

# MINUTES

## City of Las Vegas

BOARD OF COMMISSIONERS

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

DATE: February 1, 1978

TIME: 9:45 A.M.

INVOCATION: Rev. Bertie McCoy, Echoes of Faith Ministry

### PLEDGE OF ALLEGIANCE:

#### BOARD OF CITY COMMISSIONERS

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

#### CITY ATTORNEY

MIKE SLOAN

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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APPROVED BY REFERENCE March 1, 19 78

ATTEST:

*Emilia M. Case*

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CITY CLERK

*William N. Briare*

MAYOR

MINUTES

FEBRUARY 1, 1978

A Regular Meeting of the Board of City Commissioners of the City of Las Vegas, Nevada, held this 1st day of February, 1978 was called to order by his Honor, Mayor William H. Briare, at the hour of 9:45 A.M.

AGENDA POSTED & ADDENDUM Jan 27th, 1978 (See Page 3 of these Minutes Affidavit)

AGENDA MAILED January 26, 1978 (See Page 4 of these Minutes Affidavit)

		PRESENT	ABSENT	EXCUSED
STAFF ATTENDANCE.	City Manager	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	RUSSELL W. DORN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Acting City Clerk	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	LARRY L. MARTIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Director, Dept. of Bus Activity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ILA M. BRITT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Director, Dept. of Comm Planning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	DONALD J. SAYLOR, A.I.P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Director, Dept. of Rec & Leisure Activities	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	RICHARD L. CAMPBELL	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Director, Dept. of Fin Mgt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	MARVIN A. LEAVITT	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Director, Dept. of Fire Services	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	SAM COOPER	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Director, Dept of Funds, Coordination & Projects	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	RONALD JACK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director, Dept. of Muni 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
J. ROBERT McPHERSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Director, Dept. of Public Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
WILLIAM PURVIS, P.E. Acting	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

AFFIDAVIT OF POSTING  
(Posting required under the provisions of NRS CHAPTER 241) JAN 27 1978

STATE OF NEVADA )  
                          ) ss.  
COUNTY OF CLARK )

CITY CLERK

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

27th day of January, 1978, 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 Regular Meeting of the BOARD OF CITY COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, to be held on

the 1st day of February, 1978, at the following locations:

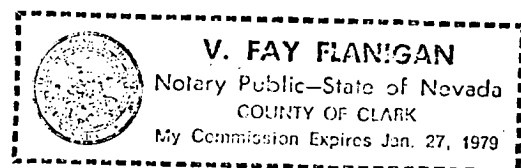
1. On the Public Bulletin Board in the United States Post Office  
301 E. Stewart Avenue
2. On the Public Bulletin Board in the Federal Building  
300 Las Vegas Blvd., South
3. On the Public Bulletin Board in the Clark County Court House  
200 E. Carson Avenue
4. On the Public Bulletin Board at the Plaza 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 27 day of Jan, 1978

PUBLIC SERVICES - Quality Control Div.  
(department or division)

V. Fay Flanigan  
Notary Public in and for said County and State



RECEIVED  
JAN 31 10 18 AM '78  
CITY CLERK

AFFIDAVIT OF POSTING

(Posting required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA )  
                          ) ss.  
COUNTY OF CLARK )

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

27th day of January, 1978, at the hour of 3:40

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

the 1st day of February, 1978, at the following locations:

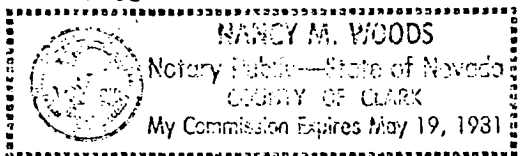
1. On the Public Bulletin Board in the United States Post Office  
301 E. Stewart Avenue
2. On the Public Bulletin Board in the Federal Building  
300 Las Vegas Blvd., South
3. On the Public Bulletin Board in the Clark County Court House  
200 E. Carson Avenue
4. On the Public Bulletin Board at the Plaza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

Bernice A. Smith  
(name)

Subscribed and sworn to before me this 31st day of January, 1978

PUBLIC SERVICES - Quality Control Div.  
(department or division)

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



AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS CHAPTER 241)

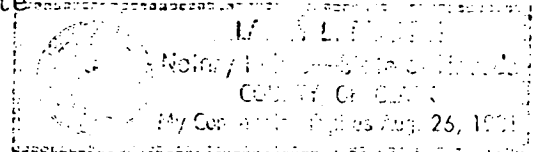
STATE OF NEVADA )  
                          ) ss.  
COUNTY OF CLARK )

MONICE KELLER, an employee of the City of Las Vegas, Nevada, being first duly sworn, deposes and says that on the 26th day of January, 1978, 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 1st day of February, 1978, 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).

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

Subscribed and sworn to before me  
this 26th day of January, 1978

Ly S Martin  
Notary Public in and for said County and State



# AGENDA

## City of Las Vegas

February 1, 1978

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

CITY COMMISSION - REGULAR MEETING - MINUTES - FEB 1, 1978 Commission Action

Department Action

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I. 9:45 A.M. - COMMUNITY RELATIONS &  
SPECIAL EVENTS

1:00 P.M. Open House - Recreation Center for  
the Handicapped, Lorenzi Park.

II. 10:00 A.M. - CALL TO ORDER - INVOCATION -  
PLEDGE OF ALLEGIANCE

INVOCATION: Rev. Bertie McCoy,  
Echoes of Faith Ministry

CALL TO  
ORDER  
AND  
PLEDGE  
OF  
ALLEGIANCE

Mayor Briare: Good morning ladies and gentlemen. If you will please all stand for the invocation, which this morning will be delivered for us by the Rev. Bertie McCoy of the Echoes of Faith Ministry. Then please remain standing for the Pledge of Allegiance.

Rev. Bertie McCoy: Our Heavenly Father we invite Your presence with us here today. Praise to the One who finds rest for the weary, peace for the troubled, and Father we ask you especially to bless our dedicated City Officials as they come to make decisions, that You will give them special wisdom and guidance. We thank You now that we can cast all of our cares upon You. For all these things we ask You, and we thank you Father that because we have faith for the future in Jesus name, Amen.

PLEDGE OF ALLEGIANCE.

Mayor Briare: Thank you Rev. McCoy, we appreciate it. The first item on the agenda today is the Department of Business Activity.

-----  
DEPARTMENT OF BUSINESS ACTIVITY

ILA M. BRITT, DIRECTOR

See pages 7 through 16 of these minutes - Annotated Agenda

Commissioner Leavitt: Mr. Sloan regarding item A-1 William Boyd was my partner, but he is not my law partner any more, but I do own property with him. Should I abstain on this, or should I vote? The property is not the California Hotel.

Mr. Sloan: I would think that the obligation under the City Charter is for you to make the disclosure, and then it is basically your judgement call as to whether or not that relationship would have an unreasonable influence.

Commissioner Leavitt: For the record then, Mr. Boyd and I do own property, but it is not the California Hotel, and I am no longer his law partner. I have been abstaining in the past because I was his law partner.

Mayor Briare: Are there any other comments? Cast your votes. Motion is approved.

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

# AGENDA

## City of Las Vegas

February 1, 1978

BOARD OF CITY COMMISSIONERS

Page 3

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

CITY COMMISSION - REGULAR MEETING - MINUTES - FEB 1, 1978

Commission Action

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Page 7

### III. DEPARTMENT OF BUSINESS ACTIVITY

ILA M. BRITT, DIRECTOR

#### \*CONSENT AGENDA

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

#### A. GAMING -- Additional

1. WILLIAM BOYD ET AL

California Hotel & Casino  
12 Ogden Street  
4 "21" tables

2. ELSINORE CORP.

Four Queens Hotel & Casino  
202 East Fremont Street  
1 slot

3. FREMONT HOTEL, INC.

Fremont Hotel & Casino  
200 E. Fremont  
20 slots

4. JOHN D. GAUGHAN ET AL

Hotel Nevada & Casino  
235 South Main Street  
1 Big Six

Items 1 thru 8  
Approved as  
Recommended  
Lurie - Unanimous

Director  
authorized to  
proceed

# AGENDA

## City of Las Vegas

February 1, 1978

BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

Page 4

PHONE 386-6011

CITY COMMISSION - REGULAR MEETING - MINUTES - FEB 1, 1978

Commission Action

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III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

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

See Page 3

5. TWO-ONE-NINE CORPORATION

Lotus Inn Casino  
1213 Las Vegas Blvd South  
1 "21" table

6. MONEY TREE, INC.

Money Tree Casino  
2466 Las Vegas Blvd South  
2 slots  
1 "21" table

7. B. W. CORPORATION

7-11 Bar  
711 Ogden Avenue  
10 slots

8. GAMES OF NEVADA

Jolly Trolley Casino  
2440 Las Vegas Blvd South  
6 slots

\*B. RETAIL TOBACCO -- Additional

1. W W VENDING

Moulin Rouge  
900 W. Bonanza

Items 1 thru 3  
Approved  
Lurie - Unanimous

Director  
authorized to  
proceed

# AGENDA

## City of Las Vegas

February 1, 1978

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

CITY COMMISSION -- REGULAR MEETING - MINUTES - FEB 1, 1978

Commission Action

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

#### \*B. RETAIL TOBACCO -- Additional (cont'd)

See Page 4

##### 2. S. SMITH VENDING

Young Food Shack  
808 W. Lake Mead

##### 3. VILLAGE CATERING

State of Nevada - Welfare  
Office  
700 Belrose Street

#### C. LIQUOR -- New

Items 1 and 2  
Approved.  
Lurie - Unanimous

Director  
authorized to  
proceed

1. \*THE RESTAURANT DELI  
1216 South Main Street  
Restaurant Beverage  
Beverage Off-Sale

The Mina Corp. --  
Nunzio Nizzari, Pres/Dir  
Filomena Nizzari, Secy-Treas/  
Director

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

2. \*D & T ENTERPRISES  
2127 West Charleston  
Tavern License

D & T Enterprises, a general  
partnership --  
David Silverman, 60%  
Edward Everett Gilbert, 40%

cont'd ...

