

# MINUTES

## City of Las Vegas

BOARD OF COMMISSIONERS

COMMISSION CHAMBERS • 400 E STEWART AVENUE • 386-6011

DATE: Nov 2, 1977

TIME: 9:00 A.M.

INVOCATION: Rev. Richard H. Peterson, Trinity United Methodist Church

### 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### CITY ATTORNEY .

Janson F. Stewart, Dep City  
Attorney

APPROVED BY REFERENCE November 16, 19 77

ATTEST:

*Emmie M. Owen*

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CITY CLERK

*William H. Briare*

MAYOR

MINUTES

November 2, 1977

A Regular Meeting of the Board of City Commissioners of the City of Las Vegas, Nevada, held this 2nd day of November, 19 77 was called to order by His Honor, Mayor William H. Briare, at the hour of 9:00 A.M.

AGENDA POSTED October 27th, 19 77 (See Page 3 of these Minutes - Affidavit)

AGENDA MAILED October 26th, 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. Director, Dept. of Business Activity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HOWARD CROW, Deputy Director, Dept. of Community Planning & Development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DONALD J. SAYLOR, A.I.P. Director, Dept. of Rec & Leisure	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RICHARD CAMPBELL Director, Dept. of Financial Management	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
MARVIN A. LEAVITT Director, Dept. of Fire Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SAM COOPER Director, Dept. of Funds, Coordination & Projects	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RONALD JACK Director, Dept. of Municipal Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. C. CATHCART	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director, Dept. of Personnel & Employee Relations			
J. ROBERT McPHERSON	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Director, Dept. of Public Services			
WILLIAM PURVIS, Acting	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RECEIVED

OCT 27 1 11 PM '77

CITY CLERK

AFFIDAVIT OF POSTING

(Posting required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA )  
                          ) ss.  
COUNTY OF CLARK )

CARL D. PETERSON, an employee of the City of Las Vegas, Nevada, being first duly sworn, deposes and says that on the 27th day of October, 1977, at the hour of 8:10 A.M.

there was posted a copy of the Agenda (NOTICE), the attached of which is a true and correct copy, of a                            Meeting of the BOARD OF CITY COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, to be held on

the 2nd day of November, 1977, at the following locations:

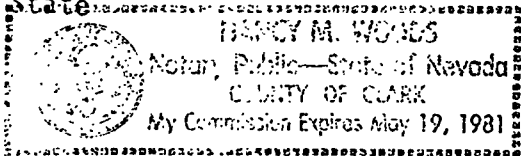
1. On the Public Bulletin Board in the United States Post Office  
301 E. Stewart Avenue
2. On the Public Bulletin Board in the Federal Building  
300 Las Vegas Blvd., South
3. On the Public Bulletin Board in the Clark County Court House  
200 E. Carson Avenue
4. On the Public Bulletin Board at the Plaza 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 27th day of Oct, 1977

PUB. SVS.-Quality Control Division  
(department or division)

Fancy M. Woods  
Notary Public in and for said County and State



AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS CHAPTER 241)

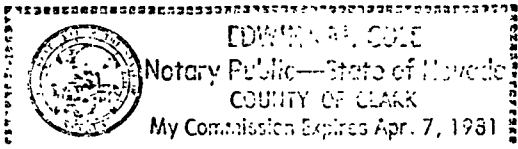
STATE OF NEVADA )  
                          ) ss.  
COUNTY OF CLARK )

DORIS M. KARSNOK, an employee of the City of Las Vegas, Nevada, being first duly sworn, deposes and says that on the 26th 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 2nd day of November, 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*  
(name - an employee in the Office of the City Clerk)

Subscribed and sworn to before me  
this 26th day of October, 1977

*Edward M. Cole*  
Notary Public in and for said County and State



INVOCATION &  
PLEDGE OF  
ALLEGIANE

Mayor Briare: Good morning ladies and gentlemen. Welcome to the Regular Meeting of the Las Vegas City Commission meeting. If you will please all stand. We are happy this morning to have the Rev. Richard H. Peterson from the Trinity United Methodist Church to offer the invocation for us this morning. If you would please remain standing we will then have the Pledge of Allegiance.

Rev. Richard H. Peterson: Almighty God Lord of all people, high and low, rich and poor. We invoke Your presence here as the Board of City Commissioners meet. That each of these elected persons feel a sense of responsibility. Not only to those who elected them, but to the community as a whole. Deliver them from letting zoning changes, licenses, and other ordinary business of the City from being just routine. May they sense the quality of life in this City which their decisions on ordinary matters creates day by day. May they be responsive. Amen.

Pledge of Allegiance.

Mayor Briare: Thank you very much Rev Peterson. We were happy to have you here this morning. The first item on the agenda this morning is a Public Hearing set for 9:00 for the reallocation of \$400,000.00 of revenue sharing entitlement period No. IX funds.

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PUBLIC HEARING - 9:00 A.M.

REALLOCATION  
OF \$400,000.00  
OF REVENUE  
SHARING  
ENTITLEMENT  
PERIOD NO. IX  
FUNDS

Mr. Hampton: I make reference to the memorandum that was sent to you that gave the status of the Revenue Sharing Funds. This is the time and place set to accept recommendations for allocation of that money. We have had several requests. There are some contained in your books, that people may be here to make their requests verbally.

1st of two  
hearings to  
be held - 2nd  
to be held  
Nov 16, 1977  
on Budget

Mayor Briare: Is there anyone present in the audience that wish to be heard on the matter of reallocation of Revenue Sharing for the entitlement period IX?

Mr. Jack Fagg: I am the Senior Services Division Administrator of the Nevada Catholic Welfare Bureau.

Mr. Ron Jack: Mr. Fagg could I point out that the letter which you sent me on October 21st requesting consideration for funds was forwarded to the Commission.

Mr. Fagg: Oh, O.K. so I don't need to talk.

Mr. Ron Jack: Well I think you probably might want to comment on that, but basically your letter has been forwarded.

Mr. Fagg: Apparently then you have copies of that. I feel that one of our major objectives is to be an asset to the community. To provide a service that is recognized as a meaningful service in keeping with the image of Las Vegas. Especially to the low income seniors. Fortunately most of the seniors that are coming in to Las Vegas are affluent. To that I mean that they are able financially to take care of themselves.

The ones we deal with primarily are the low income minorities, and frail elderly who do need social services that we can provide under the Federal Grant that we have. By joining all those grants together under Senior Services Administration, we are able to provide a much greater service, and a better quality of service because of a reduction in the administrative costs. By putting them all together. That is primarily it Mayor. Thank you very much.

Mayor Briare: Any questions by the Commissioners of Mr. Fagg? (No response). Jack you understand the procedures now. This is only the first of two hearings that we are going to have.

Mr. Hampton: Mayor this hearing is designed for public input primarily.

Mayor Briare: Right. What I am saying to Mr. Fagg is that there is no decision to be made today. We are receiving his information here which is a part of the record. In addition to your letter which will also become part of the record.

Mr. Fagg: There will be another hearing then?

Mayor Briare: On November 16th. Is there anyone else who wishes to be heard at this Public Hearing? (No response).

Commissioner Lurie: I have a question to Ron. It says that on November 4th you are going to publish a notice of budget hearing on the reallocation of the money. Does that mean that you have to have a list from the Mayor and the Commissioners on how we would like to reallocate the funds?

Mr. Jack: What you are doing is that you are notifying the public that at your second public hearing you will actually make the decisions on what you will fund with the money if you do reprogram it. You have no obligation to have a hand-out to citizens or anything before that meeting showing what your plan is. Basically when you come to the meeting you actually will determine the disposition of those funds. Could I mention your Honor for the record that after the publication of the notice concerning this hearing, that we have received no letters, inquiries, phone calls outside of Mr. Fagg's inquiry concerning a request, or an interest in receiving any or part of these funds.

Mayor Briare: Thank you Mr. Jack. Is there any other questions? (No response). This Public Hearing is then closed, and we will conduct another Public Hearing on the 16th of November.

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COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT

DON J. SAYLOR, AIP, DIRECTOR

Mr. Saylor: I wonder if you wanted to inform the Commission that the agenda had been duly published.

ZONE CHANGE  
Z-108-77

HORST SCHMIDT,  
ET AL Denied  
as Recommended  
by Planning Comm

Mr. Hampton: For the record Mayor the proper affidavits of posting, and mailing have been done, and we are meeting in accordance with the Open Meeting Law.

Z-108-77  
Continued

Mr. Saylor: The first item on the agenda is the application of Horst Schmidt for a zone change from R-A, and C-D to R-T. Which is a trailer residence zoning. The proposed use is a high-rise mobile home development.

Commissioner Leavitt: Could you explain that to me Mr. Saylor.

Mr. Saylor: The way I understand it with discussions with the applicant. It is a cubicle type of arrangement somewhat like some parking structures are, where there are spaces, and instead of cars being parked in there mobile homes would be there.

Commissioner Leavitt: Then it is a high-rise parking lot, only instead of cars you put trailers?

Mr. Saylor: Right. Along that line. You would occupy them however as a mobile home residence. It is on the Cragin property on West Charleston between Shetland and Campbell on the North side. You can see the property outlined here. (Pointing to the map). It is surrounded on the East by R-E, to the West is R-A of course. The frontage along Charleston is pretty much C-D zoning. Immediately to the North is the school district property which is zoned C-D. Planning Commission recommends denial. There were 13 protests.

Mayor Briare: Mr. Schmidt would you like to present your application?

Mr. Horst Schmidt: I am the applicant. There are only 13 protests. It is easier to get a trailer high-rise on than a shopping center. Don Saylor has explained the concept of a trailer high-rise very adequately. No doubt that the increase in housing costs, that this will be a coming thing in high density development areas. Whether it is the best possible use of that land I think I would be in violation of my own integrity if I would say it is. I think the highest, and best possible use of this land was presented to this particular Commission, and it was denied. Having said this that it is not the highest and best use, however, I have to point out that I have no choice but to apply for zoning for that particular land that will yield an adequate return. The best thing that I have come up with so far would be the trailer high-rise. I am not adamant on this particular development because I think I have to agree with Don Saylor where the original proposal of this land came out of an approval of the Planning Staff. I am forced into seeking second best type zoning for this land. And it has to be zoning in the fashion that it will yield a return on this land that has already been established. As far back as 10 years. 10 years ago I was a defendant in a suit by the City for the taking of right-of-way. It was established in that suit that the highest, and best possible use for that land is C-1 zoning. Based upon historical circumstances of those days, which have long lapsed in everybodys memory. These things I think have been brought out. As of 1967 the value of the land involved was \$2.50 a square foot.

Z-108-77  
Continued

Commissioner Leavitt: May I interrupt you for a minute?

Mr. Schmidt: Yes.

Commissioner Leavitt: I appreciate your past history, but has this ever been done any where else?

Mr. Schmidt: I understand that it is being done in some cities in the United States. I would say that on the outset it would seem to be a little bit ridiculous.

Commissioner Leavitt: Well I assume that you are making the application in good faith, and that you really want to build this trailer high-rise.

Mr. Schmidt: Well I would say this. To be very honest about it, I have to seek a number of possibilities.

Commissioner Leavitt: Well if we were to grant this I assume you would build this.

Mr. Schmidt: No Mr. Leavitt. I would again seek other forms of zoning.

Commissioner Leavitt: In other words if we granted this that you wouldn't build this trailer high-rise?

Mr. Schmidt: No, that is not what I am saying. Out of the action of the City Commission denying a commercial development, now I am in an unfortunate position to seek alternate zoning.

Commissioner Leavitt: You are seeking alternative zoning, and you are asking for zoning so that you can have a trailer high-rise development. Now in the event that we would grant this zoning, then would you build a trailer high-rise development?

Mr. Schmidt: Because of the economic feasibilities on these type of homes all the factors are not known, and sometimes a concept is very costly. I don't think as an alternate use a trailer high-rise is the only alternate use. I will have to seek other types of zoning, and then....

Commissioner Leavitt: Then the answer to my question is that you are going to be coming back for zoning until you get what you want.

Mr. Schmidt: No, No, No, Commissioner Leavitt. The zonings that are granted within that perimeter. I will then try to develop that. Lets say you have another type of zoning, then I will evaluate the two, and which one ever yields me the most that is what I will develop.

Commissioner Leavitt: Well it is zoned right now for Ranch Acres, and Designed Commercial. What you are asking us to do is change it to a Trailer Residence for a trailer high-rise development. I am asking if you are really sincere in this application if in the event it should be granted, that you would really sincerely develop such a thing. Once we granted it to you, would you build such a thing?

Z-108-77  
Continued

Mr. Schmidt: I have been asked this a number of times, and I have been known to do things a little bit out of the ordinary. I have a long history of that, and I would say to you that the chances are that I would develop this provided, however, that I could not find yet a better use for this land.

Commissioner Leavitt: In other words you think that would be better than Designed Commercial?

Mr. Schmidt: Well I have taken my best shot at Designed Commercial for this particular area, and I was denied Designed Commercial.

Commissioner Leavitt: You were denied that particular application because of the way your commercial unit was designed.

Mr. Schmidt: I am not that Christian that I will turn my other cheek to the public at large, and the City Commission particular. I will not expose myself voluntarily any more to the C-D having gotten the worst of that particular ordinance. I believe everybody has broken faith with me on that particular ordinance on that proposed development.

Commissioner Leavitt: Well maybe rather than coming back for different types of zoning you ought to come back with a commercial design that is acceptable?

Mr. Schmidt: I have talked to any number of people in the City who are very knowledgeable that this particular parcel should not be developed for other than what was proposed. I have to rely upon the expertise of other people in their particular field.

Commissioner Leavitt: What you are saying then is that you are going to come back for alternate zoning until you find something that is economically feasible to develop on the property? Is that what you are saying?

Mr. Schmidt: Yes, I think the trailer high-rise is a very very strong contender. I would have to take for granted that I am not going to get C-2 Zoning. Possibly I will get C-1. What I have to do at this particular point is explore with the City. After I got the denial of that application I had to go home, and I sat down and I thought about it. I would not be adverse to other alternatives such as, well everybody is talking about horses, and all the rest. The land is probably worth around \$1,200,000.00. If the people around there want to get together and form an assessment district, and buy the land for say \$10,000.00 per family. I would not be adverse to that.

Commissioner Leavitt: I really question whether you are sincere in asking this Board to approve a trailer high-rise development in that area. I really question the sincerity of that application. I think it is so far out that it really isn't worthy of consideration. I am trying to find out from you if we really did grant you this whether you would really do it.

