanimous

Staff to proceed

CITY ATTORNEY

MIKE SLOAN

See Page 44 of these minutes - Annotated Agenda

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

None

VACANCIES - BOARDS & COMMISSIONS

See Page 50 of these minutes - Annotated Agenda

REPORTS FROM RECOMMENDING COMMITTEES

BILL No.
77-49
Adopted

A Bill entitled "AN ORDINANCE TO AMEND TITLE X, CHAPTER 29, SECTION 7(H) OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, TO PROHIBIT THE OPERATION OF VEHICLES OF A CERTAIN LENGTH UPON THE PUBLIC WAYS OF THE CITY EXCEPT UPON CERTAIN STREETS DESIGNATED BY RESOLUTION AND EXCEPT FOR TEMPORARY PERMITS ISSUED BY THE DIRECTOR OF PUBLIC SERVICES; TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF." Read by City Attorney Mike Sloan.

Commissioner Christensen: I'll move for the adoption of the Ordinance.

Mayor Briare: Motion is to adopt. Any questions or comments? (No response). Motion is approved.

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

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Page 44 V. MIKE SLOAN - CITY ATTORNEY

- A. Resolution annexing approximately one acre of land generally located at the southwest corner of Decatur Blvd. and Smoke Ranch Road. Annexation A-4-77

Adopted
Reslution
Lurie - unanimous

Clerk to proceed

(Public Hearing
set for 7:00
P.M., Nov. 23,
1977

11/23/77 Agenda

R E S O L U T I O N

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Las Vegas, Nevada, at a regular meeting thereof held on the 12th day of October, 1977;

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

That portion of the Northeast Quarter (NE 1/4) of Section 24, Township 20 South, Range 60 East, M.D.M. described as follows:

BEGINNING at the Northeast corner of the Northeast Quarter (NE 1/4) of said Section 24; thence South $01^{\circ}10'48''$ West along the East line of said Northeast Quarter (NE 1/4) a distance of 230.00 feet to a point on the Easterly prolongation of the South line of Lot 1, Block 4 of CURTIS PARK MANOR UNIT NO. 2 as shown by map thereof on File in Book 5, of Plats, Page 24, in the Office of the County Recorder of Clark County, Nevada; thence North $88^{\circ}42'42''$ West along said prolongation and the South line of Lots 1 and 2 of said Block 4 a distance of 290.84 feet to the Southwest corner of said Lot 2; thence North $01^{\circ}17'18''$ East along the West line of said Lot 2 and the Northerly prolongation thereof, a distance of 230.00 feet to a point on the North line of the Northeast Quarter (NE 1/4) of said Section 24; thence South $88^{\circ}42'42''$ East along the North line of said Northeast Quarter (NE 1/4) a distance of 290.41 feet to the POINT OF BEGINNING.

2. That said Board of Commissioners shall meet on Wednesday, November 23, 1977, at the hour of 7:00 p.m. o'clock in the Commission Chambers, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, to conduct a public hearing on the question of such annexation.

3. That the City Clerk be, and she hereby is, directed to give notice to such public hearing by publication thereof at least three (3) times in the LAS VEGAS SUN, a newspaper published in the City of Las Vegas, and of general circulation in the above-described territory, the first publication to be at least twenty (20) days prior to the said November 23, 1977 and not less than six(6) days shall intervene between the first publication and the last publication, and by mailing notice thereof by certified mail, return receipt requested, to each record owner of real property within said described territory, said notice to be mailed at the time of the first publication thereof. Said notice shall be in substantially the following form, to-wit:

"NOTICE OF HEARING ON QUESTION OF ANNEXATION OF TERRITORY WITHIN PROPOSED LAS VEGAS, NEVADA, ANNEXATION A-4-77

"NOTICE IS HEREBY GIVEN to the property owners within the proposed Las Vegas, Nevada, Annexation A-4-77, that:

"The Board of Commissioners of the City of Las Vegas, Nevada has by Resolution duly passed, adopted and approved on the 12th day of October, 1977, declared its intention to annex to said City the territory generally located at the southwest corner of Decatur Boulevard and Smoke Ranch Road.