# AGENDA

## City of Las Vegas

February 1, 1978

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

CITY COMMISSION-- REGULAR MEETING - MINUTES - FEB 1, 1978

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III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

C. LIQUOR -- New (cont'd)

2. \*D & T ENTERPRISES (cont'd)

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

See page 5

See Page 5

D. LIQUOR & RETAIL TOBACCO -- New

1. \*7-ELEVEN FOOD STORE  
1600 North Rancho Road  
Beverage Off-Sale

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

Richard D. Evans, Dist Mgr

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

Approved  
Lurie - Unanimous

Director  
authorized to  
proceed

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

1. From: Rio Bravo Mexican Food  
Carmen Bravo, 100%

TO: \*VILLA CAPRI  
2511 Teddy Drive  
Service Bar License

Approved  
Lurie - Unanimous

Same as above

cont'd ...

# AGENDA

## City of Las Vegas

February 1, 1978

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

CITY COMMISSION - REGULAR MEETING - MINUTES - FEB 1, 1978

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

#### E. LIQUOR -- Change of Business Name/ Change of Ownership

See Page 6

See Page 6

##### 1. \*VILLA CAPRI (cont'd)

R. A. N., Inc. --  
Rosa Terranova, Pres/Director,  
33 1/3%  
Natale DeAngelis, VP/Director,  
33 1/3%  
Anna DeAngelis, Secy-Treas/  
Director, 33 1/3%

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

#### F. LIQUOR & RETAIL TOBACCO -- Approval of Store Manager/Liquor Dept. Mgr.

Approved

Lurie - Unanimous

Director  
authorized to  
proceed

##### 1. ALBERTSON'S # 660 3600 West Sahara Package Liquor License

Albertson's, Inc. --  
J. A. Albertson, Chmn of the  
Board  
J. L. Scott, Pres  
et al

Store Manager:  
Norma Jean Meade

Liquor Dept. Manager:  
George Ira Stringer

# AGENDA

## City of Las Vegas

February 1, 1978

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BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

CITY COMMISSION - REGULAR MEETING - MINUTES - FEB 1, 1978

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

#### G. LIQUOR -- Approval of Additional Corporate Officer/General Manager

Approved  
Lurie - Unanimous

Director  
authorized to  
proceed

##### 1. AMERICAN MART CORPORATION dba

NEVADA LIQUOR & WINE, LTD.  
2416 W. Desert Inn Road  
Wholesale Liquor License

DE LUCA LIQUOR & WINE, LTD.  
2548 W. Desert Inn Road  
Wholesale Liquor License

Arthur M. Wirtz, Chmn of Board/  
Director  
et al

Addl Corp Ofcr/General Manager:  
Ray Edward Norvell, V.P.

#### H. LIQUOR, GAMING & RETAIL TOBACCO -- Approval of Additional Corporate Officers

Approved  
Lurie - Unanimous

Director  
authorized to  
proceed

##### 1. GOLDEN NUGGET 129 Fremont Street

Golden Nugget, Inc. --  
Stephen A. Wynn, Pres/Dir  
et al

Addl Corporate Officers:  
Elaine F. Wynn, Director  
James A. Cutler, Treasurer

# AGENDA

## City of Las Vegas

February 1, 1978

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

CITY COMMISSION - REGULAR MEETING - MINUTES - FEB 1, 1978

Commission Action

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

#### I. GAMING -- Change from Joint Ownership to Partnership

Approved  
Lurie - Unanimous

Director  
authorized to  
proceed

1. MR. SUD'S LAUNDRYMAT  
2303 South Eastern  
1 Business-Owned Slot

From: Alfred Gomes III, 50%  
Patricia Gomes, 50%

To: David L. Routsong, 50%  
Alfred Gomes III, 25%  
Patricia Gomes, 25%

#### J. GAMING -- Deletion of Corporate Officers/Change of Location

Approved subject to Same as above  
conditions.  
Lurie - Unanimous

1. From: Staff-Co., Inc.  
2430 E. Bonanza Road

James C. Stafford, Jr.  
Pres

Theo. Connolly, VP  
Betty Stafford, Secy-  
Treas  
Mary Connolly, VP

TO: \*STAFF-CO., INC.  
2410 E. Bonanza Road  
Slot Operator License

James C. Stafford, Jr.  
Pres/Chairman of the  
Board, 100% stockholder  
Betty F. Stafford, Secy-  
Treas

\*Subject to the provisions of the  
Planning, Building & Fire codes

# AGENDA

City of Las Vegas

February 1, 1978

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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CITY COMMISSION - REGULAR MEETING - MINUTES - FEB 1, 1978

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III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

K. RETAIL TOBACCO -- New

1. L & M., INC. dba

FRONTIER TRADING POST  
104 North 3rd Street

LAS VEGAS WESTERN VILLAGE  
323 E. Fremont Street

John Lonetti, Jr., Pres  
Eunes I. Lonetti, Secy-Treas  
Bruce H. Morris, V.P.  
Helen N. Morris, V.P.

Approved  
Lurie - Unanimous

Director  
authorized to  
proceed

L. BURGLAR ALARM LICENSE -- Change of  
Corporate Officers/Change of Location

1. From: Telemergency Systems,  
Inc.  
300 E. Fremont St. #109

Leo John Heenan, Pres,  
Director, 100%  
Douglas Patten, Secy-  
Treas

TO: \*TELEMERGENCY SYSTEMS,  
INC.  
222 Las Vegas Blvd No.

Bonnie L. Ruggles,  
Pres, Secy-Treas, Dir  
Leo John Heenan, V.P.,  
Director

Approved subject  
to conditions.  
Leavitt -  
Unanimous

Same as above

\*Subject to the provisions of the  
Planning, Building & Fire codes

# AGENDA

## City of Las Vegas

February 1, 1978

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

CITY COMMISSION - REGULAR MEETING - MINUTES - FEB 1, 1978

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

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

See Page 11

See Page 11

##### 1. THE LIFT (cont'd)

(Approved 10/12/77. Extension for 12/11/77 thru 2/8/78 approved 11/30/77. Request for extension of inactive status for 60-day period of: 2/9/78 thru 4/9/78.)

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

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

(Approved 4/20/77. Extension for 6/19/77 thru 8/17/77 approved 6/15/77; extension for 8/18/77 thru 10/16/77 approved 8/17/77; extension for 10/17/77 thru 12/15/77 approved 10/5/77; extension for 12/16/77 thru 2/13/78 approved 12/14/77. Request for 60-day extension of inactive status for period: 2/14/78 thru 4/14/78.)

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ADMINISTRATIVE AGENDA

RUSSELL W. DORN, CITY MANAGER

See page 18 of these minutes - Annotated Agenda

MINUTES  
REGULAR  
MEETING  
DEC 21, 77  
Approved  
by  
Reference

Mr. Dorn: Item A Mayor and Commissioners is the minutes of the City Commission meeting for December 21st, 1977.  
Commissioner Lurie: Move for approval.  
Mayor Briare: Comments? (No response). Cast your votes.  
Motion is approved.

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

POLICY OF  
TASK FORCE  
OF THE  
BOARD OF  
HEALTH  
BEING LEAD  
AGENCY  
IN  
PREPARING  
REVISIONS  
TO STATE  
AIR  
POLLUTION  
PLAN  
Approved

Mr. Dorn: The next item is an addendum for the consideration of a policy of the task force of the Board of Health. Excuse me Commissioners, it has been brought to my attention that this item will be taken up at 4:00 P.M. this afternoon. There was a late posting on our agenda.  
Mayor Briare: Yes, we will bring this up some time after 4:00 P.M. Does that conclude that portion of the agenda?  
Mr. Dorn: Yes sir.

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DEPARTMENT OF FINANCIAL MANAGEMENT

MARVIN A. LEAVITT, DIRECTOR

See Page 19 of these minutes - Annotated Agenda  
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# AGENDA

## City of Las Vegas

BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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February 1, 1978

CITY COMMISSION - REGULAR MEETING - MINUTES - FEB 1, 1978

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IV (a). ADMINISTRATIVE AGENDA - RUSSELL W. DORN,  
CITY MANAGER

A. MINUTES - CITY COMMISSION

1. Regular Meeting - Dec 21, 1977

B. ADDENDUM ITEM - 4:00 P.M.

1. Consideration of Policy of the Task Force of the Board of Health being the lead agency in preparing revisions to the State Air Pollution Implementation Plan

Item 1 Approved by  
Reference  
Lurie - Unanimous

Approved  
Leavitt - Unanimous

Mayor & Clerk  
authorized to  
sign

Staff authorized  
to Proceed

# AGENDA

## City of Las Vegas

BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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February 1, 1978

CITY COMMISSION - REGULAR MEETING - MINUTES - FEB 1, 1978

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I. (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. 117561 to 117965, K409204, A508014, A508045, A508345, A1240 to A1246, A114517 to A114518, A508386 to A508391, A508394 to A508410, A508412, A508415 to A508416, A508419 to A508441, A508443, A508446 to A508706, inclusive

In the amount of \$ 6,388,899.15

\*B. PAYROLL WARRANTS

Nos. 116264 to 117560, inclusive

For Pay Period Ending 1/07/78

In the amount of \$ 487,508.41

Items A and B  
Approved as submitted  
Lurie - Unanimous

Director  
authorized to  
proceed

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DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS

BOB McPHERSON, AEP, DIRECTOR

See Pages 22 and 23 of these minutes - Annotated Agenda

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DEPARTMENT OF FUNDS, COORDINATION AND PROJECTS

RONALD C. JACK, ACTING DIRECTOR

See Page 24 of these minutes - Annotated Agenda

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DEPARTMENT OF RECREATION & LEISURE ACTIVITIES

RICHARD CAMPBELL, DIRECTOR

See Page 24 of these minutes - Annotated Agenda

COMMITTEE TO DEVELOP ORDINANCE ON PROPOSED ARTS COMMISSION

Mr. Dorn: Item A is a committee to develop an ordinance on the proposed Arts Commission.

Commissioner Lurie: Mayor I asked for this item to be placed on the agenda at this time, for the board to take appropriate action to establish a Citizens Committee from the City and the County to study the forming of a Metropolitan Arts Commission, and establishing an ordinance. At this time I would like the board to approve the establishing of that committee, and then I would request that this item be placed back on the agenda for our 15th of February meeting to choose the 10 people that the City would like to have serve on that committee. The County will also be requested to have this item placed on their agenda for February 6th, and they will choose their 10 representatives at their second meeting in February, so that possibly we could have this committee chosen, and get a first meeting by some time in the middle of March. I would like approval from the Commission to go ahead, and place this item on the agenda for the 15th to establish the Citizens Committee to form an ordinance.

Mayor Briare: Are you requesting any nominations?

Commissioner Lurie: Well, if you would submit the names to me of people you would like to serve. You have some names that were submitted to you. We would like to have these names submitted and on the agenda for approval on the 15th.