Z-108-77  
Continued

Mr. Schmidt: I would say this. My own problem that I have to question my integrity....

Commissioner Leavitt: There isn't a trailer within miles of that place. There isn't a mobile home estate or anything within miles of that area.

Mr. Schmidt: When I built the Red Rock Theatres I was called of having transgressed the outer limits of sanity. Then once these things are accomplished then people come from all over the world, and they want to see how a thing like that works.

Commissioner Leavitt: So you want recognition on this one on the borders of sanity. Is that what you are saying?

Mr. Schmidt: Well if you consider the land value, it is just like the highly dense area. The higher the density, the more value the land becomes, and the higher the buildings get. If you have a given amount of land, and you want to get a use out of it. If you cannot expand laterally then you expand vertically. The City is full of examples like this. If you would have proposed a high rise for this City in 1910 people would have thought you were crazy. I will say this, that there is no other alternative zoning left.

Commissioner Leavitt: What is the matter of developing it the way it is zoned now?

Mr. Schmidt: R-A?

Commissioner Leavitt: And Designed Commercial.

Mr. Schmidt: Well the simple fact is, that according to Mr. Moffitt. Well let us just suppose that it is in a good residential district. I think it is a reasonable assumption that the land is worth more than \$2.50 a square foot.

Commissioner Leavitt: Well I am not suggesting that you develop it all R-A. Part of it is Designed Commercial. Which part Mr. Saylor is R-A, and which part is commercial?

Mr. Saylor: At the present time the bulk of it is R-A, and just a long sliver along Charleston is commercial.

Commissioner Leavitt: I don't think anybody, it is all designed commercial all the way around there. The question of your depth is what the problem is. The depth goes all the way back to the school doesn't it?

Mr. Saylor: Yes.

Commissioner Leavitt: Now as I understand it is the only reason you don't want to develop it under the present zoning is economic purposes. Because the property is worth more. Is that right?

Z-108-77  
Continued

Mr. Schmidt: Yes. I would say this that having come in with a C-D application I think that was the highest use of the land that could have been achieved.

Commissioner Leavitt: That application was rejected by this Board. What I am saying is now, is the only reason you don't want to develop it under the way it is now is because of economic reasons?

Mr. Schmidt: To answer your question, or to rephrase it in my own terms you are saying am I willing to develop the land for less than what its highest and best possible use is, and my answer is no. Therefore my answer to your question in a direction fashion is yes.

Mayor Briare: Thank you for answering his question.

Commissioner Lurie: It seems to me that Commissioner Leavitt hit on what my questions were going to be based on, and that is economics. Whether or not we are trying to line your pockets with additional money, or what the zoning to be for the best possible use for that piece of property. What I think you are trying to do is harrass this Board, and the public, and the residents in that area by coming in with a ridiculous type of application that I couldn't find in any zoning books where this has ever been done before in any city. I don't believe the application is put forth in good faith, and I don't believe if it was approved, which I doubt very seriously, that you would ever develop it. You are looking to get zoning to market the property to sell it, and move on to something else. I don't think you are being fair with the people, or with this Board by coming in with this application.

Mr. Schmidt: You act as if you or the people of this City is being harrassed by the injured party. I think that is a little bit out of perspective. It depends on how you look at it.

Commissioner Lurie: You and I have discussed the C-D Zoning along Charleston. You were one of the people who wrote the Ordinance on C-D Zoning. At that time it was satisfactory to all the people along Charleston from Rancho to Valley View. Now you come in and want to change that C-D to benefit yourself. I didn't think it was right to change the conditions of the C-D before to allow a super market and a drug store along Charleston in that particular area. I think the pattern is developing fine the way it is now.

Mr. Schmidt: My comments with respect to the zoning out there is that you have on Charleston is in essence less than C-D type zoning, because it carries additional restrictions, that even if you wanted to put in an office building you have to get architectural, and other types of approval. I would say that it is a fraud by the City upon all the property owners on West Charleston. I think it is unintentional.

Commissioner Leavitt: Well I don't think it was arbitrary to reject your commercial design because it had a drug store, and a grocery market, or a super market. I think if you came back with a redesigned commercial that we would consider it. Of course I don't want to hash over an old application. What we are talking about now is whether or not we should have a trailer high-rise development.

Z-108-77  
Continued

Mr. Schmidt: Well if you follow this thing through logically you denied the shopping center.

Commissioner Leavitt: Well lets keep the record straight. You were denied the shopping center because it contained a drug store, and a super market.

Mayor Briare: At a depth exceeding the depth of all other property that has thus far been zoned for C-D. I would like to get back on to the high-rise trailer application. Are you presenting the application here Mr. Schmidt?

Mr. Schmidt: Yes.

Mayor Briare: Do you have any more to say about the presentation of your application which you indicate that you may, or may not wish to build the high-rise trailer park?

Mr. Schmidt: I will say this. My application is for a high rise trailer park. If it is granted I will seek other zonings. If these other zonings are denied I will build a high-rise trailer park. I will chose out of the zonings that which will be the most economically viable for that particular piece of land. I have to be serious about this particular application because I have no choice. I don't know why this is so hard to get across.

Mayor Briare: Now have you presented your application in a manner that you feel you wanted to present it? Is there anything else you wish to add to the presentation of your application for a high-rise trailer park?

Mr. Schmidt: Yes I would like to state one thing if I may. I have to treat this as any possibility in which to develop the land. I have to admit that this is the second highest best use for that land, or even less. I am trying to preserve my integrity in saying that I cannot come before this Commission, and say in good faith that this is what I consider the best possible use for this land. I am applying for this out of necessity.

Mayor Briare: Does that conclude your presentation?

Mr. Schmidt: Yes.

Mayor Briare: Mr. Schmidt in yesterdays Review Journal there is a story with a head line on it stating "Battle Brewing over Trailer High Rise". Have you read that story?

Mr. Schmidt: Yes I did.

Mayor Briare: I would like to refer to that then Mr. Schmidt. The question I am going to ask you after I refer to it is to see if you agree with this statement. This is not in quotes, so this is not a direct quote of yours, but it says that "Schmidt has refused to provide the City with details of his trailer proposal. He told the Planning Commission that since City Ordinances do not specifically define trailer high-rise developments, he felt no obligation to submit plans, or to fulfill any of the other ordinary legal requirements.

Z-108-77  
Continued

At least one City official said he believes Schmidt plans to propose a string of uses for his property which he knows will be denied by the City, and then return with a suit claiming that the decisions had been arbitrary, and capricious." Did you read that article?

Mr. Schmidt: Yes.

Mayor Briare: Do you wish to make any comment to us on that?

Mr. Schmidt: This is speculation by other people.

Mayor Briare: Do you deny any of this statement?

Mr. Schmidt: I do not have a plan, I don't feel that I am required to present a plan in as much as there is no Ordinance on a high-rise trailer park. There is no requirement to present a plan. Now the proposed string of uses, yes I have to admit to this. It is a correct logical assumption that I, well I have to take it for granted that the trailer high-rise will be turned down. I am not going to roll over and play dead. I have to come back for another zoning application of some sort. I think that is a fair assumption. I cannot steal away in to the night, and forget about the problem.

Mayor Briare: You seem to take delight in this don't you Mr. Schmidt? Because you indicated about your Red Rock Theatres. I am not really interested about what your long history is. As far as doing things out of the ordinary I could care less. I don't know what is so out of the ordinary about Red Rock Theatres. I think it has probably been a very successful venture of yours which you designed with not enough parking, and you had to go across the street etc. etc. etc. I am not interested in all that. You come here. I am sure you are asking for a fair hearing is that not true?

Mr. Schmidt: Yes.

Mayor Briare: I hope so, because I can assure you that it is the intention of this Commission to give you a fair hearing. In order to do it sometimes if we don't have plans or specifications, or architects renderings, or anything of that nature it is very difficult to do. If you intend to go to court one of these days we want to be assured that in that court there is no question in your mind, or in the judges mind that you are obtaining a fair, and honest hearing. You make it very difficult for us to give you this because you don't present anything except the conceptual idea that you have in your mind, which you really don't want to do. You don't want to build a high-rise trailer park. What you want is commercial zoning, and you have been denied on commercial zoning. Now you want high-rise apartments, and there has been no action by this Commission, but you are even betting that you are going to get turned down. It is interesting for these people who live in that neighborhood who are protecting these applications of yours to come down here. I think the press indicated that they have been down here six or seven times. To kind of embellish your kicks out of doing this sort of thing. Now you have been turned down for commercial, we are discussing now high-rise which you think you are going to be turned down on. I am not going to speculate as to what your next one is going to be. You have been turned down on two, perhaps you might come up with something in the future that would be along the lines. Commissioner

Z-108-77  
Continued

Leavitt has asked you the question, why don't you come in here with something along the lines of C-D Zoning.

Mr. Schmidt: I have a developer for the land. In the course of my ordinary life I have many other types of problems. This type of a fight I do not enjoy. There is no percentage in it. It is very aggravating, it causes great controversy. I do not cherish it. Contrary to what you may believe. If I wanted to pick a fight I would do it at other levels with somebody else. This is a business matter, and that is all. We have a capital asset that needs to be deployed. I do not enjoy a fight, and I want to emphatically state this. I do not enjoy a fight. It is aggravation to me. You just have to believe that. I can smile about some of the things that are happening, because they are ironic, but nevertheless there is no delight in this. I am asking out of necessity for this zoning.

Commissioner Lurie: I just want to continue where you left off Mayor. I am concerned about the design of such a structure. I have some questions on how many stories that you anticipate this high-rise mobile home park is going to consist of. I want to know about fire protection, police protection. Whether or not it is going to be for senior citizens, whether or not this is acceptable to the handicapped, whether or not it is going to have outdoor recreation areas. Things that mobile home parks provide now. So far all you have before us is a zone change for a trailer high-rise. There are a lot of questions that haven't been answered.

Mr. Schmidt: If you will ask the questions I will answer them one at a time.

Commissioner Lurie: I was going to ask them, but you don't seem to have anything to present to the Board. I am not interested in conversation, because I don't think you can answer all these questions.

Mr. Schmidt: I think I can if you will present them to me one at a time.

Mayor Briare: If Mr. Schmidt had been willing to present an architects rendering plus plans, and specifications for such a venture, which would indicate that he intends to go forward with it. I am sure that our own staff could have had those answers for you. Especially in regard to some of those things that are now required by federal law. I think that rather than continue the speculation however, I think Commissioner Leavitt has already established quite clearly that Mr. Schmidt has no intention whatsoever of building a high-rise trailer park. As a matter of fact I think he has indicated he wants to sell this property. So if he were to be approved for zoning, he might also have the additional headache and problem of going out, and trying to discover a buyer for that property so he can come in, and build a high-rise.

Z-108-77  
Continued

Mr. Schmidt: We have two assumptions. One of them is that Commissioner Leavitt has established nothing with respect to my intentions. That is just speculation.

Commissioner Leavitt: I would like to point out one thing. I don't want to guess what this man is going to build here. I don't want to guess what this development is going to look like. Unless he wants to furnish us with some kind of architectural rendering, or some kind of idea what he is going to build here I think we are just spinning our wheels.

Mr. Schmidt: If you want to hold it in abeyance then I will supply you with the plans.

Commissioner Leavitt: Well this is a public hearing. This is the second time. This is the second public hearing you have had on the trailer park.

Mr. Schmidt: Well I am going to submit to this. I am going to submit an architectural rendering, and present specifications.

Commissioner Leavitt: What you want us to do is to guess on what you want to build there.

Mr. Schmidt: I am trying to take the guess out of it.

Commissioner Leavitt: Then what you are saying is that even if we guess what you are going to build there, that you are not going to do it, that you are going to come back for alternate zoning.

Mr. Schmidt: That is speculation see.

Commissioner Leavitt: You just got through saying you are going to come back for alternate zoning, and then you are going to decide which is the best.

Mr. Schmidt: This is true, but I have to establish that.

Commissioner Leavitt: You indicated to me that you want us to guess what you are going to build, and then you are going to come back, and you are not going to build it you are coming back, and try to get alternate zoning, and then you are going to pick which one is the best economically. Now is that basically a summary of what has been said?

Mr. Schmidt: That is true. There is one exception at this point that I want to state. Now you are requiring me to present to you with a set of plans. I will come up with a set of plans. Now I have to question the sincerity of this Commission. I say are you really interested in a set of plans? I will provide them for you.

Commissioner Leavitt: You have got to create interest. You are the one who wants to have the trailer high-rise. This Commission has got to decide whether it is good zoning to put it in there or not. We don't have to be interested in your project. You have to make us interested in the sense that you want us to change the zoning. What I understand your position is that you don't want to really do it.

Z-108-77  
Continued

You want to come back for alternate zoning, and that you don't want to develop the property under this present zoning, which is design commercial. You want to keep coming back for something else, and then for economic reasons you are going to pick the one that is best. Is that a fair assessment of what you said?

Mr. Schmidt: Yes, that is true, but not to the exclusion of what else I said. That is not all what I said.

Commissioner Leavitt: Well you said other things too, but that basically is the way I understand what you say in your application.

Mr. Schmidt: What I am saying is this. You brought up the problem, Commissioner Lurie brought up the problem. There are no requirements per se to present any particular plans. Now if the Commission is sincere in looking at a trailer high-rise, which I will furnish the plans.

Commissioner Leavitt: I will speak for myself. I am not interested in a trailer high-rise in that area.

Mr. Schmidt: Now you saved myself from doing the work for drawing a plan for a high-rise.

Commissioner Leavitt: I am only one vote. But the point is that if you are going to try to change an existing zoning as far as I am concerned it is alright now, but if you are going to change it you are going to have to convince me the reasons why it should be changed. I am certainly not going to go along. I don't think it should be changed to have a high-rise trailer development. That is my opinion. If you want to change the zoning, you better have a proposed plan of development, and let us know of some kind of idea of what you are going to do. Whether it is trailer, commercial, residential or what. We have to have some kind of idea what you are going to do with the property. You can't come forward to us, and expect us to guess what this project is going to look like when it is all done. That is the only point I was making.

Commissioner Christensen: I think we are losing sight of one thing, that we should pay attention to, and that is the legalities of this. If we change this to R-T zoning, once that zoning is granted the design is something else, because now we have changed the zoning to trailer residence. He can have a surface trailer park, or anything that fits within that zoning. This is one of the unfortunate things with changing a zoning directly to a commercial or something like that. Once you have gone to that zoning, then all a person has to do is live within the rules of that particular zoning. He is not required to build the plans that you are shown. This is true with residential and all kinds of zoning. If you come in to change some R-E property to R-1 you are locked in to a density. You may be locked in to a plot plan review, as to where you are going to put the streets and so forth, but you can switch block houses to adobe houses, to frame stucco houses. Anything that meets the code. We are really looking here not at a trailer high-rise. What you are looking at is that he wants to zone this property for a trailer park. How he builds his trailer park is up to him. Where he spreads them out, or stacked, or what. Legally once that is zoned then he can put trailers in there.