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

That portion of the Northeast Quarter (NE 1/4) of Section 24, Township 20 South, Range 60 East, M.D.M. described as follows:

BEGINNING at the Northeast corner of the Northeast Quarter (NE 1/4) of said Section 24; thence South $01^{\circ}10'48''$ West along the East line of said Northeast Quarter (NE 1/4) a distance of 230.00 feet to a point on the Easterly prolongation of the South line of Lot 1, Block 4 of CURTIS PARK MANOR UNIT NO. 2 as shown by map thereof on File in Book 5, of Plats, Page 24, in the Office of the County Recorder of Clark County, Nevada; thence North $88^{\circ}42'42''$ West along said prolongation and the South line of Lots 1 and 2 of said Block 4 a distance of 290.84 feet to the Southwest corner of said Lot 2; thence North $01^{\circ}17'18''$ East along the West line of said Lot 2 and the Northerly prolongation thereof, a distance of 230.00 feet to a point on the North line of the Northeast Quarter (NE 1/4) of said Section 24; thence South $88^{\circ}42'42''$ East along the North line of said Northeast Quarter (NE 1/4) a distance of 290.41 feet to the POINT OF BEGINNING.

"That said Board of Commissioners shall meet on Wednesday, November 23, 1977, at the hour of 7:00 p.m. in the Commission Chambers, City Hall, 400 East Stewart, Las Vegas, Nevada, to conduct a public hearing on the question of such annexation.

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

(A) A metes and bounds description of the territory proposed to be annexed.

(B) An accurate map or plat of such territory prepared under the supervision of a competent surveyor or engineer.

(C) A map or maps of the City and the adjacent territory to show the following information:

(1) The present and proposed boundaries of the City.

(2) The present streets and sewer interceptors and outfalls.

(3) The proposed extension of the present streets and sewer interceptors and outfalls.

(4) The present and proposed general land use pattern into the territory proposed to be annexed.

(D) A statement showing that the territory proposed to be annexed is eligible for annexation under NRS 268.570 to 268.608, inclusive.

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

The Southland Corporation
2395 North Decatur Boulevard
Las Vegas, Nevada 89108

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

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

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

DATED this 12th day of October, 1977.

EDWINA M. COLE, CITY CLERK

4. That the Director of Public Services and the

Director of Community Planning and Development are hereby directed to prepare and submit to said Board of Commissioners of the City of Las Vegas, on Wednesday, October 26, 1977, a report setting forth plans for the extension into said described territory all major municipal services presently furnished by the City of Las Vegas to its citizens and residents, which report shall include, but not be limited to:

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

PASSED, ADOPTED AND APPROVED this 12th day of October,

1977.


WILLIAM H. BRIARE, MAYOR

ATTEST:


EDWINA M. COLE, CITY CLERK

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VII. VACANCIES - BOARD & COMMISSIONS

ADDENDUM No. 1 - 10-12-77 MEETING:

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

1. Allen Sander - Term expires 11/3/77
2. J. Wm. Simpson, AIR - Term expires 11/3/77 (resigned 8/22/77)

Abeyance

10/19/77 Agenda

3. Margaret Cahill - Term expires 11/3/77 (resigned 2/3/77)

Appointed
 Sidney E. Goldberg,
 844 E. Sahara 04
 for 3-year term
 ending 11/3/80

A.I.A.

Clerk to notify

4. Gary H. Kent - Term expired 9/18/77

Appointed
 Ms. Angie Anderson
 for 3-year term
 expiring 11/3/80

Clerk to notify

Membership status
 on Committee
 withdrawn

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

1. Sam Paternostro - Term expires 12/18/77

Abeyance

10/19/77 Agenda

A. CITIZEN PARTICIPATION REVIEW COMMITTEE of the Community Development Block Grant Program (on-going Committee)

Appointment of one (1) previously appointed member who has withdrawn

Abeyance

10/19/77 Agenda

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IX. REPORTS FROM STUDY COMMITTEES

NONE

X. CITIZEN PARTICIPATION - PUBLIC APPEARANCES

MEETING ADJOURNED - 9:00 P.M.

Mr. Hampton: The only other item I have is to inform you that the Affidavits of Mailing and Posting have been made.

There being no further business to come before the Board, at the hour of 9:00 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.