Mayor Briare: If there is no objection by the Commission, then this will be brought up then on the 15th.

COMMITTEE Commissioner Christensen: Does it require a motion to  
FOR approve the concept, and then pick the people on the 15th?  
ARTS

COMMISSION Commissioner Lurie: Yes.  
Continued

Commissioner Leavitt: Well what should we do, forward this to the City Manager, and then let him give the suggestions back? I have some suggestions of names that should serve on the committee.

Commissioner Lurie: You have a list that was submitted to you of people who attended the public hearings, and have submitted the names to be considered to serve, and their organizations that they represent. Yes, we can work this through the City Manager through the Department of Cultural Activities.

Mayor Briare: Commissioner Christensen wanted to put that in to a form of a motion, so are there any comments? (No response). Cast your votes. Motion is approved.

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

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IV. (c) DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS

BOB McPHERSON, AEP, DIRECTOR

AUTHORIZATION TO FILL POSITIONS

A. FEDERALLY FUNDED

<u>Dept/Class</u>	<u>Monthly Salary</u>	<u>Justification</u>
(1) MS/Facilities Support Custodian Until 9/30/78 (replace vacancy)	\$721	To provide full time service for Fountain Building, 300 Las Vegas Boulevard North, Handicap Center and Satellite Garage.
(2) PS/Streets Maintenance Aide I Until 9/30/78 (replace vacancy)	592	To provide manual support to concrete repair crew to maintain City curbs and gutters and clean up of streets and alleys.

Items 1 and 2 approved as recommended  
 Lurie - Unanimous

Staff authorized to proceed

B. CITY FUNDED - TEMPORARY

(1) City Attorney Junior Clerk One week (provide needed services)	429	To act as runner for Civil Division for relief purposes.
--	-----	--

Approved as recommended  
 Lurie - Unanimous

Same as above

C. CITY FUNDED - FULL TIME

(1) MS/Facilities Support Custodian (provide needed services)	721	To provide full time service at new CETA facility in Commercial Center.
(2) PS/Sanitation Chemist (replace vacancy)	1125	To perform critical laboratory testing on a daily basis.

Items 1 thru 5 Approved as recommended  
 Lurie - Unanimous

Same as above

# AGENDA

## City of Las Vegas

BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 300 EAST STEWART AVENUE

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2/1/78

CITY COMMISSION - REGULAR MEETING - MINUTES - FEB 1, 1978

Commission Action

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IV. (c) DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS

C. cont. CITY FUNDED - FULL TIME

(3)

City Attorney \$721 To act as receptionist  
Office Assistant for the Criminal  
(replace Division and to provide  
vacancy) clerical assistance  
to the Division.

See Page 15

See Page 15

(4)

City Attorney 933 To be responsible for  
Secretary to all secretarial duties  
City Attorney required by the  
(replace City Attorney.  
vacancy)

(5)

PS/Engineering 946 To assist with current  
Design and future workload  
Engineering resulting from  
Designer Regional Street and  
(replace Highway project  
vacancy) priorities.

# AGENDA

## City of Las Vegas

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

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February 1, 1978

CITY COMMISSION - REGULAR MEETING - MINUTES - FEB 1, 1978

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### IV. (d)

#### DEPARTMENT OF FUNDS, COORDINATION AND PROJECTS

RONALD C. JACK, ACTING DIRECTOR

- A. A Resolution of the Board of Commissioners of the City of Las Vegas, Nevada, Approving an Application for Fourth Year Community Development Block Grant Funds.
- B. A Resolution of the Board of Commissioners of the City of Las Vegas, Nevada, Authorizing the Community Development Block Grant Staff to Develop Contracts with Operating Agencies and City Departments to Carry Out the Purposes and Objectives of the Community Development Program.
- C. A Resolution of the Board of Commissioners of the City of Las Vegas, Nevada, to Establish a Community Participation Plan and Process for the Fifth Year Community Development Block Grant Program.

Resolution Adopted  
Lurie - Unanimous

Mayor & Clerk  
authorized to  
sign - Director  
authorized to  
Proceed  
Same as above

Resolution Adopted  
Lurie - Unanimous

Resolution Adopted  
Lurie - Unanimous

Same as above

### IV. (e) DEPARTMENT OF RECREATION & LEISURE ACTIVITIES - RICHARD CAMPBELL, DIRECTOR

- A. Committee to develop an ordinance on the proposed Arts Commission.

Approved to  
continue item on  
15 February agenda  
Christensen  
Unanimous

To be placed on  
15 February 1978  
agenda.

(Commissioner Lurie requested this item be placed on the 15th February 1978 agenda to choose 10 people for the committee. He requested names be submitted to him)

1 A RESOLUTION OF THE BOARD OF COMMISSIONERS OF  
2 THE CITY OF LAS VEGAS, NEVADA, APPROVING AN  
3 APPLICATION FOR FOURTH YEAR COMMUNITY DEVELOPMENT  
4 BLOCK GRANT FUNDS

4 WHEREAS, the Housing and Community Development Act of 1974 (P.L. 93-  
5 383) authorizes the awarding of Community Development Block Grant entitlements  
6 to municipalities; and

7 WHEREAS, the Nevada Community Development Program Law, Chapter 268,  
8 Nevada Revised Statutes, authorizes municipalities to participate in the  
9 Federal Community Development Block Grant Program; and

10 WHEREAS, the Nevada Community Development Program Law, Chapter 268,  
11 Nevada Revised Statutes, conveys to municipalities powers necessary or appro-  
12 priate to carry out a Community Development Program; and

13 WHEREAS, the City of Las Vegas desires to apply for its Fourth Year  
14 Community Development Block Grant entitlement of approximately \$1,920,000 under  
15 the Housing and Community Development Act of 1974; and

16 WHEREAS, the City of Las Vegas passed, approved and adopted on July 20,  
17 1977, a Resolution establishing a Community Participation Plan and Process for  
18 the Fourth Year Community Development Block Grant Program; and

19 WHEREAS, the City of Las Vegas gave public notice of the development  
20 of a Citizen Participation Plan and the Fourth Year Community Development  
21 Program through publication of a legal notice in July, 1977; and

22 WHEREAS, the City of Las Vegas has provided citizens with adequate  
23 information concerning the amount of funds available for proposed community  
24 development and housing activities, the range of activities that may be under-  
25 taken, technical assistance to citizens and other important program requirements;  
26 and

27 WHEREAS, the City of Las Vegas has provided citizens an adequate  
28 opportunity to participate in the development of the application; and

29 WHEREAS, the City of Las Vegas has held five public meetings and four  
30 public hearings to obtain the view of citizens on community development and  
31 housing needs; and

1 WHEREAS, the City of Las Vegas has complied with all program guide-  
2 lines, requirements and regulations of the Department of Housing and  
3 Urban Development.

4 NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners:

5 1. That the City of Las Vegas' application for full entitlement of  
6 Fourth Year Community Development Block Grant Funds is hereby expressly approved.

7 2. That the Mayor is authorized to sign and execute the application  
8 to be submitted on behalf of the City of Las Vegas.

9 3. That the Department of Funds, Coordination and Projects is hereby  
10 authorized and instructed to submit said application to the Department of  
11 Housing and Urban Development and to provide such additional information and  
12 documentation as may be required to support said application.

13 4. That the Mayor is hereby authorized to sign and execute the  
14 Contract between the Department of Housing and Urban Development and the City of  
15 Las Vegas and such other documents as may be required.

16 5. That this Resolution is to take effect immediately.

17 PASSED, APPROVED AND ADOPTED this 1st day of February, 1978.

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WILLIAM H. BRIARE, MAYOR

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22 ATTEST:

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Edwina M. Cole, City Clerk

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(SEAL)

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1 A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE  
2 CITY OF LAS VEGAS, NEVADA, AUTHORIZING THE DEPARTMENT  
3 OF FUNDS, COORDINATION AND PROJECTS TO DEVELOP  
4 CONTRACTS WITH OPERATING AGENCIES AND CITY DEPARTMENTS  
5 TO CARRY OUT THE PURPOSES AND OBJECTIVES OF THE  
6 COMMUNITY DEVELOPMENT PROGRAM

7 WHEREAS, the Nevada Community Development Program Law, Chapter 268,  
8 Nevada Revised Statutes, authorizes municipalities to participate in the  
9 Federal Community Development Block Grant Program and conveys to municipalities  
10 all powers necessary or appropriate to carry out a Community Development  
11 Program; and

12 WHEREAS, the City of Las Vegas, through its Board of City  
13 Commissioners at its regular meeting on February 1, 1978, voted to file an  
14 application for the City of Las Vegas' full entitlement of approximately  
15 \$1,920,000 under Title I of the Housing and Community Development Act of 1974;  
16 and

17 WHEREAS, the City of Las Vegas, through its Board of City  
18 Commissioners at its regular meeting on February 1, 1978, voted to approve the  
19 City's Fourth Year Community Development Block Grant application; and

20 WHEREAS, the City of Las Vegas stipulated in its Fourth Year  
21 Community Development Block Grant application that in the event a satisfactory  
22 contractual arrangement cannot be established with the organizations/agencies  
23 cited in said application, the City of Las Vegas reserves the right to perform  
24 the services itself or contract with another operating agency.

25 NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners:

26 1. That the Department of Funds, Coordination and Projects is  
27 assigned the responsibility for the development, implementation and administra-  
28 tion of the Community Development Program.

29 2. That the Department of Funds, Coordination and Projects is  
30 hereby authorized to negotiate and develop contracts and Memoranda of Under-  
31 standing with operating agencies and City departments for the performance of  
32 activities, services, or programs as part of the City's Community Development  
Program.

33 3. That the Department of Funds, Coordination and Projects is hereby

1 authorized to modify, adjust, increase or decrease operating agencies' and City  
2 departments' project budgets up to a maximum of twenty percent (20%) where  
3 specific activities, services, or programs are deemed by staff to be necessary  
4 (additive) or ineligible or inappropriate to the Community Development Program.

5 4. That the Mayor, or in his absence the Mayor Pro Tem, is  
6 authorized to sign and execute such outside agency contracts that are part of  
7 the approved Community Development Program.

8 5. That the City Manager is authorized to sign and execute Memoranda  
9 of Understanding with City departments that are part of the approved Community  
10 Development Program.