Z-108-77  
Continued

Now isn't that true Mr. Saylor?

Mr. Saylor: Yes, however he could not put a high-rise.

Commissioner Christensen: Then even if he wanted to put a trailer high rise, and we approved this zoning to R-T, then he would have to reappear with a variance to back him up?

Mr. Saylor: That is right. The only action you can do today is approve the zone change for a trailer park.

Mr. Schmidt: Commissioner Christensen I am not asking for R-T zoning. I am asking for a high-rise trailer development. The R-T zoning was put in to this application due to the fact that as of yet the City has no ordinance governing high-rise trailer developments. I don't think my application falls within the R-T zoning ordinance.

Commissioner Christensen: What you are saying is that you have come in with this kind of an application, and what the City is saying is that you have to file your application within the city ordinances. We don't have an ordinance for titanium homes either, and things like that. You could come with special Ordinances from now on. The fact there is no Ordinance would not necessarily mean that there is no Ordinance, and it is allowed. You have to put it in the closest thing you can find, and then go from there.

Mr. Schmidt: My application is not a T-R zoning application.

Commissioner Christensen: I understand that. I just want to point out that once this is granted, then there are many variables that could fit. Once you zone something commercial you can't say what is going to go in there for instance. I am speaking a little bit in defense of you not wanting to furnish plans.

Mayor Briare: Do you have anything further to say on your application?

Mr. Schmidt: I don't think so.

Mayor Briare: Do you believe that you have presented the application to your satisfaction?

Mr. Schmidt: I would have to say that I have stated all my reasons, and I rest my case.

Mayor Briare: Ladies and gentlemen you have heard this, which I believe was a very very thorough hearing on behalf of the applicant. The record will speak for itself. There have been statements made, and questions asked, and some answered and some not answered. Everybody has tried to do the best they can to hear this application. It is very difficult to determine exactly what course of action would be taken. This is a matter for a public hearing. Is there anyone in the audience that wishes to be heard now in opposition to this application? The reason I make these preliminary comments to ask if

Z-108-77  
Continued

there is any opposition to the application is because you can tell from the previous conversations, and discussions back and forth. That it is quite difficult. We find ourselves in a mixture of feelings here. For example the application really isn't an application it is a test, and a number of other things which the record will reflect. I do believe that it is incumbent upon me to ask if there is any one in the audience that wishes to make any comments in opposition to this item which is before us.

Clayton Titus: I live at 824 Shetland Road. I am right next to it. We certainly don't want a high-rise trailer park there. In fact we wouldn't want a trailer park that close. We feel that C-D is along the side of us. I don't object to it. It comes right up to my house. Because it is controlled, but as far as opening that back up completely commercial for trailers, high-rise especially. I don't know anything about them, but I can't see trailers parked up six, and seven stories looking right back in our yard all the time. I know all the people that I have talked to is more set against this than they were about the shopping center, and drug stores and things. We are definitely against the high-rise trailer park.

Commissioner Leavitt: May I ask you a question? On the map there on Shetland. How deep does that property go beyond the C-D on the corner of Shetland and Charleston?

Mr. Titus: (Referring to the map). This is Charleston, from here that is 285 foot.

Commissioner Leavitt: Where is your home?

Mr. Titus: Right next door.

Commissioner Leavitt: What kind of homes are in that area?

Mr. Titus: They are all homes like mine. I have a brick home about 2,500 square feet. Our lots are 335 foot deep. The Mayor lives next to myself, and Moffitt is on the far corner on there.

Commissioner Leavitt: How many homes are there in that block?

Mr. Titus: I believe there are 17, or 18.

Commissioner Leavitt: The average lot is what?

Mr. Titus: Most of them will run right at an acre.

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

Peggy Polk: I live at 800 Campbell Drive which is a block west of Shetland. Many of our husbands would be here this morning if business permitted. I am not pretending to speak for everyone, but everyone that I have spoken to is very much opposed to this. I look back to the reason given for denial of the shopping center application. That once you open up the C-D zoning for different types of use in one case it is opened up for the entire zone. I feel that that reason for rejecting it applies to this also.

Z-108-77  
Continued

Mayor Briare: Thank you. Is there anyone else? (No response).  
Mr. Schmidt do you have any concluding remarks to make?

Mr. Schmidt: No.

Mayor Briare: Any comments or questions by the Commissioners?

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

Mayor Briare: The recommendation of the Planning Commission is to deny. Any comments on the motion? Cast your votes. Motion is approved, the application is denied.

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

See Page 20 & 21 of these minutes - Annotated Agenda

ZONE CHANGE  
Z-80-77  
JOHN E.  
KENNEY, JR.  
Approved as  
Recommended  
by Planning  
Commission  
Except that  
Condition  
4 change to  
Installation  
of 40 ft.  
improvements  
on Pecos and  
Bonanza Rd.  
Frontages, as  
required by the  
Dept of Public  
Services

Mr. Saylor: This concerns Mr. Kenney's development in the Bonanza, Pecos, and Honolulu. He presently has a townhouse development here (referring to the map), and single family here. He has requested a zone change to commercial at the corner. He has also asked for a change from R-3 to R-1 on a portion of it. All of that was approved, however, in granting the commercial zoning we have recommended that there be a strip of R-1 left along the east boundary. Because immediately across the street he is proposing single family homes, which would then front on the commercial, unless that strip were in there. He did not agree with that conclusion, and that part of it was held in abeyance so we could work out something acceptable to all parties. We have discussed it further with Mr. Kenney, and we propose in lieu of the strip of R-1 along here, the same treatment we did on the Weisner application wherein there would be no access to this street (Referring to the Map), and there would be a wall, and a landscaped area along there. With that change, he would then take this strip of R-1 and put it in here, so the pattern would end up like this. There would be a tier of R-1 along here, and there would be no access to Reed Drive on this portion abutting the commercial. With that the Planning Commission recommends approval.

Mr. John E. Kenney, Jr.: With one exception I agree with everything that Don Saylor has to say. This has to do with public works. Where they are requesting half of the street development on both Pecos, and Bonanza, and both of those streets are 100 foot streets, but up until this time I think ordinarily the developer has gone out 40 foot on Bonanza. I have in the past. The same on Pecos. The theory has been that a developer inside his tract certainly does half streets, or all the streets, but where it is a regional street, and highway where there is more traffic to be generated, then I would go out 40 foot, and the last 10 foot has been done by Regional Streets, and Highways. I think that is the policy up until this time.

# AGENDA

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### 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. ZONE CHANGE - Z-108-77 - HORST SCHMIDT, ET AL

Property generally located on the northwest corner of West Charleston Boulevard and Shetland Road.

From: R-A (Ranch Acres)  
C-D (Designed Commercial)

To: R-T (Trailer Residence)

Proposed Use: Trailer high-rise development.

Planning Commission recommends DENIAL (6-yes and 1-abstention votes) because they did not feel a trailer high-rise development would be compatible in this area.

PROTESTS: 13

#### B. ZONE CHANGE - Z-80-77 - JOHN E. KENNEY, JR.

Property generally located on the south side of Bonanza Road between Pecos Road and the Park Bonanza East Townhouses.

From: R-3 (Limited Multiple Residence)  
R-E (Residence Estates)

To: R-1 (Single Family Residence)  
C-1 (Limited Commercial)

Planning Commission recommends APPROVAL (6-yes, 1-no vote) subject to the following conditions:

1. Show 1/16th line as centerline to Cedar Avenue Drainage Channel as required by the Department of Public Services.
2. Dedication of 29 ft. of right-of-way for Cedar Avenue Drainage Channel from Pecos to  $\pm$  670 ft. east of Pecos as required by the Department of Public Services.

Denied as recommended by Planning Commission Lurie - unanimous

Clerk to notify Director to proceed

Approved as recommended by Planning Commission EXCEPT that Condition No. 4 changed to: Installation of 40 ft. improvements on Pecos and Bonanza Rd. frontages, as required by the Dept. of Pub. Services Lurie - unanimous

Clerk to notify Director to proceed

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### II COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT CONTINUED

Item "B" Z-80-77 continued . . .

See Page 3

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3. Dedication of 20 ft. right-of-way on Pecos Road frontage and dedication of a 25 ft. radius corner at Pecos and Bonanza Road as required by the Department of Public Services.
4. Installation of half-street improvements on Pecos and Bonanza Road frontages as required by the Department of Public Services.
5. Construction of a 6 ft. high chain link fence on the Cedar Avenue Drainage Channel right-of-way line with a gate on Pecos Road as required by the Department of Public Services.
6. Submission and approval of a reversionary map for Park Bonanza East Townhouses Unit 3-D.
7. Reduce the C-1 portion of the plot plan by designating the south 200 ft. from C-1 to R-1.
8. On the C-1 portion of the plot plan, install a 6 ft. high decorative wall ten feet (10') west of Reef Drive and provide planting within that designated ten feet.
9. Approval of a development plan for the C-1 portion of the property prior to development.
10. Conformance to the plot plan as amended to reflect the above conditions.
11. Conformance to code requirements and design standards of all City departments.

PROTESTS: 0

### C. ZONE CHANGE - Z-107-77 - CHARLESTON TOWERS

Property generally located on the south side of Charleston Boulevard between Desert Lane and Shadow Lane.

From: R-E (Residence Estates)  
To: C-1 (Limited Commercial)  
Proposed Use: Parking Lot.

Approved as recommended by Planning Commission  
Lurie - unanimous

Clerk to notify Director to proceed

Mr. Saylor: That has been the policy. Mr. Hampton isn't here I don't know if Public Services has recently changed the policy. The City Commission many years ago took the position on these major streets. We only asked the developer to develop 40 feet because they would be fully developed some where along the line under the Regional Streets and Highways Program. What he is saying in connection with both Pecos, and Bonanza, that they are proposed 100 foot streets, and half of that would be a 50 foot improvement.

Mr. Kenney: I might point out that just opposite our property is the park. I just don't think there is going to be development for quite some time on the other side. I would like to have 10 foot taken off.

Mayor Briare: You have no objection to the dedication.

Mr. Kenney: No.

Mayor Briare: What you object to is having to improve that part which you feel that years down the line....O.K.  
Is there any questions or comments by the Commissioners?

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

Commissioner Christensen: Is that with or without Mr. Kenney's recommendations that you delete the extra 10 feet on Item 4?

Commissioner Lurie: That is with the deletion.

Mayor Briare: Deletion of the requirement to pave, but including the dedication.

Commissioner Lurie: Yes.

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

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

ZONE CHANGE  
Z-107-77

Approved as  
Recommended  
by Planning  
Commission

See Pages 21 and 23 of these minutes - Annotated Agenda

Mr. Saylor: This is a request for a change in zoning to C-1 for property located on the South side of West Charleston between Shadow, and Desert Lane immediately west of the medical tower that is on the property. This is the parcel in question. (Referring to the map). This is the medical tower development. The proposal is to have a parking facility the same design as that of the existing development. There will be a block wall along Ellis and no access to Ellis. There will be landscaping along there. The Planning Commission recommends approval subject to the application be amended to P-R, and several other conditions. There were no protests.

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II COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT  
CONTINUED

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Item "C" Z-107-77 continued . . .

See Page 4

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Planning Commission unanimously recommends  
APPROVAL subject to the following conditions:

1. Application to be amended to P-R zoning.
2. A 6 ft. high decorative wall to be constructed on the south and west property lines to match the existing decorative wall to the east.
3. The 10 ft. utility easement located on the east-west centerline of the property is to be kept free from all trees and obstructions as required by the Department of Public Services.
4. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
5. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.
6. Conformance to the plot plan to reflect the above conditions.
7. Conformance to code requirements and design standards of all City departments.

PROTESTS: 0

D. ZONE CHANGE - Z-109-77 - LUEEN J. TAYLOR

Property generally located at the northeast corner of 23rd Street and Hinkle Avenue.

From: R-1 (Single Family Residence)  
To: R-3 (Limited Multiple Residence)  
Proposed Use: (5) three-plex units.

Approved as recommended by  
Planning Commission  
Lurie - unanimous

Clerk to notify  
Director to proceed

Planning Commission unanimously recommends  
APPROVAL subject to the following conditions:

Z-107-77  
Continued

Mayor Briare: Any comments or questions?

Mr. Al Adamson: He said several other conditions. Will you explain those?

Mr. Saylor: O.K. application be amended to P-R zoning. A six foot high decorative wall to be constructed on the south, and west property lines to match the existing decorative wall to the east. The 10 ft. utility easement located on the east-west centerline of the property is to be kept free from all trees and obstructions as required by the Department of Public Services. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission. Submittal of a landscaping plan submitted prior to or at the same time application is made for a building permit. Conformance to the plot plan to reflect the above conditions. Conformance to code requirements and design standards of all City departments.

Mr. Adamson: I want to know why the six foot wall along Ellis Avenue.

Mayor Briare: Are you the applicant?

Mr. Adamson: No sir. I am vitally interested, and I have been for 30 years.

Mayor Briare: Your address is what?

Mr. Adamson: 1608 Ellis Avenue.

Mr. Saylor: First of all on the developed portion where the medical office building is. That condition was put on that. That there be no access to Ellis, and that there would be a block wall. The thing was that Ellis is essentially a residential street. The Charleston Boulevard frontage of course is commercial, and if the parking is to extend back to Ellis it was to be done only with access from Charleston. So that the traffic would not flow through on Ellis. Which again going back to the fact that it is residential. So the condition on the block wall on this parcel that is in question is simply an extension of that same philosophy. Not to allow access.

Commissioner Leavitt: The wall goes along the west side too doesn't it?

Mr. Saylor: Right. The philosophy is not to allow access to Ellis which is residential.

Mr. Adamson: Well I am certainly not going to try to tell this Commission what to do, or how it should think. Well I am concerned about these high walls. I can't see any reason why Ellis Avenue has to be blocked off so that no business from Charleston Boulevard can use Ellis Avenue. What you are doing is building a high rise, and creating more traffic there, and then saying they can't come in off of Ellis Avenue. Ellis is a 60 foot wide street. There is no reason in the world. I worked for 10 years to get Ellis Avenue approved. We got a 60 foot street there. Now when they put the pavement in, the Planning Commission wrote to the church and said you have to make an entrance on Ellis Avenue. You have no choice.