11 6. That the Department of Funds, Coordination and Projects is further  
12 authorized to suspend, terminate or reduce the contract compensation amount if  
13 there is failure on the part of the operating agency to comply with the Scope  
14 of Services or conditions in the executed contract, or if the Department of  
15 Housing and Urban Development determines that the project is inappropriate  
16 or ineligible.

17 7. That the Department of Funds, Coordination and Projects may  
18 suspend a project(s) and institute detailed auditing procedures when there is  
19 probably cause to believe that the project is being financially mismanaged.

20 PASSED, APPROVED AND ADOPTED this 1st day of February, 1978.

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24 WILLIAM H. BRIARE, MAYOR

25 ATTEST:

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28 Edwina M. Cole, City Clerk

29 (SEAL)  
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1 A RESOLUTION OF THE BOARD OF COMMISSIONERS OF  
2 THE CITY OF LAS VEGAS, NEVADA, TO ESTABLISH  
3 A COMMUNITY PARTICIPATION PLAN AND PROCESS FOR  
4 THE FIFTH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT  
5 PROGRAM

6 WHEREAS, the City of Las Vegas intends to submit a Fifth Year  
7 application for Community Development Block Grant Funds under Title I of the  
8 Housing and Community Development Act of 1974 (P.L. 93-383) as amended; and

9 WHEREAS, the City of Las Vegas desires to insure that its residents  
10 are afforded complete information on funding available, eligible activities,  
11 and possible program directions; and

12 WHEREAS, the City of Las Vegas desires to insure the adequate repre-  
13 sentation of community organizations, groups and individuals in the application  
14 development process; and

15 WHEREAS, the Westside Community Development Commission provides  
16 information to citizens on the Community Development Block Grant Program, the  
17 meetings and functions of the citizen participation process, and the applica-  
18 tion process; and

19 WHEREAS, the Citizen Participation Review Committee serves to facili-  
20 tate the citizen participation process by providing for the identification of  
21 community needs in the area of community development; and

22 WHEREAS, the City of Las Vegas recognizes that citizen input is  
23 necessary to the development of the application and determination of program  
24 priorities; and

25 WHEREAS, the City of Las Vegas desires that citizens have an oppor-  
26 tunity to participate in the development of the application prior to its  
27 submission to the Department of Housing and Urban Development (HUD).

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

30 1. That a Community Participation Plan and Process be developed for  
31 the Fifth Year Community Development Block Grant Program.

32 2. That the Department of Funds, Coordination and Projects shall  
be responsible for the development, publication and administration of the

1 Citizen Participation Plan and Process.

2 3. That the Westside Community Development Commission shall provide  
3 assistance to the Department of Funds, Coordination and Projects in planning  
4 and coordinating public information meetings during the programming cycle and  
5 the application process.

6 4. That the notice of such Citizen Participation Plan and Process  
7 shall be published and that the Plan shall be made available to the public and  
8 shall be distributed at the first and subsequent public meetings.

9 5. That the Citizen Participation Plan shall include, at minimum,  
10 three (3) public meetings and two (2) public hearings.

11 6. That the Citizen Participation Plan shall include a time table  
12 and shall provide a brief description of the purpose of each public meeting  
13 and hearing.

14 7. That the Citizen Participation Process shall commence in February  
15 1978, and shall continue until the submission of the Fifth Year Community  
16 Development Block Grant application to the Department of Housing and Urban  
17 Development. The Citizen Participation Process shall also be used for the six  
18 (6) month programming cycle and for any subsequent amendment of the Community  
19 Development Block Grant application.

20 8. Commencing with the adoption of this Resolution, participation  
21 in the Community Participation Process referred to above shall be open to the  
22 general public and to any individual or representative of any groups or organi-  
23 zation in the City of Las Vegas desiring to be part of said Process.

24 9. The Citizen Participation Review Committee shall continue in oper-  
25 ation as constituted with vacancies to be filled by appointment of the Mayor.

26 10. A publicity campaign shall be initiated including news advertise-  
27 ments and television and radio public service announcements to inform citizens  
28 of the public meetings and public hearings.

29 11. The Department of Funds, Coordination and Projects will provide  
30 staff resources throughout this process for the purpose of providing all rele-  
31 vant information on the Community Development application process.  
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PASSED, APPROVED AND ADOPTED this 1st day of February, 1978.

WILLIAM H. BRIARE, MAYOR

ATTEST:

Edwina M. Cole, City Clerk

(SEAL)

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DEPARTMENT OF MUNICIPAL SERVICES

J. C. CATHCART, DIRECTOR

See Pages 33 and 34 of these minutes - Annotated Agenda

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DEPARTMENT OF PUBLIC SERVICES

LAURENCE HAMPTON, P.E. DIRECTOR

See Pages 35 thru 39 of these minutes - Annotated Agenda

PROJECT APPROVAL  
CONSTRUCTION OF  
WESTCLIFF DR  
AND  
LORENZI BLVD  
ITEMS  
A & B  
Approved  
as  
Recommended

Mr. Purvis: You have a letter on the particular areas, Westcliff, and Lorenzi Boulevard. This is as a result of \$120,000.00 of Revenue Funds that was set aside to start doing some paving work in the outlying areas. I have a map here as to where these areas are. The one in red here is Decatur Boulevard which was given approval about three or four months ago. We are now to the point that it is a day to day basis where they can get the paving equipment. These are the two we are now requesting, on this one (referring to the map), one half of it is in the County. We intend to go to the County to see if they will do the grading, and we will do the paving. That is the way we would like it to work. The abutting lines on this side is BLM. We don't have to worry about right of ways. The right of way on this side will be dedicated by Sproul Homes. (Referring to the map). This piece in here we will be asking for dedication of a total of a 100 foot right of way. The people have been told, that if they do not dedicate the right of way, then we cannot consider paving that area. We have now asked permission to go ahead and start this action on Westcliff Drive, and on Lorenzi Boulevard from Rancho to Ann Road.

Commissioner Lurie: I move we follow the recommendation of the project submitted, with the conditions.

Commissioner Woofter: Let the record reflect I am going to abstain as far as subparagraph A, in that I own acreage fairly close to the area in question.

Commissioner Leavitt: I would like to ask that those two projects be separated.

Commissioner Lurie: I will withdraw my motion.

Mayor Briare: I want to ask a question. These are revenue sharing monies that were set up some time back?

Mr. Purvis: Yes.

Commissioner Christensen: Mayor this is a project that I requested under revenue sharing some time ago because of the headache that we have in that area. Where we had to annex that area in order to stop an end a round run by North Las Vegas some years ago from surrounding the City of Las Vegas. Some of those people have been

WESTCLIFF and some of those people have been driving on dusty gravel  
DRIVE roads for a long time, which they wouldn't have had to do  
AND if they had been in the County. Consequently I think that  
LORENZI in order to improve that situation that we had to embark on  
BLVD a project of trying to improve and pave those major feeder  
(Continued) streets that empty those clusters of homes that we have in that  
area. It is fast becoming one of the prime areas of the  
community. So those people can get to the main arteries  
to get to town, without having to; the people living in those  
streets taking all the dust from everybody for miles around  
while they get to the main street. I think this is a very  
worthy project, and I think it should be considered and  
passed unanimously. I would move for approval  
if the motion has been withdrawn.

Mayor Briare: Any comments? (No response). This is for  
both items A and B. The comment that Commissioner Woofter  
made applies to the new motion. 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 abstained.

Commissioner Christensen: I would hope that this project  
continues, and we keep coming with more and more streets  
until we get those feeders in that area. I would also hope  
that our Public Works Department pursue the possibility of  
Assessment Districts out there. When those areas get filled  
up to the point where there are no vacant lots left on the streets,  
then I think they should be contacted to see if they wouldn't  
consider paving that street. A lot of people don't realize  
this, and we get in to a lot of trouble with this, and it comes  
from this area some what. That is why we are talking about the  
major feeder streets. We have a large number of people think  
the City paves the streets, and in reality the City paves  
those streets, but the people that live on those streets pave  
those streets, and do the outside improvements. Now if you  
move in to a subdivision where the home is already built, and  
you buy a new house from a subdivider, they all think they don't  
pay for the streets, but they really do. It is included in the  
price of the house. No one gets a paved street without some  
expense. So when these areas get built up to the point where  
there are no vacant lots left, and they haven't been subdivided  
they have just been built on one owner at a time, why then  
I think it is time we contact them, and get the streets paved,  
and take care of the maintenance problem.

Mayor Briare: Thank you Commissioner.

# AGENDA

City of Las Vegas

February 1, 1978

BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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PHONE 386-6011

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(f) DEPARTMENT OF MUNICIPAL SERVICES

J. C. CATHCART, DIRECTOR

\*CONSENT AGENDA

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

PURCHASING AND CONTRACTS ITEMS

\*PERMISSION TO RECEIVE BIDS

1. Downtown Wheel Chair Ramps - Community Development Block Grant (Public Services)
2. Traffic Signal Installations (Public Services - Traffic Division)
  1. Oakey - Arville
  2. Sahara - Spanish Oaks
  3. Franklin - Maryland Parkway
  4. Decatur - Bonanza
  5. Valley View - Washington
  6. Lake Mead - "H"
  7. Lake Mead - "D"100% REIMBURSEABLE BY STATE OF NEVADA
3. Replacement Sprinkler Parts - L.D.S. Park (Recreation and Leisure Activities - Parks Division)
4. Furniture (City Attorney)
5. Replacement Fire Hose - 19,300 L.F. (Fire Services)
6. Traffic Signal Replacement Parts (Public Services - Traffic Division)
7. Racing Lanes, Reels and Starting Blocks (Recreation and Leisure Activities - Recreation Division)

Items 1 thru 11  
Approved as  
recommended  
Lurie - Unanimous

Staff authorized  
to proceed

# AGENDA

## City of Las Vegas

February 1, 1978

BOARD OF CITY COMMISSIONERS  
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IV. (f) DEPARTMENT OF MUNICIPAL SERVICES, CONTD

\*A. PERMISSION TO RECEIVE BIDS, CONTD.

8. Traffic Signal Phase Timing Equipment  
(Public Services - Traffic Division)
9. Lexan Covers for Island Nose Lights  
(Public Services - Traffic Division)
10. Microfilming Equipment (City Clerk's Office)
11. Two-Year Rental Uniforms for Classified  
Employees (Municipal Services)

See page 18

\*B. AWARD OF BIDS

1. Bid #77.145 - 2,500 Gallons Traffic Paint  
(Public Services - Traffic Division)
2. Bid #77.146 - Miscellaneous Equipment to  
Outfit New Aerial Ladder Truck (Fire  
Services)
3. Bid #77.150 - Nine (9) Each Flammable  
Liquid Cabinets to Meet O.S.H.A. Requirements  
(Public Services - Maintenance)

Items 1 thru 3  
Approved as  
recommended  
Lurie - Unanimous

Staff  
authorized to  
proceed

# AGENDA

## City of Las Vegas

Feb. 1, 1978  
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BOARD OF CITY COMMISSIONERS  
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### IV (g). DEPARTMENT OF PUBLIC SERVICES

LAURENCE HAMPTON, P.E., DIRECTOR

#### \*CONSENT AGENDA

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

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

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

1. Casa Linda Unit No. 8-A. (Halco, Inc., Harold Thompson, President)
2. Lewis Homes-Meadow Vista Unit No. 2. (Lewis Homes of Nevada, Earl W. Monson, Agent)

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

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

Charleston Rainbow Unit No. 15-B.  
(Sproul Homes of Nevada, R. B. Cline, President)

2. A sidewalk bond (Cash Deposit with Nevada State Bank) in the amount of \$1848.00 had been posted on the following subdivision. Such sidewalk has been constructed in accordance with City Standards, and it is recommended that the bond be released.

Charleston Heights Unit No. 53-A.  
(Becker and Sons, E. A. Becker, Jr., Agent)

Items 1 and 2  
approved as  
presented  
Lurie - Unanimous

Director  
authorized to  
proceed

Items 1 and 2  
Approved as  
presented  
Lurie - Unanimous

Clerk to proceed

# 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 - FEB 1, 1978      Commission Action      Department Action

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### IV (g). DEPARTMENT OF PUBLIC SERVICES (Continued)

#### \*C. RELEASE OF BOND

It is recommended that the performance bond posted for improvements at the following site be released. All work has been completed in accordance with city standards. It is recommended that the work be accepted and the bond released.

1. Location: 901 Brush St.  
Use: Apartment Complex  
Builder: A. G. Spanos  
Surety: Industrial Indemnity Co.  
Amount: \$47,000.00  
Bond No.: YS733-6390

Approved as recommended  
Lurie - Unanimous

Clerk to proceed

#### \*D. RELEASE OF CONSTRUCTION CONTRACT

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

1. Bid No.: R77.108  
Contractor: Young Electric Sign Co.  
For: Relocation of Illuminated Signs due to Five Points Construction  
Notice of Completion: January 4, 1978  
Release Date: February 8, 1978

Approved as recommended  
Lurie - Unanimous

Clerk and Municipal Services authorized to proceed

# AGENDA

## City of Las Vegas

BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

Feb. 1, 1978  
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CITY COMMISSION - REGULAR MEETING - MINUTES - FEB 1, 1978

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### IV (g). DEPARTMENT OF PUBLIC SERVICES (Continued)

#### \*E. RIGHT OF WAY ITEMS

##### 1. Quit Claim Deed

From: Leroy and Nancy Wilder, Trustees of the Leroy Wilder Family Trust and Leroy D. Wilder and Nancy S. Wilder, husband and wife and Joseph Prudhomme and Dora E. Prudhomme, husband and wife  
To: City of Las Vegas  
For: Portion Lot 1000, Vegas Heights Tract Unit #4 Highland Ave. (1/20/78)

##### 2. Grant Deed

From: George A. Godzik and Donna Godzik, husband and wife as joint tenants with rights of survivorship  
To: City of Las Vegas  
For: Portion SW-1/4, Sec. 35, T19S, R60E Lorenzi. Dedication (1/17/78) (M-2-2)

##### 3. Grant Deed

From: Lester L. Holmes and Katherine Holmes, husband and wife as joint tenants  
To: City of Las Vegas  
For: Portion Government Lot 2, Sec. 2, T20S, R60E Sweikert Lane. Bldg. Permit (1/19/78) (M-2-2)

Items 1 thru 8 approved  
Lurie - Unanimous

P/S authorized to proceed

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### IV (g). DEPARTMENT OF PUBLIC SERVICES (Continued)

#### \*E. RIGHT OF WAY ITEMS (Continued)

4. Grant Deed

From: Irene Pfeiffer, an unmarried woman;  
Karen Gail Mell, a single woman; Deborah Epkes, an unmarried woman, as joint tenants  
To: City of Las Vegas  
For: Portion Lot 6, Block 4, Artesian Heights Tract No. 1  
Arville St. (1/16/78)  
R-6-4)  
Recorded as Instrument No. 795608 in Official Record Book 836 in the office of the County Recorder, Clark County, Nevada on Jan. 18, 1978

See Page 22

See Page 22

5. Grant Deed

From: Ed Edwards and Zinnomia Edwards, husband and wife as joint tenants  
To: City of Las Vegas  
For: Portion NE-1/4, Sec. 28, T20S, R61E  
Radius Corner. "N" & Van Buren (1/19/78)

6. Grant Deed

From: Ann Greta Jones  
To: City of Las Vegas  
For: Portion NE-1/4, Sec. 34, T19S, R60E  
Lorenzi Blvd.  
Dedication (1/13/78)  
(G-34-2)

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

\*E. RIGHT OF WAY ITEMS (Continued)

See Page 22

See Page 22

7. Grant Deed

From: Board of Trustees of  
Clark County School  
District, a Body Corp-  
orate  
To: City of Las Vegas  
For: Portion SW-1/4, Sec. 30  
T20S, R62E  
Harris Ave. Dedication  
(1/12/78) (N-30-5)

8. Grant Deed

From: David E. Crowe  
To: City of Las Vegas  
For: Portion SW-1/4, Sec. 3,  
T21S, R61E  
Main St. Dedication  
(1/11/78) (R-3)

F. PROJECT APPROVAL

1. Construction of:

- A. Westcliff Dr. from Rainbow Blvd.  
to Buffalo Dr. (Revenue Sharing  
Funds)
- B. Lorenzi Blvd. from Rancho Rd. to  
Ann Rd. (Revenue Sharing Funds)

Items A & B  
approved as  
recommended  
Christensen -  
Commissioner  
Woofter abstained  
on Item A.

Staff and Director  
authorized to proceed

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V. MIKE SLOAN - CITY ATTORNEY

N  
O  
N  
E

None

None

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

N  
O  
N  
E

None

None

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### VACANCIES - BOARDS & COMMISSIONS

A. ELECTRICAL EXAMINING BOARD  
(2-year term)

Held in abeyance

City Manager to  
supply more  
information  
2/15/78 agenda

1. Aubrey Goldberg (Layman Member)  
Term expires 2/2/78
2. Robert Goerke (Master Technician)  
Resigned

B. SR. CITIZEN ADVISORY BOARD  
(3-year term)

Held in abeyance

2/15/78 agenda

1. Al Triner - Term expires 3/3/78
2. Laura Tupper - Term expires 3/3/78
3. Catherine Perrotti - Term expires  
3/3/78
4. Keith McNeil - Term expires 3/3/78

-----  
REPORTS FROM RECOMMENDING COMMITTEES

See Page 43 of these minutes - Annotated Agenda

BILL  
77-65

2nd  
Reading  
and  
Adopted  
Ordinance  
No. 1906

Commissioner Lurie: We can move Bill 77-65 up for its final reading.

A Bill entitled, "AN ORDINANCE TO AMEND TITLE V, CHAPTER 9, SECTION 5, 17, 18, 19, 20, 24, 29 AND 31 OF THE CITY OF LAS VEGAS MUNICIPAL CODE, 1960 EDITION, TO SPECIFICALLY SET FORTH THE LANGUAGE OF LAS VEGAS METROPOLITAN POLICE DEPARTMENT INSTEAD OF THE LANGUAGE NOW REFERRING TO THE POLICE DEPARTMENT; AND TO SPECIFICALLY SET FORTH THE SHERIFF OF THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT, OR HIS DESIGNEE, INSTEAD OF THE LANGUAGE NOW REFERRING TO THE CHIEF OF POLICE OR ACTING CHIEF, WHICH LATTER POSITION HAS NOW BEEN ABOLISHED PURSUANT TO NRS 280.010 ET SEQ.; AND TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH." Read by City Attorney Mike Sloan.

Commissioner Lurie: Move for the adoption of Bill No. 77-65.

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

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

BILL NO.  
77-62

2nd  
Reading  
and  
Adopted.  
Ordinance  
No. 1911

Commissioner Lurie: I would like to have Bill No. 77-62 read.

A Bill entitled, "AN ORDINANCE TO AMEND TITLE IV OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY ADDING A NEW CHAPTER 12 TO ADOPT BY REFERENCE THE UNIFORM CODE OF THE ABATEMENT OF DANGEROUS BUILDINGS, PUBLISHED BY THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, 1976 EDITION; PROVIDING CERTAIN AMENDMENTS THERETO; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH." Read by City Attorney Mike Sloan.

Commissioner Lurie: Move for the adoption of Bill No. 77-62.

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

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

BILL NO. 78-Z-1 Commissioner Leavitt: I move for its adoption, and request it be read by title.

2nd

Reading and Adopted Ordinance No. 934-233 A Bill entitled, "AN ORDINANCE TO AMEND THE LAND USE PLAN MAP ADOPTED BY THE CITY OF LAS VEGAS UNDER TITLE XI, CHAPTER 1, SECTION 3 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY CHANGING THE ZONING DESIGNATION OF SAID MAP; TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; AND TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH." Read by City Attorney Mike Sloan.

Mayor Briare: The motion is to adopt. Are there any questions? (No response). Cast your votes. Motion is approved.

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

BILL No. 78-4 Commissioner Christensen: I would like to have it read by title.

2nd

Reading and Adopted Ordinance No. 1912 A Bill entitled, "AN ORDINANCE TO AMEND TITLE II, CHAPTER 5, SECTION 3, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY INCREASING THE SIZE OF THE CHILD WELFARE BOARD FROM SEVEN (7) TO NINE (9) MEMBERS AND BY PROVIDING THAT AT LEAST ONE (1) MEMBER OF SAID BOARD SHALL BE A LICENSED OPERATOR OF A CHILD CARE FACILITY; TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; AND TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH." Read by City Attorney Mike Sloan.

Commissioner Christensen: I move for the adoption of said ordinance.

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

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

Mayor Briare: The next item was set for a time certain at 2:00 this afternoon, so that concludes the report of recommending committees until 2:00 this afternoon. Anything else? (No response).