Z-107-77  
Continued

Mayor Briare: You are aware of what the application is?

Mr. Adamson: Yes I am.

Mayor Briare: Which is what?

Mr. Adamson: He wants a high wall to extend the wall that is on Ellis Avenue now, for a parking lot, and the parking lot cannot use Ellis Avenue. I maintain that it can use Ellis Avenue.

Commissioner Leavitt: You want the cars to come out on Ellis instead of Charleston?

Mr. Adamson: Certainly. We are creating all that traffic to go in and out on Charleston Boulevard.

Commissioner Leavitt: You want more traffic on your street?

Mr. Adamson: Certainly, what is wrong with it. There isn't going to be that much. I am also concerned about these walls. A few months ago there was a robbery in the Scotch Addition. The theives were running around, and there must have been four squad cars trying to catch these kids. These kids were going over the walls. They got down to that very wall that he is talking about extending there now, and over the wall they went into the man next door. They came out of his property, across mine, and down the street, and over the wall, and in to the back yard of the house at 1620 Ellis Avenue. The police are circling around looking for them all the time. These walls are a detriment to the whole city. The Commission should give a second look about building these walls like they are doing. It is a detriment to the police department. You can't tell one person that they have to have a commercial entrance on Ellis, and then tell another one that they can't have.

Mayor Briare: Thank you very much. Did you appear at the Planning Commission meeting?

Mr. Adamson: I did not.

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

Commissioner Christensen: I share his views, and I will say it again that I think it is some kind of ridiculous that we require a block wall, and then require planting to hide the block wall. We do that in many cases. This here doesn't say you have to plant, but what it says that the Planning Department can determine how many shrubs you have to plant, and what kind, and where you plant them. We put them along the block wall to hide the block wall. I could never understand that. I think we should take heed to what this man has got to say.

Mayor Briare: Any other comments or questions? The recommendation is to approve.

Z-107-77  
Continued            Commissioner Lurie: Move we follow the recommendation of the  
Planning Commission.

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

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

Z-109-77  
Continued            Mayor Briare: The next item is Zone Change Z-109-77.

See Page 27 of these minutes - Annotated Agenda

Mr. Saylor: This involves property at Hinkle and 23rd, which is  
in the general area of Owens Avenue, and Eastern. This is an  
area in which there is an apartment house development. We have  
recently allowed more apartment houses there. This particular  
application is a request to R-3 which is the common pattern.  
It would allow a series of 5 three-plex units along 23rd and  
Hinkle. Planning Commission recommends approval, and there were  
no protests.

Mayor Briare: Anyone who wishes to be heard? (No response).  
What is the Pleasure of the Commission?

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

Mayor Briare: Comments on the motion? (No response). Cast your  
votes. 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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### II COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT CONTINUED

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Item "D" Z-109-77 continued . . .

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1. There shall be 300 ft. between approved fire hydrants as required by the Fire Department.
2. Dedication of a 10 ft. radius corner at Hinkle Avenue and Cobb Lane and a 10 ft. radius corner at Hinkle Avenue and 23rd Street as required by the Department of Public Services.
3. Install A. C. pavement, concrete curb and gutter and sidewalk on Hinkle Avenue, 23rd Street and Cobb Lane frontages (half-street construction) as required by the Department of Public Services.
4. Install one street light on Hinkle Avenue frontage as required by the Department of Public Services.
5. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
6. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.
7. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
8. Conformance to the revised plot plan to reflect the above conditions.
9. Conformance to code requirements and design standards of all City departments.

PROTESTS: 0

ZONE CHANGE  
Z-110-77

See Page 29 of these minutes - Annotated Agenda

Approved as  
Recommended  
by Planning  
Commission

Mr. Saylor: This is a request for a change of zoning from R-1 to P-R. Property is located at the south-west corner of Berkeley Avenue and Eastern. Immediately across the street is the Sunrise School. To the South is apartment zoning, and on the eastern as you go further North there is commercial. The request is to allow a professional office. The design of the property is such that there would be no access to Berkeley. The front of the property would be maintained as a landscaped lawn area. The Planning Commission has recommended approval, there were no protests.

Mayor Briare: Is there anyone in the audience who wishes to be heard on this application?

Commissioner Lurie: The house faces to the North, it doesn't face on to Eastern is that correct?

Mr. Saylor: I believe the house faces to the North yes.

Commissioner Lurie: Wouldn't that be setting a pattern there. That other homes along Berkeley could come in for P-R zoning if you allow the first one?

Mr. Saylor: Yes that is possible, however, there would be no access on to Berkeley. All of it would be from Eastern.

Commissioner Lurie: It seems like this is the same kind of application that we had on Valley View. The same kind of situation where the house faced in to the street, and the application was denied. The property would be in the back like this. As much traffic as we have on Eastern now, do you think that is a good traffic pattern to allow that?

Mr. Saylor: Well let me first say that staff recommended denial of the application, however, the Planning Commission viewed it differently. To answer your first question, it is substantially the same as that other application on Valley View. The pattern is pretty much the same.

Kathryn Boyd: I am the applicant. The building faces on Eastern. It does not face on Berkeley.

Commissioner Lurie: Where is the front door when you go in to the house was it changed?

Kathryn Boyd: Yes. The building has been remodeled for offices.

Commissioner Lurie: Before the application.

Kathryn Boyd: It was before.

Mayor Briare: Any other questions or comments? The recommendation from the Planning Commission is for approval. What is the pleasure of the Commission?

# AGENDA

## City of Las Vegas

November 2, 1977

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

CITY COMMISSION - REGULAR MEETING - MINUTES - NOVEMBER 2, 1977

Commission Action

Department Action

### II COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT CONTINUED

Page 29

#### E. ZONE CHANGE - Z-110-77 - KATHRYN M. BOYD JOLLEY

Property located at 133 North Eastern Avenue.  
From: R-1 (Single Family Residence)  
To: P-R (Professional Offices & Parking)  
Proposed Use: Office

Planning Commission recommends APPROVAL  
(6-yes, 1-no votes) subject to the following  
conditions:

1. Resolution of Intent be restricted to a twelve (12) month time limit.
2. The existing lawn area facing Berkeley Avenue to be maintained.
3. No signs to be erected in the front yard facing Berkeley Avenue.
4. No access to be permitted from Berkeley Avenue. Access to be allowed only from 25th Street.
5. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
6. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.
7. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
8. Conformance to the plot plan as amended to reflect the above conditions.
9. Conformance to code requirements and design standards of all City departments.

Approved as recommended by  
Planning  
Commission  
Christensen

Commissioner Lurie  
voted "no"

Commissioner  
Leavitt abstained

Clerk to notify

Director to  
proceed

PROTESTS: 0

Z-110-77  
Continued

Commissioner Christensen: When you have a corner lot Mr. Saylor, and you build a home on it. Is there any restriction on which way the building faces? Doesn't that depend on how you want to design your building, and how you set it and so forth?

Mr. Saylor: Right.

Commissioner Christensen: You have to have the side set back, and the front set back, and you decide which way it is going to be isn't that correct?

Mr. Saylor: The Ordinance requires that you satisfy your front and rear set backs. You can design your house within those set back restrictions anyway you want, and just put the front of the house facing on the other street. You still have to have your front yard requirement on the narrow part of the lot.

Commissioner Lurie: What I am saying is that it was a residential house that was converted before it came before the Board. I make it a point that the front door initially was in the front where the house was facing to the street. What is going to happen here if this application is approved is that you are going to set a precedent, and a pattern so all those homes on those corner lots along Eastern could come in for the same type of consideration.

Commissioner Christensen: How many homes are there on Eastern now, and what are they zoned Mr. Saylor?

Mr. Saylor: It looks like there are four remaining on Eastern at this point. The only others are further North in the greater Vegas Subdivision.

Commissioner Christensen: Do we have a policy that when Eastern was improved, and made a big street that we would accept P-R applications on there like we did on Maryland Parkway?

Mr. Saylor: No. I don't believe that was established as any kind of a policy. In this particular area it has always been proposed as a major street.

Commissioner Lurie: I move that the application be denied.

Mayor Briare: The recommendation by the Planning Commission was for approval, and the motion before us is for denial. Any comments on the motion? (No response). Cast your vote. Motion fails.

Motion failed by the following vote:

Commissioner Lurie voting aye;  
Commissioner Christensen and Mayor Briare  
voting no; Commissioner Leavitt abstained;  
Commissioner Woofter excused.

Commissioner Christensen: I will move for approval. I move we follow the recommendation of the Planning Commission.

Mayor Briare: Cast your votes. Motion is approved.

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

See Page 32 of these minutes - Annotated Agenda

ZONE CHANGE

Z-111-77

JAMES R. MARSH

Mr. Saylor: This is a request for a change in zoning from R-1 to P-R for property located on Maryland Parkway. (Referring to the Map). This is the parcel in question. You can see the gray pieces are the ones that have been previously approved. There are others further to the North. The pattern has been pretty well established. There is P-R zoning immediately to the north. It is my understanding that if this property goes P-R that the property will be used jointly. Which will greatly enhance the parking capability for the two developments. This one lot immediately to the north, although not a part of this application per se, I am sure will be brought in to the discussion. At the time they brought in the plot plan they indicated that there were three parking spaces in the rear. Upon inspection this was found not to be true. There was only room for two. We had not required the applicant to remedy the situation by putting in additional parking in front, because to do this would have destroyed the landscaping. It has been the strong contention of several of the property owners on Maryland Parkway that they wish to maintain landscaping as much as possible. We bided our time knowing that this application was coming in, and knowing that it would provide the necessary additional parking. The Planning Commission recommends approval of this application. There were two protests. One protest was the property owner immediately to the North, and I see her sitting there so I presume she will speak on it. I don't know about the other one.

Mayor Briare: Mr. Marsh do you wish to add anything to your application?

Jim Marsh: I am the owner of the property. I would like to turn over my discussion of the application to Miss Rudin, who is my leasee on the property.

Miss Carolyn Rudin: I reside at 2804 Alta. My real estate office is at 1414 Maryland Parkway. In February of 1966 I started my own real estate office on West Charleston Boulevard. Since that time until April of 1977 I have been working to relocate my office. Maryland Parkway became available. After I leased from Mr. Marsh 1414 Maryland Parkway it became clear that we were going to have problems with parking unless we acquired the property adjacent thereto. I have contacted all the residences that this would directly affect. I have not contacted any of the businesses because I did not feel that that was relevant. We submitted that petition to the Planning Division when we met previously. I do have 18 salesman. There are only two on the floor at any one time. We have tried desperately hard not to park in the streets, and not create any problems. We certainly do want to be an asset to our community, and our neighborhood, and we respectfully wish that you would consider our petition.

# AGENDA

## City of Las Vegas

November 2, 1977

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

CITY COMMISSION - REGULAR MEETING - MINUTES - NOVEMBER 2, 77

Commission Action

Department Action

### II COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT CONTINUED

Page 32

#### F. ZONE CHANGE - Z-111-77 - JAMES R. MARSH

Property located at 1500 S. Maryland Parkway  
between Franklin Avenue and Oakey Boulevard.

From: R-1 (Single Family Residence)

To: P-R (Professional Offices & Parking)

Proposed Use: Real Estate Office.

Planning Commission recommends APPROVAL  
(1-abstention, 6-yes votes) subject to the  
following conditions:

1. The lot to the north (Lot 11, Block 21) to be combined with this property (Lot 12, Block 21) and only one use for both lots to be permitted.
2. A 6 ft. high block wall to be provided on the north property line of Lot 11, Block 21.
3. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
4. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.
5. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
6. Conformance to the plot plan to reflect the above conditions.
7. Conformance to code requirements and design standards of all City departments.

PROTESTS: 2

#### G. REVIEW - VAC-1-76 - GOLDEN NUGGET

Proposed amendment - deletion of the southern portion of the alley from the vacation.

Approved as  
recommended by  
Planning  
Commission  
Lurie - unanimous

Abeyance

Clerk to notify  
Director to  
proceed

11/9/77 Agenda  
(by Addendum  
No. 1)

Z-111-77  
Continued

Commissioner Leavitt: I would like to ask you a question Miss Rudin. How did you select the color?

Miss Rudin: Well we had studies done Commissioner. I couldn't afford a full page in the paper every night so we had studies done on the color for our signs. It turned out that the best color is yellow, and black that could be seen the furthest. But there are other realtors using that color. The second best color to be seen was purple and yellow. We then selected purple and yellow for our signs, and then we painted our building that color.

Commissioner Leavitt: I don't know whether we can even control the colors that you paint. Can we make a condition to zoning regarding painting a house? I don't think we have a right to tell a person what color they can paint their house.

Mr. Saylor: No. We have never tried to control that.

Commissioner Leavitt: Well the reason you picked this color is because that is the color of your signs. It is the form of advertising isn't it?

Miss Rudin: Yes.

Commissioner Leavitt: Why didn't you completely paint the house that color instead of stopping at the back?

Miss Rudin: We ran out of paint. We will be completing that.

Commissioner Leavitt: I understand that you are going to work this together to eliminate some of the parking on Maryland Parkway, and you are going to use this as joint parking for both plots. Is that right Mr. Marsh?

Mr. Marsh: That is correct.

Mr. Saylor: The plot plan indicates that. There will be a drive way here. There will be six parking spaces on this property.

Mayor Briare: I want to make a comment on this too. I can agree with Commissioner Leavitt generally speaking. This Commission, and the Planning Commission with respect to certain types of zoning have architectural supervision is that correct Mr. Saylor?

Mr. Saylor: Yes sir.

Mayor Briare: I don't know how to define architectural supervision, but with respect to Maryland Parkway I think it can be pretty arbitrary. Over a long period of years there has been in the minds of somebody perhaps traumatic changes that have come about on Maryland Parkway that have been evolving into a professional atmosphere as opposed to a single family home atmosphere. I certainly believe that the people who live in those single family homes, and who live there for a long time do have a right to object to certain architectural changes in addition to the zoning changes are that being made. Consequently if there is an objection to purple I think it is a valid objection.

Z-111-77  
Continued

You do it for one reason Miss Rudin. You do it because you want to attract. You want to call attention to the fact that this is your real estate company. I don't blame you one bit. Except when you are on Maryland Parkway. When you are on a street with the integrity of Maryland Parkway, where sometimes professional offices don't necessarily need that type of exposure, and the glamor, and the neon etc. They can do very nicely with a more sedate type of thing. Generally speaking I am not going to try to tell people what they should choose for color.

Commissioner Christensen: I think you are treading on kind of dangerous ground. Commissioner Lurie is sitting there in a purple suit.