-----  
REPORTS FROM STUDY COMMITTEES

N O N E  
-----

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### VIII. REPORTS FROM RECOMMENDING COMMITTEES

- |   |  |  |
|---|--|--|
| <p>A. BILL No. 77-65 - To refer to the head of the Las Vegas Metropolitan Police Dept. as Sheriff; to refer to the Police Dept. as the Las Vegas Metropolitan Police Department<br/>Committee: Commissioners Lurie and Leavitt<br/>1st Reading - 1/18/78<br/>1st Publication - 1/20/78</p>                                  | <p>2nd Reading and adopted<br/>Lurie - Unanimous</p>       | <p>Clerk to proceed with 2nd publication</p> |
| <p>B. BILL No. 77-62 - To adopt by reference the Uniform Code for the Abatement of Dangerous Buildings, 1976 Edition, together with amendments and additions thereto<br/>Committee: Commissioners Lurie and Leavitt<br/>1st Reading - 1/18/78<br/>1st Publication - 1/20/78</p>   | <p>2nd Reading and adopted<br/>Lurie - Unanimous</p>       | <p>Clerk to proceed with 2nd publication</p> |
| <p>C. BILL No. 78-Z-1 - To amend the Land Use Map of the City of Las Vegas by changing various zone designations<br/>Committee: Commissioner Leavitt and Mayor Briare<br/>1st Reading - 1/18/78<br/>1st Publication - 1/20/78</p>   | <p>2nd Reading and adopted<br/>Leavitt-Unanimous</p>       | <p>Same as above</p>                         |
| <p>D. BILL No. 78-4 - To increase the size of the Child Welfare Board from 7 to 9 members, and to provide that at least one (1) member of said Board shall be a Licensed Operator of a Child Care Facility<br/>Committee: Commissioners Christensen and Woofter<br/>1st Reading - 1/18/78<br/>1st Publication - 1/20/78</p> | <p>2nd Reading and adopted<br/>Christensen - Unanimous</p> | <p>Same as above</p>                         |
| <p>E. *BILL No. 78-6 - To increase the Parking Rates at the Municipally-owned Garages<br/>Committee: Full Board with Commissioner Christensen as Chairman<br/>1st Reading - 1/18/78<br/>1st Publication - 1/20/78<br/>*Noticed for Public Hearing at 2:00 P.M.</p>  | <p>Held in abeyance</p>                                    | <p>To be placed on 2/15/78 agenda</p>        |

### IX. REPORTS FROM STUDY COMMITTEES

N O N E

(City Commission recessed at 10:30 A.M.)

(City Commission reconvened at 2:00 P.M.)

APPEAL  
FILED BY  
DON J.  
SAYLOR, AIP,  
SECY, BD  
OF ZONING  
ADJUST-  
MENT  
AND JOHN  
A.  
DIFIORE  
U-79-77  
Appeal  
Denied

Mayor Briare: We have several hearings scheduled for 2:00 P.M. today. Unfortunately we can't take all three of them exactly at 2:00, so we will begin with an appeal filed by the Director of Planning and Community Development Mr. Don Saylor, and Mr. John A. Difiore, Chairman of the Board of Springhurst townhouses.

Mr. Saylor: This item was held in abeyance at your last meeting, with instructions to hold a meeting with the applicants, and the protestants, the developer, and the traffic engineer. This was done, and as a result of that meeting everybody appears to be in agreement, and oddly enough in agreement with the plan that was submitted to you at our last meeting. It involves the proposed apartment house complex on a portion of the commercial property North of Sahara, in proximity to the Springhurst development. This is a plot plan of the proposal. (Referring to the map). There is a cut in the traffic circulation so that only 48 of the units would have circulation out to El Camino. The rest of them will go East to Teddy Drive. There is no access provided on Richfield. This represents a consensus of opinion of the people that appeared before you at the last meeting.

Mayor Briare: Comments or questions? (No response). I think we closed the Public Hearing on this. This is just a continuation of the deliberation after the public hearing at the last meeting?

Mr. Saylor: I believe so.

Mayor Briare: So your recommendation is that we deny the appeal, in which sense would allow the compromised settlement?

Mr. Saylor: Yes sir, of course I had to make sure that it came back before you, because you had taken action before on it.

Mayor Briare: Comments or questions?

Commissioner Christensen: Well, even if the public hearing is closed I think we had better get a little bit of input from the people involved, at least an indication that they do or do not agree with this.

Mayor Briare: Is there anyone from Springhurst present in the audience today that takes exception to the compromise? (No response). Obviously then a compromise, and an agreement has been worked out to everybody's satisfaction.

Commissioner Christensen: I move we deny the appeal.

Mayor Briare: Comments on the motion?

Commissioner Lurie: I oppose this based on the face that I would much rather see a planned unit development located in that area, instead of apartments. I don't particularly, after having reviewed the minutes the first time it was denied under R-3,

U-79-77  
Continued

then have it come back to us under a Use Permit, which is higher density than would normally be for R-3. I am opposing the application.

Mayor Briare: Any other comments? (No response).  
Then the motion is to deny the appeal. A yes vote would deny the appeal. The appeal is denied, and the solution is worked out.

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

APPEAL FILED  
BY  
F. K. VAN HOUTEN  
and  
JOSEPH F. RUNDUS  
U-88-77  
Appeal Approved

Mr. Saylor: This is in an R-E Zone, and what I think most of you recognize as the Bonanza Village area. It is zoned R-E, and our ordinance does allow a non-profit use of this nature by means of a use permit. It doesn't necessarily mandate it. This operation has been going on several months. It came to our attention indirectly at a hearing on another item in the same area. When it did come to our attention of course we advised the people in charge that such a use was not permitted unless their use permit was approved. The Board of Zoning Adjustment did approve, and of course it is here on an appeal from the protestants. This is the lot in question, (Referring to the Map). This is the plot plan of the property showing the main house, a garage, and a guest house. At the BZA meeting there were several protests from property owners in the area. I attempted to describe to you in my memo the type of protests, such as disturbance in the street in the form of an altercation, people coming to the area, and not being able to provide the service for them, and therefore hanging around. Although the facility is primarily for counseling the women, it was brought out that several of them had children and that they are also provided facilities. On this map we have by means of a red "X" indicated the protest factor from the Bonanza Village residents.

Mayor Briare: We first hear from those people advocating, and then we hear from those people who are opposing it. We will call now upon the spokesman for the Light House, or someone who is here to propose a change in the use of that neighborhood.

Rosemary King: I am the Director of the Light House at 1100 Virginia City Avenue Las Vegas. I went before, and obtained a use permit. They brought up that I hadn't had one, and I was already in operation. That was true. I had gone to the Business Licensing people, and they said that there was no business license for what you do, and I wasn't aware of a use permit. When I was made aware of it I immediately went in and applied. I house women on an emergency basis. I have room for 10 women. I help them when their life comes apart. I take them when they have an emotional need. We are a Christian home, and we use the Bible as a handbook. We believe that the Bible is our leader, and we refer to it. In the scriptures it says that a woman is to lean on a man, and a man is to be the head of her. Well these women that I take are single women, not married women. I am not interested in the married women. I am looking for the woman who needs someone to lean on, and needs help in life, that is losing hope. That is

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Continued

emotionally distraught. These are the type of women I take. I interview each one that comes in. I do not take the mentally ill woman, but I do take the emotionally disturbed woman. I do this because at one time I was in their position. Even though I was a successful business woman in Las Vegas, and I have been here since 1951 I was an alcoholic, because I was looking for hope, and I couldn't find it. I looked at many avenues. It was through a suicide in my own life that I found Christ. When I realized where the hope was for me, then I wanted to share what I had found. That is my reason for the Light House. In almost a year and a half I have been taking in women. I have taken in over 200 women. We have over a 90% success rate. These women have found a new hope.

Mayor Briare: Mrs. King I am sure that your efforts, and your objectives are very very fine, and there is a need for a facility somewhere, and that you do a great service. I am sorry to admit that I have never heard of the particular service that you give, but I think our purpose here this afternoon is not so much as what you do, but why it should be done where you are doing it. The Board of Zoning Adjustment looks upon this not only for the use of the building, but also for where it is located. If you have anything that you would like to present to this Commission which would suggest reasons from a zoning standpoint why this would be good in that particular location, and furthermore where it won't do any harm to anybody else that is in the neighborhood, then perhaps you might want to present that.

Mrs. King: The reason that I need to stay in that location is for financial reasons. We needed somewhere to start this ministry, and we did not have the money to go out and purchase a large piece of property, and build a building. We do not bother anybody in the neighborhood. Those across the street from me, and over in Virginia City, one said she wasn't even aware that we existed other than just a family living in that home, until all of this started with the petitions. Most of the people in the neighborhood that I talked to said that some of the signatures I got had already signed the petition against me saying they did not understand what I was doing, and were told things that weren't true. I wish I had gotten more names, but it would have taken an amount of time that I didn't have as Director of the Light House. I do have a job there to do, and I went out personally. I would not send the girls out because I wanted to be there if there was anything that might come up from the neighbors. There are 13 of us. That may seem like a large number to you, but in this type of thing that is not very many. We are turning down about 5 a day that need help. We are the only ones in Las Vegas providing the service. In my heart that means something.

Mayor Briare: Thank you Mrs. King. Are there any questions?

Commissioner Lurie: Do you have a degree in counseling?

Mrs. King: No, I have a degree in having been there. I have taken every counseling course that is offered in Las Vegas when I have the time to take them. I take them from different churches, and organizations and have read a great deal of counseling books, and I have

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Continued

lived in the world that these girls live in.

Commissioner Lurie: You are in business then for a profit?

Mrs. King: No, this is a non profit organization.

Commissioner Lurie: My understanding was that the women who come to your Light House, that you find them ways to obtain welfare, food stamps, and things like this, and then you charge them that amount, or whatever they can get. Is this correct.

Mrs. King: No, it is not. It is partially true. We do not get food stamps. I went in and tried to apply for food stamps on an organization basis. They will not give food stamps to an individual, because we are like community eating. We do get food from the community food bank. There is one girl that receives welfare, and she gets right around \$200.00 or a little over, and she contributes \$125.00 a month for her and her two babies to the Light House as a contribution to help support her, but that is not enough. The girls when they can earn money do contribute money back to the light house, but it is not mandatory. We take them in, and we receive all kind of funds that we can get, because we need everything we can get. We have no State or government funding.

Commissioner Lurie: You are registered then with the State as a non profit organization?

Mrs. King: Yes.

Commissioner Lurie: How many women stay in one room?  
How many rooms is your house?