Commissioner Leavitt: Well I don't think we have a right to tell anybody what they should paint their property. Personally I don't like it. I own a piece of property, and I painted it pink. Maybe somebody didn't like that I don't know. I don't think we have the right to tell somebody what color they are going to paint their house.

William Terry: I am an attorney here in Las Vegas. I am accompanied by Mrs. Paine who is a 26 year resident, and has specifically resided next door which is 1410 to the 1414 address for a period of 26 years. We are in fact, and I am here to ask this Commission to reject, and in fact to deny the application. As has been pointed out one of our main concerns is the parking. The 1414 residence currently has parking facilities for two vehicles in the back of that residence. The 1500 residence which is the one that is now currently before this Commission has facilities for six parking spots. The only other remaining parking is that which is on the street. Long ago when a Commission, and a Board decided to widen Maryland Parkway it was represented to the residents, to those people that wanted to maintain their areas on Maryland Parkway for purposes of a residence, that the parking in front of the residences was one that would be accessible to all. It would be accessible for purposes of deliveries, for visits etc. I ask this Board to look at the parking that is available for purposes of the business. Mrs. Rudin has already acknowledged that both 1414, and 1500 will be used for purposes of a real estate office. Therefore we have a total of six parking spaces that are available.

Commissioner Leavitt: We are only talking about 1500 right now.

Mr. Terry: That is correct.

Commissioner Leavitt: You have got six parking spaces available for 1500.

Mr. Terry: That is correct. But she has pointed out that she has 18 employees. Now it is my understanding from those representations which were made before the prior board that Rudin Realty will be operating out of both 1500, and 1414, and they will be utilizing the full parking spots that are available in the back.

Z-111-77  
Continued

Commissioner Leavitt: That will increase it from 2 to 8.

Mr. Terry: Exactly. The problem is that she has already acknowledged that she has 18 salesmen. Simple addition would point out that at least if those parking spots are used they could at most be used for some of the salesmen.

Commissioner Christensen: Well she said no more than two were on the floor at any one time.

Commissioner Leavitt: Well this would be an improvement over the existing situation.

Mr. Terry: That is correct, but it has also been stated that the back parking spaces are the ones that are going to be the ones to be used. It is our position, that that is not in fact the truth. The parking spots, which are the streets parking spots are the ones that are going to be normally used. Now the fact that she has represented that some of these salesmen will or will not be present in the building. I don't think that should be the major consideration. The question should be whether or not she has adequate parking facilities to house all of her employees.

Commissioner Christensen: What would you gain by turning this application down?

Mr. Terry: We are asking for two things. We are asking for a minimum that she post a sign on the front of the building.

Commissioner Christensen: Well you are asking us to turn it down.

Mr. Terry: That is correct.

Commissioner Christensen: What do you expect to gain by having it turned down?

Mr. Terry: Well we have to gain the free access of the streets on Maryland Parkway.

Commissioner Leavitt: That will make it worse.

Mr. Terry: No because I don't believe there will be sufficient parking available for people coming to apply for real estate.

Commissioner Christensen: I think what you are trying to say that if we turn this one down that it will kill the one already passed, and that is not necessarily so.

Mr. Terry: Which one is passed sir.

Commissioner Leavitt: 1414.

Commissioner Christensen: Now to get back to my question. The problem is that you have asked us to deny this zoning. I am willing to listen to reason for denying the zoning, but to deny the zoning compounds the problem that you are complaining about.

Z-111-77  
Continued

Mr. Terry: I suggest that it does alleviate the problem because there will not be as much problem in front of the residences. Specifically Mrs. Paines residence, and those business that are now established along Maryland Parkway.

Commissioner Christensen: How do you figure that?

Mr. Terry: Because there will be people coming to these real estate offices.

Commissioner Christensen: You have asked us to turn this down. Now there is one already in existence for two parking spaces. If we turn down this it will take away the additional parking spaces, and you are telling us that that is going to alleviate the parking on the street.

Mr. Terry: I believe that your codes provide for a minimum of one parking space per 500 feet. The 1414 residence has only two parking spaces available in the rear, yet it is 1721 feet. I am not avoiding your question, I am just simply stating that it is a surprise to me that 1414 with only two parking spaces in the back was ever approved in the first place.

Commissioner Christensen: I think Don Saylor pointed that out. We would have never approved that. We were told that it had three. I don't know if that was done on purpose, or whether it was a mistake or what. It really doesn't make any difference. The best thing to do is to try to alleviate the situation.

Mr. Terry: I don't think that merely because six additional parking spaces are going to be provided....

Commissioner Christensen: How many square feet in the other place?

Mr. Terry: I cannot answer that, but I would suggest that it is probably the same square footage of Mrs. Paines house. There has been no addition to the 1500 residence.

Commissioner Christensen: Well looking at the plot plan here it looks to be about half the square footage.

Mr. Terry: That would probably be about correct.

Mr. Saylor: There is 980 square feet, which under our Ordinance would only require two parking spaces. By virtue of this property there is an additional four.

Commissioner Christensen: Now if the man combines both properties, then the man has over what the code requires as far as parking places is concerned.

Mr. Terry: Yes by three.

Commissioner Christensen: And you would rather not have that. You would rather that we deny that?

Mr. Terry: That is correct. It is our position that that parking will not facilitate all of the traffic that will be coming to those

Z-111-77  
Continued

two real estate offices.

Commissioner Leavitt: Wouldn't that make it better though if you have additional parking?

Mr. Terry: In answering that it hasn't held with the two parking places that currently exist.

Commissioner Leavitt: I understand that, but if you deny it you are still only going to have two. If you grant it you are going to have eight. Surely that will alleviate the problem a little bit by providing more off street parking for that particular establishment. It is going to be the same establishment out of both residences I understand. Carolyn Rudin Real Estate is going to operate out of both of them. Right now you have got two parking places, and people park on the street. If you approve the application you will have eight parking spaces, but people will still park on the street, but maybe not as many.

Mr. Terry: You have to weigh the additional parking spaces with the increased amount of traffic, and parking that will occur because the business itself is increasing. You have to realize that the employees will obviously increase. Because you are now going to have two offices. You will have more people coming to the business.

Commissioner Leavitt: What you are saying is that the business is going to increase?

Mr. Terry: Yes sir.

Commissioner Leavitt: Well by doing this they are going to be in conformance with the ordinance without any problems. Is that correct Mr. Saylor?

Mr. Saylor: More than the ordinance requires.

Commissioner Lurie: Well Mr. Saylor what about the other businesses along there? What is the problem with those other businesses?

Mr. Saylor: At the time the widening was proposed I believe it was the position of the majority of the property owners that they wanted P-R Zoning. I think Mrs. Paine was a party to that group that wanted that. Somewhere along the line the policy was established, and in fact there was a resolution I think covering all of the property owners. However they found that conceivably it was affecting their tax rates because of the P-R Zoning, and they asked that they be taken out of that P-R resolution because of that. Some of them intends to live there for quite a while. Anytime you have a transition in the area where you are trying to go from a single family area to another use, and it is going to be over a period of years that you are going to have problems. Most of the properties along there really weren't large enough to adequately provide all of the parking would be necessary. Maybe they can satisfy ordinance requirements, but that doesn't always mean you satisfy the actual demand. Furthermore we know that most people park at a curb space rather than drive in to a back yard, or even front yard parking. I believe all of the places that have been approved meets ordinance requirements, but I don't believe it satisfies the overall parking demands. It will continue to be a problem.

Z-111-77  
Continued

Commissioner Leavitt: I can sympathize with the fact that Mrs. Paine is living in a residence in an area that is changing to P-R. She probably hasn't any place to park in front of her home. People come to see her. I can sympathize with that. But I don't know whether you can do anything about that particular problem. The streets, and the curbs belong to the public as a whole. It would seem to me that if this application was approved that it would help alleviate the problem a little. That is why I am having trouble with your argument.

Mr. Terry: Not if you consider the fact that there will be increased business. Now Mr. Mayor you commented on the fact that you read an article about what the newspapers reported on a matter. Oddly enough one of the articles that I just read in the newspaper pertain to which are the busiest streets in Las Vegas. This was particularly in regards to paramedics, and the movement of ambulances. I have a copy of that here. They said that Sahara, and Maryland Parkway are the busiest ones. All we are doing is creating more congestion on Maryland Parkway. As Mr. Saylor has already stated. People are more prone to park on the street. If you take that into consideration with the additional factor that they don't have enough parking. Whether or not it meets the code standards. It doesn't adequately provide the people with enough spaces so they won't park on the streets.

Commissioner Leavitt: Of course that is one of the reasons that you change it from residential to P-R. Because the traffic has become such a busy street that it is no longer suitable for homes. This is the reason that they usually change from a home to an office. It becomes such a busy street. That is what is happening now over on Charleston. The whole thing is being changed out there. Because of the increase in traffic on Maryland Parkway it is going through the change now from residents to offices. That is the reason we do it, because of the traffic increase. Nobody wants to live there anymore because there is too much traffic.

Mr. Terry: I don't think you should consider that Mrs. Paine is in a minority. Just because she is still a resident as opposed to a commercial individual on Maryland Parkway. When the petition in opposition to this were presented it was acknowledged at this meeting that there were only two petitions in opposition. Quite frankly there were 13. I think clarification of the record should be made on that. The first time this matter was on the agenda, and I am sure I will be corrected if I am in error. It was a proposal by Mrs. Rudin, and at that time protests were lodged in opposition to the rezoning. It was taken off of the agenda because Mrs. Rudin was not the owner of the property. It was then replaced on the agenda with Mr. Marsh who is of course the owner of the property being the individual who is now petitioning. Those petitions in opposition were not forwarded, and made applicable to the matter which is now before the board. I have a letter from Mrs. Paine that I will be glad to provide to this group, and additionally a copy of the petitioners asking that that be done.

Z-111-77  
Continued

Mayor Briare: You should make that part of the record Mr. Terry. Do you have anything else sir?

Mr. Terry: No sir.

Mayor Briare: Any questions by the Commissioners? The recommendation was for approval by the Planning Commission. What is the pleasure of the Commission. Mrs. Rudin I am going to stand by depending on whether we get a motion or not. I am going to stand by my feeling that there is a certain integrity in that neighborhood which makes the argument about the color of the paint a valid argument. I am legally advised that that is not something, well let me say this. More than likely an objection by an elected official on a board such as this to the color of paint would not be held up in court. There is one way to cure that. That would be perhaps if it would be by the sympathy of this board to approve your application, that maybe you could make an effort to make the building more compatible with the aesthetic values of those people who live in the area. In other words is there any other color besides the objectionable one? You are probably going to paint these two buildings the same color aren't you?

Mrs. Rudin: No I am not. I asked the neighbors around there, and they didn't object. I would say there was one man who absolutely did not like the color that I was using. I would say it is a matter of opinion. Most of them like the color.

Mayor Briare: Isn't that interesting. I don't suppose you light your building up with lights?

Mrs. Rudin: No.

Mayor Briare: Isn't it interesting that McCarren Airport is having an argument right now because they had some purple signs that look terrible unless it is lit up. Maybe you should light that purple up.

Commissioner Christensen: Your Honor I have seen the signs, and it is not the airport that has got them. It is the Convention Authority that has got them, and want to put them in the airport. I thought they were very attractive signs.

Mayor Briare: The recommendation from the Planning Commission was for approval subject to 7 conditions. What is the pleasure of the Commission?

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

Commissioner Leavitt: Mr. City Attorney I own the property on Maryland Parkway and Franklin. It is two blocks from this property. Can I vote on this application because of that?

Mr. Jan Stewart: I don't think there is any conflict. If this particular zoning doesn't affect the financial value of your property I don't think there is a problem.

Z-111-77  
Continued

Mayor Briare: The motion is to follow the recommendation of approval. Cast your votes. Motion is approved.

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

REVIEW  
VAC-1-76  
GOLDEN NUGGET  
Held in  
Abeyance

See Page 32 of these minutes - Annotated Agenda

Mr. Saylor: If you will remember I think it was last year that the alley in the black (Referring to the map), bounded by Bridger, First and Casino Center was vacated. This was to allow the Golden Nugget to develop parking facilities. However they represented all of the property owners within the area except the Club Hotel which is this property. The vacation was approved subject to the usual conditions, and a condition that satisfactory arrangements be made with the owners of the Club Hotel to provide access. We have been apprised by the Golden Nugget representatives that they have not been able to do this so they are asking that their petition for vacation be amended to exclude the portion of the alley from the north line of the Club Hotel property south to Bridger. In other words this would remain as alley to provide access to that building. (Referring to the Map). This portion would be vacated as previously approved. We see no objection. There is one thing, and that is if you do amend it the sewer to the Club Hotel now goes north in the alley to Carson. If this is amended to delete this, and keep this as an alley it is the position of the Public Services that we can either provide an easement for the existing sewer line to Carson, or provide a new sewer line from the Club Hotel to connect with Bridger. If the entire alley was vacated that didn't enter in to it because it was under the understanding that the Golden Nugget would maintain the sewer. Because of the proposed amendment they feel that that is a necessary condition. The other one would be that they remove their fence, and open up the alley at the South end. We have notified both the Golden Nugget representatives, and the Club Hotel ownership.

Mr. Shannon Bibey: I am the attorney for the Golden Nugget. This is Mrs Ragsdale who last week her, and her husband purchased the Club Hotel. This morning she indicated a willingness to go along with the entire vacation if access could be guaranteed to the Club Hotel. She wasn't requiring full open access which is what the previous owners had required. We have worked out kind of a tentative agreement subject to my putting it in writing, and giving her, and her husband an opportunity to review that, and determine whether it is satisfactory. Therefore what we would request is that this matter be continued until next week, and by then we would either have an agreement reached which would satisfy the condition of the original vacation, or we would go ahead and amend as we have requested here.

Commissioner Leavitt: Isn't the main thing that you have to have that access for garbage pick-up?

VAC-1-76  
Continued

Mr. Bibey: Garbage pick-up, and service vehicles. They would like to get in to that vacated portion, which they would have the extra 10 feet where they could park their managers car.

Commissioner Lurie: Move that the item be held until the next weeks agenda.

Mayor Briare: If there is no objections by the Commissioners it will be held. Mr. Saylor now by action of this Commission that property was vacated at one time, and now we are coming back and taking it back as a public means of access. You are shaking your head no. Who owns the property right now?

Mr. Saylor: Right now the City does. The vacation was never recorded, because all of the conditions had not been met. One of them was the agreement with the Club Hotel. I hope that in this agreement that there will be no requirement on the City to go in there and do the repair work.