Mrs. King: Well we have one large dormitory room which has 5 twin beds in it. I have a smaller dormitory room with 3 twin beds in it, and I have another smaller room that has 2 beds in it. Then my two daughters and myself live in the guest house right now. We did have basement quarters, which was a bomb shelter, but the fire department said there wasn't adequate exit, so we vacated the bomb shelter.

Commissioner Lurie: You live outside the house in the guest house, and the women....

Mrs. King: Yes, I had to move out, because of vacating the basement. I wanted to keep all the girls under one roof.

Commissioner Lurie: What about some of the items that were presented at the BZA about disturbances out in the front yard, and the street, and about garbage.

Mrs. King: The garbage I explained was a clean up after a garage sale. It was a one time deal. The disturbance was when I had miscalculated on the girls. She was drugged. When I took her in I didn't realize that she was mentally ill. When I realized it

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Continued

I had the police come and pick her up, and take her to the 700 ward of Southern Memorial Hospital. Those are things that could happen to anybody. I have a picture here which I could submit from one of my neighbors, who had 13 garbage cans in front of his house. I have only seen this one time. This can happen to any one. This is not a repeated occurrence at my home.

Commissioner Christensen: What about this guest house. You live at the guest house?

Mrs. King: I just remodeled it, and moved in to it recently to make room for the 10 girls in the house.

Commissioner Christensen: Do we have a variance for a kitchen in a guest house?

Mrs. King: There is no kitchen in the guest house. I took the kitchen out. There was a kitchen in there, and I have it removed. I have no need for the kitchen. It was just taking up room as far as I was concerned.

Mayor Briare: Thank you very much Mrs. King. Is there anyone in the audience who wishes to speak in favor of this use?

Leslie Stovall: I am with the Clark County Legal Services Program, at 301 South Highland Drive Suite 110. Light House is the only facility in the Las Vegas area that provides a residential facility to females who have no other place to go. The Salvation Army has a few beds, but they do not have adequate facilities either. Light House is a necessary function for the City, and for the County. Light House when it was established; I don't know if they expect to expand, but their plans are to move from 1100 Virginia City Avenue. As was pointed out to the BZA, and I believe it was a compromise with the zoning board, and they recognized it in granting this special use permit, that they would be allowed to stay for one year until they could relocate. Mrs. King is not asking for anything else than that one year in order to obtain the funds, and to relocate. My specialty at legal services is welfare law. It is incredible the number of people who are dislocated in this town. The number of people who have no place to go, and that the county and the state does not provide assistance to them. Light House in essence is essential. The objections that were raised in the zoning board meeting have not been substantiated. We asked; we offered to the zoning board, and the opposition the opportunity to review police records, to review complaints made against the Light House to determine their validity. This opportunity was not taken, and the zoning board felt that it was, or the granting of the use permit was adequate. I am merely asking that this Commission consider that Light House is the only facility in the area that provides these functions. They are only there for one year until they can acquire the funding. I personally am working on the non profit papers, which are being filed with the Internal Revenue Service, which is essential for them to obtain funding through a foundation, or other non profits, or through the government. We hope to have the tax exemption through the IRS in a short period of time.

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Continued

Mayor Briare: Mr. Stovall would you consider yourself the attorney for the Light House people?

Mr. Stovall: No sir, I am not an attorney I am a paralegal, and I am not representing Light House here as their attorney.

Mayor Briare: Are you representing the Clark County Legal Aide Society?

Mr. Stovall: No sir I am representing myself.

Mayor Briare: I suppose you wouldn't then be required to know that this operation has been operating without the benefit of a use permit?

Mr. Stovall: I was aware that; after I became involved in Light House I assisted them with their approved commodities application, and with their non profit papers. When the zoning board issue came up I became aware that they had operated without a use permit.

Mayor Briare: You didn't know that before that?

Mr. Stovall: No sir I did not. I believe Mrs. King has operated in good faith with her neighbors, and with everybody involved.

Mayor Briare: Would you have any arguments that would be directed more to the location of the business, as opposed to the merits of the operation. The advantages in locating it at that particular place.

Mr. Stovall: Where it is located at now; well I can think of disadvantages. If the Light House is not granted this use permit you are going to have 12 girls out on the street with no place else to go.

Mayor Briare: Well I am sure there are people here who are going to point out some disadvantages. I would like you to indicate to the Commission some advantages of having it there. We are talking about zoning.

Mr. Stovall: I am sorry, outside of the Light House being established their initially, and having plans to relocate within this one year period, I have nothing that I could point out as being beneficial to the neighborhood.

Mayor Briare: Any other questions or comments?

Commissioner Christensen: I would like to ask one question. This place has 15 people, is that correct?

Mr. Stovall: No sir, I believe they have 13.

Commissioner Christensen: O.K. 13, and they indicate that they are turning 5 away a day, then what would be your estimate of the number of women that need this service, or a facility of this type?

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Continued

You said there were a lot of dislocated people and so forth. What would you give as an estimate of the number of people that require this type of care, and facility and so forth?

Mr. Stovall: I have no figures to refer to. I know speaking to other people in the community, and the housing authority. I spoke to them today about a lady that was dislocated with her family, and they have no emergency housing. They say they turn away two or three people a day who come to their offices asking for a place to go. They have no place to go.

Commissioner Christensen: Then we are failing to serve around 8 people a day that we know of? I am trying to determine how many people that need this facility? Are there 6,000, 600, 60, 13 or how many in the community?

Mr. Stovall: I would say that you are getting a small majority of the people who need the services in the community. Light House is attempting to expand. They will need larger facilities. Now Legal Services in itself has a potential client relationship in the community of 50,000 people. Your Senior Citizens Law project has a potential of 50,000, so that is 100,000 people, who are poor, and or senior citizens in Clark County.

Commissioner Christensen: You stated that if this use permit is denied, that we will immediately put 13 women on the street. How great of an impact is that? Is that going to double the number on the street, is that going to be 1% more than are already on the street, or 50%, or what kind of an impact are we talking about? How big a dent does 13 people make who need this service?

Mr. Stovall: I have no way of determining what sort of impact that will have, except on a personal level. It would be tragic to the persons who would be put on the street to have no place to stay, when a day or two earlier they did.

Commissioner Christensen: I fully understand that, but you can look at it this way. You can say if we had 13 here, and we turned 8 away a day, then that is close to 2,400 a year, then we may have to have one of these in every six blocks all over the City in order to accomodate them. That is what I am getting at. Maybe we are just scratching the tip of the iceberg.

Mayor Briare: Thank you. Is there any one else?

Mr. Roy Miller: I am the pastor of the Christian Fellowship Center. I am the spiritual pastor for the girls at the Light House. I would like to point out that 13 seems like a small number, but consider 200. We live in a very tragic community, and being a pastor I see the turn over regularly of the people that come and go. It is a continual turn over. We administer to over 200. We asked for a conditional use permit for years so we could seek large facilities, and we are currently doing that right now. We would like to have a facility that would handle, or hold four or five times this many. We definitely need a little bit of time, so that we can put the program together financially so we can move. The only thing I can favor of this property is, that it does belong to Mrs. King. That is the only advantage.

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Also it is a large home in comparison to other areas of the community. The price of that home was considerably less than if it would have been bought in another area of the City. That is a definite advantage to the particular property we are talking about. I am in favor of the Light House. I have been involved with it in counseling with the girls that come in, and I have seen a change in many lives. I have seen definite changes of girls that had no hope, and now they are back in society, and back to work, and back to life. I think there is a definite need to have this type of facility in Las Vegas.

Commissioner Lurie: How long was the Light House located there on Virginia Street before you were notified that you didn't have a license to operate?

Mr. Miller: Well we didn't start the program. We just started helping one girl. One girl called on the phone and didn't have any place to go. She was out in the street with no place to spend the night, and nothing to eat, and no where to be helped. I was working with a counseling service hot line at the time, and I called Mrs. King and asked her if the girl could stay with her. Mrs. King said yes, so we went over and that is how it got started. It wasn't something that we set out to do. It was just something that developed. We would like to see the program increase, even on a City wide basis, or a community basis.

Commissioner Christensen: I don't think anyone here questions the value of the service, and that seems to be what everybody is getting at. Is there any correlation between the success ratio of this facility, and the fact that it is a small neighborhood? Would it be able to accomplish the same things if it were out of a neighborhood environment, and a bigger place where there were 50 people. Then would you have to hire counselors, and get in to an institutionalized thing? Would you lose part of your success if you had that type of thing?

Mr. Miller: My wife and I are working with special foster care, and we are taking two teenage girls in to our home. There are several group homes that operate under the foster care, or through the welfare operation. They take five or six young people, and these are usually juveniles that are wards of the court, and so forth. The welfare provides a program much like we have for the juvenile individual. Our program is designed more for the woman that she is to old.

Commissioner Christensen: I think you are missing my question. Would this be successful somewhere other than in a neighborhood? If you had 40 instead of 13.

Mr. Miller: I believe it would yes.

Commissioner Leavitt: What we are concerned about, is not whether or not this is a good project. Nobody quarrels with that. The question is whether or not it should be allowed in this particular neighborhood. That is the issue we have before us.

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Mr. Miller: Well we feel it would probably be better in another place right now, but we just need a little time to do it.

Commissioner Leavitt: What is a little time?

Mr. Miller: We are asking for one year.

Commissioner Leavitt: That is what the BZA gave you, but obviously there is a lot of people who don't think that is a proper time period, because they are here to protest it.

Mr. Miller: A year passes so quickly.

Commissioner Lurie: It will be two years. One year without any use permit, and then the other year you are asking for.

Mr. Miller: Yes, we have been in operation. We have actually just begun to look for larger facilities, and we are looking for a facility right now.

Mayor Briare: Is there anyone else?

Chaplain Joe Prang: I live at 2575 Van Patten. The reason the place is in a good spot is because it is residential. It is close to all the areas that they have to go to. The services, welfare, it is within walking distance. Most of these people have no cars, they have no transportation. They have walking distance to the bus stop where they can go down town. It is a desirable location, and when Mrs. King bought the house she didn't buy it in the intent to do anything which she wasn't supposed to do. Only because she got in to the area and it has grown is there a reason for this permit. She didn't have any idea that she would be doing what she is doing now. We look at it as a blessing, and some people look at it as something that is objectionable. It is a service not only to the community, but to those girls that need it. You can't get a place any where.