Mr. Bibey: No sir.

Mayor Briare: Any objections to holding this? (No response). If no objections it will be held until next week. Now on Item H to set a Public Hearing. Is there any objections to setting this for December 7, 1977? If there is no objection then it will be set on that date.

SET DATE  
FOR PUBLIC  
HEARING ON  
APPEALS FILED  
FROM THE  
BZA MEETING  
HELD OCT 27,77  
FOR DEC 7, 77  
Public Hearing  
Set for 7:00  
P.M.  
Nov 23, 1977

Mr. Saylor: The next item involves an approved P-R use. This is on Santa Clara at the time the original application was submitted. It was restricted to one use. They are now asking that they be allowed to have an accountant also use the property. He is associated I think with their operation. This is a plot plan of the property. (Referring to the Map). There is an adequate supply of parking in that arrangement. The Planning Commission has recommended approval.

Commissioner Leavitt: Move we follow the recommendation.

Mayor Briare: Cast your votes. Motion is approved.

REVIEW OF  
CONDITION  
Z-6-72  
NEW HORIZONS  
TRAVEL AND  
TOURS  
Approved

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

REQUEST FOR  
CONSTRUCTION  
OVER AN  
EXISTING  
FLOOD CONTROL  
CHANNEL  
Z-27-76  
AND Z-24-77  
HOLIDAY INN  
HOTEL &  
CASINO  
Approved

Mr. Saylor: We have discussed this next matter with you on previous occasions. It is now before you for formal action. It involves the new Holiday Inn. Primarily their parking structure, and a proposed amendment to that which will be a commercial building. We amended the flood control ordinance recently to allow the Commission to approve construction over a flood control channel if adequate provisions were made to provide proper underground conduit for the flood control relief. This is subject to the recommendation of Public Services. I believe they have accepted their design, and proposed facilities to carry the flood control water underground. They are now asking permission to construct over it. We would recommend approval. The only condition we would like attached is that a proper agreement be reached between the City, and the Holiday Inn people for allowing

proper access, and this type of thing if it becomes necessary.

Mayor Briare: Questions or comments?

Commissioner Lurie: Move we follow the recommendations.

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

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

Mayor Briare: We will be in recess for five minutes.

(Commission Meeting recessed at 11:05 A.M.)

(Commission Meeting reconvened at 11:10 A.M.)

# 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 - NOV 2, 1977

Commission Action

Department Action

	Commission Action	Department Action
<p>II COMMUNITY PLANNING &amp; DEVELOPMENT DEPARTMENT CONTINUED</p>		
<p>Page 43</p> <p>H. SET DATE FOR PUBLIC HEARING ON ALL APPEALS FILED FROM THE BOARD OF ZONING ADJUSTMENT MEETING HELD OCTOBER 27, 1977, FOR DECEMBER 7, 1977.</p>	<p>*Public Hearing set for 7:00 P.M. Nov. 23, 1977</p>	<p>Clerk to notify</p>
<p>I. REVIEW OF CONDITION - Z-6-72 - NEW HORIZONS TRAVEL AND TOURS</p> <p>Request for review of condition to allow more than one use on property located at 2408 Santa Clara, P-R zone.</p>	<p>Approved Leavitt - unanimous</p>	<p>Clerk to notify Director to proceed</p>
<p>J. REQUEST FOR CONSTRUCTION OVER AN EXISTING FLOOD CONTROL CHANNEL Z-27-76 and Z-24-77 - HOLIDAY INN HOTEL &amp; CASINO (WALTER COMPANY)</p> <p>Property generally located on the west side of Main Street at Stewart Avenue, C-2 zone.</p>	<p>Approved Lurie - unanimous</p>	<p>Clerk to notify Director to proceed</p>
<p>*U-69-77 - LAS VEGAS CITY EMPLOYEES FEDERAL CREDIT UNION for a Use Permit to allow a private self-service Gasoline Station for Members only, on property located at 1200 E. Bonanza Road in Zoning District C-1. (Appeal filed 11/1/77)</p>		

-----  
ADMINISTRATIVE AGENDA

LAURENCE HAMPTON ACTING CITY MANAGER

See Page 45 of these minutes - Annotated Agenda

LIABILITY  
INSURANCE  
PROPOSALS  
(umbrella  
policy)  
Approved as  
Recommended

Mr. Hampton: I would like to withdraw item B. Item A is the only remaining item. It would be the Liability Insurance Proposals and the umbrella insurance. I refer to a memorandum which I forwarded to you, and I recommended that Arthur Insurance Company for the primary policy with an annual premium of \$305,000.00, and Lloyds of London for the umbrella policy with an annual premium of \$101,400.00. The back up information, which was prepared by our financial management Mr. Ted Willstead goes over the details as to how our recommendation was formulated.

Mayor Briare: Is Mr. Willstead here?

Mr. Hampton: Mr. Willstead is not here.

Mayor Briare: Do the Commissioners have any questions or comments on this? (No response). Will Mr. Willstead be here this afternoon?

Larry Hampton: I can have him here this afternoon. I can have him here in a few minutes.

Mayor Briare: Since we have to be back at 1:30.

Mr. Hampton: Mr. Willstead is on vacation.

Commissioner Leavitt: I would like to know which of the local agencies presented these proposals. The only ones I see mentioned here is Harley Harmon. Were there any other agents that made proposals?

Mr. Hampton: No.

Mayor Briare: What is the effective date of the new year.

Mr. Hampton: I believe our insurance expires at the end of this month or the end of October.

Mayor Briare: Members of the Commission I have no arguments at all with the letter, and some of the things that Mr. Willstead pointed out here. However I have a couple of questions. I am very confident in Mr. Willsteads ability, and I know he could answer them. I do have a couple of questions I would like to ask generally about the Citys insurance program, but nothing specific relating to this recommendation. If there is no harm done from the standpoint of holding it off for a week. I would like to talk to Mr. Willstead about it in a City Commission meeting. I don't want to do anything that is going to jeopardize.

# AGENDA

# City of Las Vegas

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Department Action

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IV.(a) ACTING CITY MANAGER, LAURENCE HAMPTON

- A. LIABILITY INSURANCE PROPOSALS  
(Umbrella Policy)
- B. REPORT re EMERGENCY PURCHASE -  
Traffic Signal Poles - Valley View  
& Meadows and Decatur & Meadows

Approved as  
recommended

Dir. of Fin.  
Mgmt to proceed

Withdrawn by City  
Manager

- C. MINUTES
  - 1. Regular Meeting of 10/19/77
  - 2. SPECIAL MEETING of 7/17/73  
(Re Monorail - Trust Agreement)

Items 1 and 2  
Approved by  
reference  
Lurie - unanimous

Mayor and  
Clerk authorized  
to sign

Mr. Hampton: I believe we have a 30 day extension on our existing policy which we can use.

Mayor Briare: Bringing it up until January 1?  
Is there any objections from the Commission to hold this until the evening of the 9th? There is no objections, so we will hold this until then. Will Mr. Willstead be back on the 9th?

Mr. Hampton: I believe he will.

Mayor Briare: There is no question about Mr. Willsteads thorough understanding of the whole thing. It would be important that he be here.

MINUTES  
REGULAR  
MEETING OF  
10/19/77  
SPECIAL  
MEETING OF  
7/17/73  
Re Monorail  
Trust  
Agreement  
Approved  
by Reference

Commissioner Leavitt: I have a question on that special meeting. This was held by the City Commission in 1973 of which I was not a member of this Board. I don't know whether I can approve those minutes or not. I wasn't a member of this Board at the time.

Mr. Jan Stewart: I think the board continues as a legal entity, and I think that even though you were not present that you could approve the minutes.

Commissioner Leavitt: Could I ask why it is being brought up at this time? What happened? How come they weren't approved by the other Board?

Mr. Hampton: We are just in the process of getting some of those minutes caught up.

Mrs. Cole: We are getting caught up. Due to changes in personnel, and other things we had tapes on file that were not able to be time wise transcribed. This is a housekeeping matter. This is not the only one that you are going to have. There will be more.

Mayor Briare: Madam City Clerk do you represent that the Special Meeting of July 17, 1973, that the matter before us is a true, and accurate portrayal of the minutes of that meeting?

Mrs. Cole: Yes.

Commissioner Lurie: I move that we approve the minutes, items 1 and 2.

Mayor Briare: Cast your votes. Motion is approved.

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

-----  
DEPARTMENT OF FINANCIAL MANAGEMENT

MARVIN A. LEAVITT, CPA, DIRECTOR

See Page 48 of these minutes - Annotated Agenda

-----  
DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS

BOB McPHERSON, AEP, DIRECTOR

See Page 49 of these minutes - Annotated Agenda

-----  
DEPARTMENT OF FUNDS, COORDINATION AND PROJECTS

RONALD C. JACK, ACTING DIRECTOR

RESOLUTION  
AUTHORIZING  
CLOSEOUT  
PROCEDURES  
FOR THE  
MADISON SCHOOL  
PROJECT,  
NEVADA R-6  
Adopted  
Resolution  
as Presented

Mr. Jack: The first item is a resolution which will authorize the Department of Funds Coordination and Projects to proceed with the closeout on the Urban Renewal Project. In the last year we have had an interest on the part of HUD in terms of completing closeout of this. It is one of the things that we will probably recommend you consider as part of the block grant program. In terms of providing HUD with all, or part of its financial liability that is still in that property. I think we owe them roughly about \$207,000.00 still. This will allow us to go ahead, and set up a marketing plan to sell the lots that are available. To go through, and get this project finally closed out.

Mayor Briare: Any questions on the resolution?

Commissioner Lurie: Move for the adoption of the resolution.

Mayor Briare: Cast your votes. Motion is approved the resolution is adopted.

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

STATUS REPORT  
ON THE HOUSING  
AND COMMUNITY  
DEVELOPMENT  
ACT OF 1977  
Report Only

Mr. Jack: The next item is a status report on the new legislation on the Housing and Community Development Act. I was recently in Washington D.C. the week that President Carter signed this legislation on October 12th. The new legislation I think is a kind of mixed bag. We are finding that there are some areas where they have increased the flexibility on the part of local governments in terms of their ability to undertake eligible activities. On the other hand they are requiring that cities do more in terms of administering the program. It is kind of an even trade off. One of the problems we have though is that HUD has recently published new regulations which are in their draft stage. Which will be in affect by about the 1st of April of

# AGENDA

## City of Las Vegas

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Page 48. (b) 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. 106378, 107690 to 108450, J1213 to J1222, J114510 to J114511, J408253 to J408254, J408258 to J408291, J408294, J408297 to J408312, J408314, J408317 to J408559, inclusive.

In the amount of \$ 2,798,091.78

\*B. PAYROLL WARRANTS

Nos. 108451 to 109751, inclusive.

For Pay Period Ending 10-15-77

In the amount of \$ 456,913.62

Approved as submitted  
Lurie - unanimous

Director authorized to issue

Approved as submitted  
Lurie - unanimous

Same as above

IV. (c) DEPARTMENT OF PERSONNEL &  
EMPLOYEE RELATIONS

Page 49

BOB McPHERSON, AEP, DIRECTOR

AUTHORIZATION TO FILL POSITIONS

A. FEDERALLY FUNDED

<u>Dept/Class</u>	<u>Monthly Salary</u>	<u>Justification</u>
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(1) Human Resources Human Resources Planner Until 10/1/78 (replace vacancy)	\$1019	To assist in monitoring activity due to expansion of program and provide in-service training to staff.
---	--------	---

Approved  
as recommended  
Lurie - unanimous

Director -  
authorized  
to proceed

B. CITY FUNDED - FULL TIME

(1) PS/Traffic Electrical Trades Helper (replace vacancy)	836	To assist Traffic Signal Electricians in the installation of traffic signals, relamping traffic signals, painting poles and excavation work.
--	-----	---

Approved  
as recommended  
Lurie - unanimous

Same as above

(2) Fire Services Firefighter (replace vacancy)	1054	To assist in pro- viding adequate manpower for fire and life protection.
---	------	---

1 A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE  
2 CITY OF LAS VEGAS, NEVADA, AUTHORIZING CLOSEOUT  
3 PROCEDURES FOR THE MADISON SCHOOL PROJECT,  
4 NEVADA R-6.

5 WHEREAS, the recently enacted Statute reauthorizing the Block Grant  
6 Program, the Housing and Community Development Act of 1977, authorizes activi-  
7 ties necessary to complete Urban Renewal projects; and

8 WHEREAS, the City of Las Vegas is currently involved in planning  
9 processes for the Fourth Year Community Development Block Grant Program and  
10 will subsequently be developing an application for said Program Year; and

11 WHEREAS, the City of Las Vegas desires to complete the execution of  
12 its Urban Renewal Project known as the Madison School Urban Renewal Project,  
13 Nevada R-6; and

14 WHEREAS, the City of Las Vegas, through action by its Board of  
15 Commissioners on August 16, 1977, did assume the powers and functions of the  
16 Urban Renewal Agency of the City of Las Vegas, Nevada; and

17 WHEREAS, in 1973 the Board of Commissioners, acting as the local public  
18 agency for the Madison School Urban Renewal Project, Nevada R-6, did request  
19 and receive approval from the Department of Housing and Urban Development  
20 (hereinafter referred to as HUD) for early closeout of said project; and

21 WHEREAS, HUD has required that the City of Las Vegas pursue a post-  
22 closeout marketing program to expedite disposal of approximately nineteen (19)  
23 acres of vacant land within the Madison School Project to which the City has  
24 title; and

25 WHEREAS, the City of Las Vegas desires to complete the closeout of  
26 said Urban Renewal Project.

27 NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners  
28 of the City of Las Vegas:

29 1. That the Department of Funds, Coordination and Projects is hereby  
30 authorized to act as the City's agent in pursuing a post-closeout marketing  
31 program in accordance with HUD regulations and guidelines.

32 2. That the Department of Funds, Coordination and Projects is hereby  
authorized to prepare, file and execute such documents, reports or other

1 materials as may be necessary or appropriate for said Program.

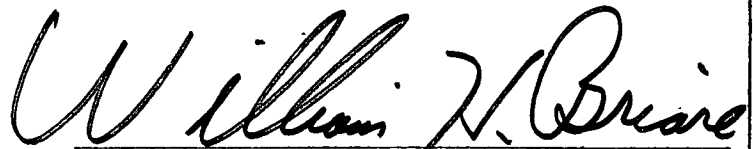
2 3. That the City's Rehabilitation Loan Officer is assigned the  
3 responsibility for the disposition of all remaining land held by the City under  
4 the Urban Renewal Project.

5 4. That the Rehabilitation Loan Officer, as the City's Disposition  
6 Agent in coordination with the Department of Funds, Coordination and Projects,  
7 shall be responsible for the accounting and disposition of such funds as will  
8 result from the sale of remaining land.

9 5. That the Mayor is hereby authorized to execute such contracts,  
10 documents or bills of sale as may be necessary or appropriate under this  
11 Program.

12 6. That the City Clerk is hereby authorized and directed to attest  
13 to such documents.

14 7. This Resolution to take effect immediately.

15  
16   
17  
18 WILLIAM H. BRIARE, MAYOR

19 ATTEST:

20   
21 Edwina M. Cole, City Clerk  
22

23  
24 (SEAL)  
25  
26  
27  
28  
29

next year. As you recall our Block Grant application will be going to HUD at about the same time. It appears that there is a problem that we probably will have to conform to the new regulations, which are really not determined yet. In developing next years application. I think the only concern we probably have on that is it is going to mean a little difficulty in terms of being able to accurately foresee exactly what HUD is going to want on some of the forms, and some of the applications. We don't anticipate any great problems. I think all that we require is that we anticipate any potential problems with HUD, and try to alleviate them before we submit the application.

Mayor Briare: Do you receive all items of mail from the National League of Cities?

Mr. Jack: Yes I do.

Mayor Briare: The reason I ask that is that from time to time each of us here on the Commission receives these voluminous reports, and so forth, and some times I get concerned as to whether the position of the National League of Cities might be the same as the City of Las Vegas. On various matters that they appear before Congress. I hope that you all are studying these things pretty thoroughly to see if there is any contradiction between the policy of this Commission, and the National League of Cities so we can be guided accordingly.

Mr. Jack: I do.

Mayor Briare: Apparently since I have never heard anything from any departments before, I would assume then that the City of Las Vegas is very compatible with the thinking of the National League of Cities so far.

Mr. Jack: To a degree. I can see within the last year for example that the National League of Cities tends to be much more supportive now of Cities say under 50,000 in size. As compared to their original stance. As a result many of the attacks that they take on legislation pending before Congress is supportive of what we would view as a small citys interest. In some cases an intermediate size City like Las Vegas is left without really the protection of someone arguing for that size of a City. This is one of the difficulties I can see. Frequently on items that are critical we will send a letter to the office, or sometimes call there asking to maybe support a different stance on a bill. But that basically is about the extent of it.

Mayor Briare: Sometimes I think perhaps the Commission would be interested in knowing those things when they do come about. I know that the National League of Cities have a classification as you have already indicated Mr. Jack. This classification is 50,000 or less. Sometimes Cities with 750,000 and more are way perhaps far afield from some of the requirements of our own local community. Which nobody knows better than we who live here. I am a little concerned sometimes as to the direction of these national organizations looking more towards the Detroit's, and the New Yorks, and so forth. Be sure to let us know if anything comes up.

-----  
DEPARTMENT OF RECREATION & LEISURE ACTIVITIES

RICHARD CAMPBELL, DIRECTOR

N O N E  
-----

DEPARTMENT OF MUNICIPAL SERVICES

J. C. CATHCART, DIRECTOR

See Pages 54 and 55 of these minutes - Annotated Agenda  
-----

DEPARTMENT OF PUBLIC SERVICES

WILLIAM J. PURVIS, P.E., ACTING DIRECTOR

See Pages 56 thru 58 of these minutes - Annotated Agenda  
-----

CITY ATTORNEY

MIKE SLOAN

N O N E  
-----

NEW BILLS

N O N E  
-----

VACANCIES - BOARDS & COMMISSIONS

See Page 59 of these minutes - Annotated Agenda  
-----

REPORTS FROM RECOMMENDING COMMITTEES

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.

\*A. PERMISSION TO RECEIVE BIDS

1. Life Pack (Fire Services)
2. Truck, 100 Foot Aerial Ladder (Fire Services)
3. Swimming Pool Maintenance Supplies (Public Services - Maintenance Division)
4. Microfilm System (Public Services - Building and Safety)
5. Repair Parts for Wastewater Treatment Plant (Public Services - Sanitation Division)

\*B. AWARD OF BIDS

1. Bid #77.87 - Fire Alarm Dispatch Console (Fire Services) HELD IN ABEYANCE FROM BOARD OF CITY COMMISSION MEETING OF OCTOBER 12, 1977
2. Bid #77.98 - Expendable Office Supplies- 6 Months (Municipal Services - Purchasing and Contracts Staff Warehouse Stock)

Items 1 thru 5  
Approved  
as recommended  
Lurie - unanimous

Director  
authorized  
to proceed

Items 1 thru 7  
Approved  
as recommended  
Lurie - unanimous

Same as above

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# City of Las Vegas

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IV-e DEPARTMENT OF MUNICIPAL SERVICES, CONTD

3. Bid #77.104 - Twenty-seven (27) Scott Air Paks With Spare Bottles - Fire Services
4. Bid #77.106 - 200 Each Gabions with Tie Wires (Public Services - Streets Division)
5. Bid #77.109 - Furnish and Install Vertical Blinds (Public Services)
6. Bid #77.110 - Office and Drafting Equipment and Supplies (Community Planning and Development)
7. Bid #77.113 - Two (2) Each Four-Door Sedans; One (1) Each One-Ton Cab Chassis (Fire Services)

See Page 22

See Page 22

C. PURCHASE ORDER APPROVAL

1. Request Purchase Order approval to The Mitchell-Shaw Co., Las Vegas, Nevada, in the amount of \$3,051.00, for data terminal, model #440/31/45. \*
2. Request Purchase Order approval to N.C.R. Corporation, Las Vegas, Nevada, in the amount of \$2,483.50, for one (1) electronic cash register, Model 2135-1520. \*
3. Request Purchase Order approval to E.C.R., Incorporated, Las Vegas, Nevada in the amount of \$1,430.45, for one (1) electronic cash register, Model TEC MA 161. \*

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

Director authorized to proceed

\*Items 1, 2, and 3 are for the Title I - Training Program Center - CET (Center for Employment and Training)

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

#### \*A. APPROVAL OF SUBDIVISION PLATS

It is recommended that the following final plats be approved. All engineering designs have been checked and accepted. Fees have been paid, bonds have been posted, and agreements signed for these subdivisions.

1. Charleston Rainbow Unit No. 15-F. (Sproul Homes of Nevada, R. B. Cline, President)
2. Spanish Oaks Unit #6. (Royal Crest, Inc., E. A. Collis, President)
3. Jade Park Unit No. 3. (Home Savings Association, Robert Banks, President)
4. Jade Park Unit No. 6. (Home Savings Association, Robert Banks, President)

#### \*B. RELEASE OF SUBDIVISION BOND

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

1. Lewis Homes-Charleston Unit No. 11. (Lewis Homes of Nevada, Earl Monson, Agent)
2. Stagecoach Depot Unit #2A. (Old West Construction Co., Tom Kadlic, President)

Items 1 thru 4  
Approved  
as presented  
Lurie - unanimous

Director  
authorized  
to proceed

Item No. 1 withdrawn  
Item No. 2  
Approved  
as presented  
Lurie - unanimous

Clerk  
to proceed

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BOARD OF CITY COMMISSIONERS  
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## IV (f). DEPARTMENT OF PUBLIC SERVICES (Continued)

### \*C. RIGHT OF WAY ITEMS

#### 1. Deed of Dedication

From: The Board of Trustees,  
Clark County School  
District  
To: City of Las Vegas  
For: Portion NW-1/4, Sec. 29,  
T20S, R62E  
Van Buren St. Ira Earl  
Elementary School  
(10/6/77)

Items 1 thru 6  
Approved  
as presented  
Lurie - unanimous

Director  
authorized  
to proceed

#### 2. Grant Deed

From: Horace G. Smith, Jr., and  
Corlyss K. Smith, husband  
and wife as joint tenants  
To: City of Las Vegas  
For: Portion SE-1/4, Sec. 13,  
T19S, R60E  
Michael Way & Solar St.  
Dedication. Building  
Permit (10/13/77)

#### 3. Quitclaim Deed

From: State of Nevada, Depart-  
ment of Highways  
To: City of Las Vegas  
For: Portion of Block 1, 2  
and 3 of Edgeview Manor  
Washington Ave.  
Dedication (10/5/77)

#### 4. Quitclaim Deed

From: Mrs. Mary M. McDonald,  
widow of Frank  
To: City of Las Vegas  
For: Portion SE-1/4, Sec. 35,  
T20S, R60E  
Jones Blvd. (10/12/77)

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

See Page 25

See Page 25

5. Grant Deed

From: Berkley L. Bunker, Trustee  
u/d/t/ dated July 3, 1975  
as to an undivided 1/2  
interest

To: City of Las Vegas  
For: Portion SE-1/4, Sec. 27,  
T20S, R61E  
Casino Center and  
Washington  
Dedication (9/14/77)

6. Grant Deed

From: LaPriel S. Bunker, as  
trustee u/a/d/ August 28,  
1973 as to an undivided  
1/2 interest

To: City of Las Vegas  
For: Portion SE-1/4, Sec. 27,  
T20S, R61E  
Casino Center and  
Washington  
Dedication (9/22/77)

D. DISCUSSION ITEMS

1. Request to negotiate with Wallace  
Engineering for Siphon System.

2. Request to negotiate with Strobeck  
and Associates for sub-surface conditions in  
Washington Channel - Bruce to Sandhill.

Items 1 and 2  
Approved  
as requested  
Lurie - unanimous

Director  
authorized  
to proceed

V. CITY ATTORNEY - MIKE SLOAN

N  
o  
n  
e

VI. NEW BILLS

N  
o  
n  
e

# AGENDA

# City of Las Vegas

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VII. VACANCIES - BOARDS & COMMISSIONS

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

- 1. Bob Chapman (resigned)  
 Term expires 1/20/80

Abeyance

11/9/77 Agenda  
 (By Addendum  
 No. 1)

B. CITIZEN PARTICIPATION REVIEW COMMITTEE OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (On-going Committee)

Appointment of three (3) Members to fill existing vacancies and one (1) Alternate for backup purposes

\*Appointed  
 Members and  
 Alternates as  
 recommended

Clerk to notify

\* Planning Area 1

Henry Williams (member)	617 Bowman Avenue Las Vegas, Nevada 89106	642-5770
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Cholly L. Williams (alternate)	214 Jackson Avenue Las Vegas, Nevada 89106	647-2636
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Planning Area 2

DeLoy Martinez, Jr. (member)	2009 Cedar Avenue Las Vegas, Nevada 89101	386-4965
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At-Large

Mariteresa Rivera (member)	700 Griffith Avenue Las Vegas, Nevada	382-3458
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Jean Parrot (alternate)	4334 Mountain Vista Blvd. Las Vegas, Nevada	870-7742
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VIII. REPORTS FROM RECOMMENDING COMMITTEES

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Mayor Briare: Perhaps we should ask the City Attorney to look in to the Ordinances regarding high-rise trailer parks. I wonder also if some discretionary authority ought to be given to the Planning Commission that in order to better, to have more information, and a better ability to make decisions, that they should have authority to require architects plans, and specifications. Apparently we can't do anything unless we have Ordinances, so maybe we might discuss the possibility of requesting an Ordinance to do this.

Mr. Jan Stewart: I don't know how much demand you are going to have for high-rise trailer parks. Right now it could only be allowed under a variance which might be the best place for it. If you provided a zoning category for high-rise trailers I think there ought to be some study as to whether or not this is the kind of use you want to provide a zone for. The other thing is that the ability on the part of the Planning Commission to require plot plans and such. You can certainly write that into the ordinance.

Mayor Briare: Could it be discretionary there?

Mr. Stewart: It is probably discretionary.

Mayor Briare: It depends on the length and breadth of an application. Sometimes a person might come in for a very very small item which they don't want to go out and spend hundreds of dollars to do this. On the other hand it might be a very large development which you would think they would do anyway. I want to avoid a situation where we can't have the opportunity to look at a project that is more or less professionally put before us.

Mr. Stewart: I think they probably have that flexibility now. If they really wanted to demand a plot plan to see it prior to the approval of the zoning. Most often your conditions of rezoning at least on your resolution of intent has one condition, and that is that it be constructed according to the plot plan. That indicates the ability to impose those conditions. If you have some kind of review over those things. It might be better however to have it spelled out in the Ordinance.

Mayor Briare: Would you make a note to look at it, and we will discuss it further at another time.

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REPORTS FROM STUDY COMMITTEES

BILL NO. 77-36 Commissioner Christensen: In looking over the manual of the Open  
(1st Amendment) Meeting Law. It points out in there that committees are under the  
Committee Open Meeting Law which means that if we have a sub-committee to discuss  
Christensen an ordinance of two people, and we decide to talk about it we can no  
and Lurie longer do it over lunch or whatever. We will have to agenda that  
7/6/77 meeting, and post public notices, and do all the things that we  
have to do for this meeting for a committee meeting. I sent a note  
to the attorney suggesting that we have a problem here. Perhaps  
we would be better off to not have these committees. I think we  
are going to have to change the ordinance covering these committees,  
because the State law supersedes the ordinance.

# AGENDA

## City of Las Vegas

BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE  
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### IX. REPORTS FROM STUDY COMMITTEES

- A. BILL No. 77-36 - (1st Amendment) - AN ORDINANCE TO AMEND TITLE V, CHAPTER 1 of the Municipal Code of the City of Las Vegas by deleting that Chapter in its entirety and by replacing therewith two (2) reorganized and separate Chapters, revised to follow current Administrative Procedures; deleting certain Licensing categories and adding new ones; requiring that businesses paying a License Tax based on gross sales keep adequate records of gross sales; requiring businesses not having fixed places of business in the City to pay License Fee on gross sales; requiring the reporting of changes of officers, directors and stockholders designated in the original License application for all Corporate Licensees; setting forth additional matters properly relating thereto.

Committee: Commissioners Christensen and Lurie (7/6/77)

### X. CITIZEN PARTICIPATION - PUBLIC APPEARANCES

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# AGENDA

## City of Las Vegas

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### III. DEPARTMENT OF BUSINESS ACTIVITY

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ILA M. BRITT, DIRECTOR

1:30 P.M.

#### \*CONSENT AGENDA

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

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

1. ELBERT B. EDWARDS P.T.A. -- a school carnival
2. B'NAI BRITH WOMEN, CHAPTER 415 -- tickets to a movie
3. DEMOLAY MOTHERS' CLUB, VEGAS CHAPTER -- a candy sale
4. EASTER SEAL SOCIETY FOR CRIPPLED CHILDREN & ADULTS OF NEVADA, INC. -- mail solicitations
5. EL GIZA TEMPLE # 139, DAUGHTERS OF THE NILE -- a bazaar
6. FIRST CHRISTIAN CHURCH, MEN'S FELLOWSHIP -- sale of fruit cakes
7. FIRST GOOD SHEPHERD LUTHERAN SCHOOL, PARENT TEACHERS LEAGUE -- a school carnival
8. FRIENDS OF THE SOUTHERN NEVADA LIBRARIES, INC. -- raffle tickets; sale of books

Items 1 thru 19  
Approved  
as recommended  
Lurie - unanimous

Director  
authorized  
to proceed

# AGENDA

## City of Las Vegas

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III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

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See Page 10

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

9. GAMMA PHI DELTA SORORITY,  
BETA ETA THETA CHAPTER --  
tickets to an award dinner
10. F. F. GARSIDE JUNIOR HIGH SCHOOL --  
a candy sale
11. HELP THEM WALK AGAIN FOUNDATION,  
INC. -- tickets to a turkey  
race
12. HYDE PARK JUNIOR HIGH SCHOOL --  
a cheese sale
13. KIDNEY FOUNDATION OF NEVADA --  
sale of Christmas cards
14. RANCHO HIGH SCHOOL -- sale of  
advertising space in the yearbook
15. REDROCK BAPTIST CHURCH, YOUTH  
MISSIONS -- a Halloween Party
16. ST. JUDE'S WOMEN'S AUXILIARY --  
a thrift shop
17. THEATRE ARTS SOCIETY, INC. --  
sale of tickets to performance  
"Everyone Loves Opal"
18. TRINITY UNITED METHODIST CHURCH --  
raffle tickets; a church bazaar
19. VETERANS OF FOREIGN WARS,  
POST 1753 -- sale of poppies

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III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

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

Family Child Care Homes

1. JAE GURR  
201 Catalini Street  
4 children days/2 nights
2. BARBARA MILLER  
3995 Trabuco Drive  
3 children, days only
3. WANDA L. ROGERS  
4917 Cannon Blvd  
5 children days, 2 nights

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

Director  
authorized  
to proceed

\*C. GAMING -- Additional

1. MINI PRICE MOTOR INN CASINO, INC  
  
Bingo Palace Casino  
2540. Rancho Road  
82 slots  
2 Poker Tables
2. SEVENTY-SIX CORPORATION  
  
Rendezvous Hotel & Casino  
400 E. Ogden  
1 "21" table
3. DOMMERMUTH ENTERPRISES, INC.  
  
Orbit Inn Casino  
707 Fremont Street  
1 "21" table

Items 1 thru 4  
Approved  
Lurie - unanimous

Same as above

# AGENDA

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III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

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

See Page 12

See Page 12

4. AUTOMATIC AMUSEMENTS

Odyssey 2001  
1930 E. Fremont  
1 slot

\*D. RETAIL TOBACCO -- Additional

Items 1 and 2  
Approved  
Lurie - unanimous

Director  
authorized  
to proceed

1. AMERICAN VENDING

Kings Coffee Shop  
1102 Fremont Street

2. NEVADA AMUSEMENT SYSTEMS, INC.

Thaddeus Thudpucker  
5100 W. Charleston

E. LIQUOR & RETAIL TOBACCO -- New

Approved subject  
to conditions  
Lurie - unanimous

Same as above

1. \*GALLERIA

2160 W. Charleston Blvd  
Package Liquor Ltd.

Rancho Plaza, Inc. --  
Ronald R. Walker, Pres, Dir,  
18.248% stockholder  
Richard S. Tam, V.P., Dir,  
Chmn of Board, 36.496% stockholder  
Robert Clive Jones, Treas, Dir,  
14.598% stockholder  
Rita Yetta Wood, Secretary,  
3.649% stockholder

cont'd

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### III. DEPARTMENT OF BUSINESS ACTIVITY (cont'd)

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#### E. LIQUOR & RETAIL TOBACCO -- New (cont'd)

##### 1. \*GALLERIA (cont'd)

Buford Cox, Jr., 3.649% stockholder  
R. Ian Ross, 1.459% stockholder  
Russell J. Sparella, 7.299%  
stockholder  
Dee Ellis Hipwell, 14.598% stock-  
holder

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

See Page 13

See Page 13

#### F. LIQUOR, GAMING, & RETAIL TOBACCO -- Approval of General Manager

##### 1. LOTUS INN CASINO 1213 Las Vegas Blvd South Hotel Liquor/Package Liquor

Two-One-Nine Corp --  
Joseph Amoroso, Pres  
et al

Sharon Pearl Hinman, General Mgr

Approved  
Lurie - unanimous

Director  
authorized  
to proceed

#### G. GAMING -- New

##### 1. GABLES DONUTS 1732 Fremont Street 2 operator slots

William C. & Iola Gable,  
husband & wife, jointly

Approved  
Lurie - unanimous  
Except that  
Commissioner  
Christensen  
voted "no" on  
Item 1

Same as above

# AGENDA

# City of Las Vegas

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### III. DEPARTMENT OF BUSINESS ACTIVITY

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#### G. GAMING -- New (cont'd)

See Page 14

See Page 14

2. EVE'S LOUNGE  
1415 E. Charleston  
7 business-owned slots

Mon-Nee, Inc.

Carl J. Anderson, Pres, 50%

Wanda J. Wells, Secy-Treas, 50%

#### H. GAMING -- Change of Corporate Ownership/Change of Business Name

Approved subject  
to conditions  
Lurie - unanimous

Director  
authorized  
to proceed

1. From: Western Equities, Inc.  
dba Pennington & Bennett  
  
Wm. G. Bennett, Pres/Treas  
Wm. Pennington, Secy

To: \*WESTERN EQUITIES, INC.  
2090 South Highland  
Slot Operator License

A-1 Supply, Inc.  
William S. Redd, Pres  
Ralph W. Lawton, V.P.,  
Secy/Treas

(William S. Redd and Ralph W.  
Lawton are also the officers  
of Western Equities, Inc.)

\*Subject to final police investigation

#### I. RETAIL TOBACCO -- New

Abyance

11/9/77 Agenda  
(by Addendum  
No. 1)

1. PLEASURE UNLIMITED, INC.  
305 Fremont Street

Pleasure Unlimited, Inc.  
Martin Foosaner, Pres  
Lynne Foosaner, Secy/Treas

# AGENDA

## City of Las Vegas

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### III. DEPARTMENT OF BUSINESS ACTIVITY (cont'd)

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#### J. RETAIL TOBACCO VENDOR -- New

1. WESTERN AUTOMATIC  
1412 Western Avenue

Wanna L. Jackson, 100%

Locations:

Alberts Int'l Marketing  
305 Fremont Street

Paula's Place  
1311 Owens Avenue

Approved for  
location at Paula's  
Place, 1311 Owens

Location at Alberts  
Int'l Marketing,  
305 Fremont St.  
Abeyance  
Lurie - unanimous

11/9/77 Agenda  
(by Addendum  
No. 1)

#### K. SPECIAL EVENT LIQUOR LICENSE

1. ST. ANNE'S SCHOOL

Location: Ryan Hall  
1704 Maryland Parkway

Date: December 31st, 1977

Responsible Licensee:  
Sam Sina

Approved  
as requested  
Lurie - unanimous

Mary Barnett was  
present representing  
St. Anne's.

Director  
authorized  
to proceed

#### L. LIQUOR -- Request for Extension of Inactive Status

1. 7-ELEVEN FOOD STORE # 20084  
SW corner Stewart & Lamb  
Beverage Off-Sale

Southland Corporation --

John P. Thompson, Chmn of Board  
Chief Exec Officer  
Herbert E. Hartfelder, Pres  
et al

Robert Hitchcock, District Mgr.

Items 1 and 2  
Approved  
as requested  
Lurie - unanimous

Same as above

cont'd

# AGENDA

## City of Las Vegas

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### III. DEPARTMENT OF BUSINESS ACTIVITY

(cont'd)

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#### L. LIQUOR -- Request for Extension of Inactive Status

1. 7-ELEVEN FOOD STORE # 20084 (cont'd)

(Approved 9/7/77. Request for 60-day extension of inactive status for period: 11/6/77 thru 1/4/78.)

See Page 16

See Page 16

2. 7-ELEVEN FOOD STORE # 20107  
NW corner Cheyenne/Tonopah  
Beverage Off-Sale

Southland Corporation --  
John P. Thompson, Chmn of Board,  
Chief Exec Officer  
Herbert E. Hartfelder, Pres  
et al

Richard Evans, District Mgr

(Approved 9/7/77. Request for 60-day extension of inactive status for period: 11/6/77 thru 1/4/78.)

#### M. COMMUNICATION ITEM

Letter from Charleston Plaza Merchants Inc., requesting reduction of license fees to \$25.00 per day for Jett's Petting Zoo for the period November 26th, 1977, thru December 4th, 1977.

Approved  
as requested  
Lurie - unanimous

Director  
authorized  
to proceed

#### N. SPECIAL EVENT LIQUOR LICENSE

LAS VEGAS ART LEAGUE  
Location: Lorenzi Park  
Date: November 4, 1977  
Responsible Licensee: Bill Pappas

Approved  
as requested  
Lurie - unanimous

Same as above

Mayor Briare: Is there anything else anyone would like to bring up?

RELEASE OF  
SUBDIVISION BOND  
LEWIS HOMES -  
CHARLESTON UNIT NO.  
11. Withdrawn

Mr. Hampton: I would like to discuss two items that was discussed this morning. Under the Public Services agenda I was in error in not withdrawing the release of a subdivision bond for Lewis Homes Number 11. They have had some problems with that development. In their landscaping operations they tore up some of the street. They were informed that we were going to withdraw this item. They were not here to represent themselves this morning. I think it is in order that we withdraw that upon repair of the subdivision, and put that back on the agenda.

Commissioner Leavitt: I move that we reconsider that item.

Mayor Briare: The motion is to reconsider. Cast your votes. Motion is approved. The matter is now before us.

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

Commissioner Leavitt: Move that we hold this, or remove it from the agenda.

Mayor Briare: Comments? (No response). Cast your votes. Motion is approved. The item is removed from the agenda.

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

LIABILITY  
INSURANCE  
PROPOSALS  
Continued

Mr. Hampton: Now if you would like to reconsider the liability insurance item. I have a brief comment on this.

Mayor Briare: Would you explain to the Commission why this additional action is required?

Mr. Hampton: In discussing this with Mr. Leavitt, and reading over Mr. Willsteads memo in more detail during the lunch break. Mr. Leavitt tried to get a hold of the insurance companies involved to see if they would be willing to extend their proposals, and they were unable to. Mr. Willsteads memo points out that the proposals are binding for 30 days. The proposals were dated October 7th, which would mean November 7th they could withdraw their proposal. In relationship to the comments about our basic policy being increased I would like to review these particular figures, and point out to the Commission that last years basic coverage we paid \$325,000.00. This year the basic coverage is \$305,000.00. Therefore the additional cost was for the umbrella policy. Which was increased from \$89,000.00 to \$101,000.00. The sum total of those two coverages yielded a decrease of \$11,000.00, or \$8,000.00. But the basic coverage was decreased. That was with Hartford Insurance. To stand the possibility of them withdrawing what we feel is a very good bid if we were to hold this I wanted to point this out to the Commission with the possibility of getting an approval on this. Mr. Willstead will be back next Wednesday.

We will be available, or he will for any questions the Commission may have. I would hate to have to go through the process of proposals again.

Mayor Briare: I can certainly agree with you on that. Do you know what the anniversary date is for the City's basic insurance, and their umbrella policy?

Mr. Hampton: I was under the understanding that it was October 1. There is an extension that we can extend on our existing policy. That is what I had stated this morning, which means that we are still covered, however, the problem that I found was in the proposals.

Mayor Briare: If we were to go ahead and award this low bid today, when would that insurance go in to affect?

Mr. Hampton: I believe it would be on the day that we accepted it.

Mayor Briare: Well I indicated this morning Commissioners that I had no argument with the whole thing except I wanted to discuss with Mr. Willstead loss ratio, and perhaps get in some discussion that might have some affect on the City's overall insurance program for next year. This is really no time to be discussing it. It is a little disappointing when you are advised that the City's loss ratios have been so good, and then come to find out that you save on one policy, but not on the others. Surely there must be some very good reasons. The umbrella policy usually is an excess policy, but it is also a policy where it picks up everything. Everything that the basic policy doesn't pick up this umbrella does pick up. Maybe that is where we are having our losses. But those are types of questions that are technical, and there is plenty of time prior to next year to be discussing those things. Nothing is going to happen this year.

Mr. Hampton: Our existing coverage covers the calendar year. This new coverage would start January 1, rather than October 1st, as I indicated before.

Mayor Briare: Well then the only thing that is facing us today is the possibility that 30 days will have expired, and so in order to take advantage of these we can go ahead and accept, or award the bids today. But the insurance company will not become liable until January 1.

Mr. Hampton: Right.

Mayor Briare: Well then should something develop between now and January 1 you are not obliged to take their insurance.

Mr. Hampton: Right.

Commissioner Lurie: As you know the legislature has undertaken a study now that should be complete by March that will have a effect say next year on recommendations on maybe going self insured.

Along with the Nevada League of Cities is also undertaking similar study, where they are not going to duplicate any of this. I think that we are going to find out that one of the recommendations might be is to go self insured. It is always the unexpected that you don't know what is going to happen. Without a police department I think we are paying an excessive amount.

Mayor Briare: The City of Las Vegas has been very fortunate to generate the loss ratio that they have been generating. Lets keep our fingers crossed, and hope that the good record will keep up. If we have any safety programs don't let up on them. The other side of the coin will be facing the possibility of not being able to get anything.

Commissioner Lurie: I move that we follow the recommendation.

Mayor Briare: Comments on the motion?

Mr. Hampton: I don't believe you ever voted for reconsideration.

Mayor Briare: Yes that is right.

Commissioner Lurie: I move for reconsideration.

Mayor Briare: I think we just held the matter off.

Commissioner Christensen: Well I don't think there was a vote taken on holding, I think we just agreed that we would hold it.

Mayor Briare: Well lets cover it. The motion is to reconsider. Cast your votes. Motion is approved, and having reconsidered the matter what is the pleasure of the Commission.

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

Commissioner Lurie: Move we follow the recommendation.

Mayor Briare: Cast your votes. Motion is approved.

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

There being no further business to come before the Board,  
at the hour of 1:55 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.