Mayor Briare: You know you made a comment that Mrs. King bought this house, and then it just kind of evolved in to this. Well there is a certain theory that sometimes I believe this Commission has to look at. That theory would be, that if you bought a house on Van Patten to live in, and you enjoyed living there with your neighbors and so forth, and then you decided that perhaps you were handy with tools that you would like to start manufacturing things, and maybe bring some automobiles in and repair them. That is no criteria. I am not trying to equate the two. One is dealing with human beings, and the other is dealing with mechanics. The only thing I am saying is, that it is a residential neighborhood, it always has been, and now there is a suggestion that it becomes something other than a residential neighborhood, and that is why we are here.

Mr. Prang: You are saying is that what she is doing is commercial.

Mayor Briare: I am saying it involves human beings whether it is commercial or not is totally immaterial to me. I am just using it

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I am just using it as a comparison as to how things evolve. There perhaps might be other areas of the City that have evolved in other directions that have been either proper or improper. That is what we are here for. To declare if this is a proper type of activity to conduct in this neighborhood.

Mr. Prang: What I am trying to say is, that she isn't what they are trying to say she is. She is only a big house. If you had 13 people in any house it would be legitimate, but because there has been a complaint there, then that is the reason for asking for a zoning deal. I know that she shouldn't even have to ask for a zoning change to have 13 people live in her house.

Mayor Briare: Thank you very much. Is there anyone in the audience that wishes to be heard in opposition to this use?

Randall Van Helten: I do not speak for a group, although I have lived in that area for 28 years. I was the second house on that street on 1209 Virginia City. I have complete sympathy for her Light House project. Our church is trying to do the same thing, but we are doing it right. We are going around and seeking a zoned area, and buying homes with that purpose in mind for the mentally retarded. We are getting permits in advance. The whole crux of the matter is, that the whole neighborhood is afraid of the Betty Honn syndrome. That we are getting in to something that takes financing, it takes location, it is a burden to people, and she is doing a well thought of service, but it took five years to get Betty Honn to move. This is the whole crux of the matter. We don't challenge the program, we challenge the zoning location.

Clarice Shur: I live directly across the street. I do have a few things to refute to statements that have been made. Originally at the Planning Board Meeting Mrs. King said that she bought this house for the express purpose of setting up this type home. This was a statement by Mrs. King. She also said that she had reference of people coming to her, and being referred people all the time by Catholic Welfare. I am in contact with Catholic Welfare, and I spoke to them about this. They said on one occasion they were desperate one evening. There were two children and a mother. The children were put in child haven, and the mother was sent over there. They also said that in no time in the future will they ever refer another person to the Light House, because of the bad reports they have had. Now getting the trash barrels. The pictures that were sent to the board were made by my husband and myself. They were made over a period of time, and not the same day. This trash problem has been one for a long time. This is the type of thing that we have looked upon for the past year. Everytime we left our driveway. (Pictures were furnished to the Commission). I had asked them to please put their trash barrels in. I finally called the Health Department, and I had them out there, so finally they did pick them up, and put them away. They just leave everything the way it is. If there is no transportation in this house, well there have been five cars parked at this location every single day since then. Two of them out of state cars, and three Nevada plates.

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I can't understand 13 people in a two bedroom house. I have been in this house. There was a husband and wife and two children, and it was too small for them. This is why I can't see how anybody could manage this many people plus the three she says she has in the guest house which is very small.

Margaret Hollenbeck: I live at 1940 Mills Circle. The thing that I am questioning is that this house is located right near Mabel Hoggard School, and we have seen that there are some emotionally disturbed ladies that come there. I know of one that had, or ran around most of the day with a purse around her neck. Now I don't say that any of these children could be harmed, but there is that possibility. Something could happen to that mind, and cause something more to happen. Also the only thing, another thing is that Mrs. King continually made remarks that she owns that property. I called the tax rolls, and I was told that the property belongs to a Johnny Mahlan. Now I understand that if you are a home owner, that I assume that you should have your name on the tax rolls. Mine is, so I am suspicious that perhaps she is just what she says a Director, and does not own the property.

Mayor Briare: Do you own the property Mrs. King?

Mrs. King: Yes, I own the property.

Mayor Briare: O.K. that answers the question.

Barbara Greer: I live at 1931 Mills Circle. In support of Mrs. Hollenbeck who lives across the street we have discussed this. I do feel that there is a need to help those people, but not at this location. My kids go to school there, and they play in the neighborhood, and I am aware that they are there. When I have to pass the house, there are many times out there especially at night, I have expressed to my husband, "What is this?" I do feel that something is going on. I am aware that they are there, and I think that the need should be taken care of some place else. I wish them luck, but not in my neighborhood.

Charlotte Cook: I am a counselor with the Clark County School District. I question a few things here. I question a house of this type without counseling facilities. I can't understand how this situation exists without some kind of counseling facilities in such a house. Secondly I object to the traffic that this type of thing is causing. I don't even go over to her street which is the next street, but they come zooming down my street. I feel that a lot of people are putting up their houses for sale because of this particular thing. Now we bought in to this place 8 years ago primarily because it was a quiet place. I don't know how she satisfies her needs with no lights, and no transportation. I don't see how she could live in a house with two bedrooms, and 13 people. That house also in the back is a guest house, and is not meant to be living quarters.

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James Collins: I live at 1330 Virginia City Avenue. A gentlemen up here before said that this was in a good location because they don't have any transportation. I go to work at 3:30 in the morning, and I have called and reported the cars on that curb, because I couldn't get through. The other two gentlemen up here speaking in favor of it, well they don't even live in the neighborhood. I guess it is easy for them to speak in favor of it. It is next to the school, and I have three kids of my own that go down there every day. I am right down the corner from it, and she said she had 35 signed petitions, well evidently she didn't get it in that area, or neighborhood down the street.

Marcel Brundish: I live at 1311 Virginia City Avenue. I would like to give you another petition. It is every single family one block away parallel to Virginia City Avenue, and we have been going out evenings getting the names. I have copies for the Commission. There is not one place that we stopped that supported this, with the exception of one who wasn't sure. I would like to clarify my position. I strongly oppose this use permit. There are many facilities suitable providing shelter, and proper supervision for care with people with problems. In talking to new people while carrying the petitions we got the impression from many people that they do not oppose suitable facilities. We challenge the location which places our homes and families in jeopardy. Now we bought our home down there 17 years ago, and we own several properties there. I haven't met any person in there, and it breaks down our zone. It breaks down our deed restrictions, and it violates them. There is just suppose to be one family living in these residences. It is illegal according to the City Code. It has been illegal all this time. I do not think it is fair for people to come in to our neighborhood and use the property in this manner. I have been told that she goes to certain conventions, and she speaks for contributions. I have been told that she takes some of these women around different places and introduces them. I am trying to point out, that she does get money for people who are staying there. This house is on a very very small lot, and we have tried very hard to eliminate this, and we have been unable to do this. I feel that if the City Commission allows this permit, that it clearly indicates the absence of good planning, zoning practices, and licensing if you would vote for this. How could you over look the fact that some one deliberately started something of this type, and not licensed properly? I want you to remember the families that strongly oppose this, and have left their jobs in order to come here and express this. Let me also be the first to volunteer to help you provide; to find the proper type of place, and help you to provide the proper type of legislation to bring it about. To provide certified, qualified, physicians, technicians, legislatures, and people to help bring this about. Many people who signed these petitions feel the same way. If you deny this, then there is no doubt in my mind that she will find another place to continue this. If anyone is kicked out tonight, then they are welcome to come to our house for free. I urge you deny this petition.

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Commissioner Lurie: I have a question. In Bonanza Village is there an association so that there were certain deed restrictions you mentioned. About other types of use of any homes there. Is that in the restrictions?

Mrs. Brundish: Yes, here is curbs, and gutters, and sidewalks....

Commissioner Lurie: Do you have an association where you meet?

Mrs. Brundish: We used to have quite actively, and I think Mr. Saylor contacted me to see if we could get them started again, and we are. I think the next meeting is next Saturday night.

Mayor Briare: Mrs. King did you want to make a final statement?

Mrs. King: I just wanted to sympathize with their property values. I realize that when businesses and what have you come into a neighborhood that it may hurt the property values. I am only asking for a temporary time. The dead line is December 22nd. I am not asking to make this my life long work in Bonanza Village. They said that I could have started somewhere else. There was no where that I could afford to start on my funds. My own money started this program in the amount of about \$15,000.00. I liquidated everything I owned. I do not receive a salary. Occasionally may take \$25.00 out. I do have another source of income. I am not doing this for profit, although this has nothing to do with the zoning. I did want to bring it up for public interest. The people are challenging my program, they are not challenging the zoning. The way that I prove that, is that I was there a year before they knew it.

Mayor Briare: That concludes our public hearing. Are there any questions by the Commissioners?

Commissioner Woofter: I have one question to both sides. Mrs. King's request is one more year, and the neighbors are against this, but could their be a happy medium of possibly six months to help her relocate? (Negative reply by the audience). If we make it absolute six months, (Negative reply by the audience). I just kind of hate to vote on it today, and say tomorrow throw them all out of the house. That is my concern.

Mrs. King: I can't absolutely say that I could do it in six months. It has taken a year just to get established, and get this far. As most of you people know it takes a while to get anything going, and I need that year for fund raising. We just opened a thrift shop on Fremont Street which is going to be a good secure backing for the program. We are looking at other programs of funding, but that would really cut me close at six months.

Commissioner Woofter: Well I think both sides have answered the question. Neither would be satisfied.

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Mrs. Brundish: I don't expect you to throw these people out in the street. I am just asking that you don't allow them to add more people to this thing. Leave what is there, don't throw them out on the street.

Commissioner Leavitt: It is only suppose to be temporary shelter anyway.

Commissioner Christensen: Well what you are saying is that it is suppose to be temporary shelter, so if they don't take any more in pretty soon they will be gone.

Mrs. Brundish: That is right.

Commissioner Christensen: You have no qualms about the lady operating a home there, providing it is just a home for her and her family?

Mrs. Brundish: That is right. I don't want them to throw anybody out, but I do feel by saying go ahead, that we will just have them coming, and coming.

Commissioner Woofter: My understanding is that the span of time that they stay there is a week to two weeks?

Mrs. King: I have had ladies staying there as long as a year and a half.

Mayor Briare: Any other questions? (No response). The matter before us then is on the matter of the appeal. A motion to allow the appeal would deny the use. A motion to deny the appeal would allow the use.

Commissioner Woofter: Everything has been said about the program. I have talked to Mrs. King personally, and have driven by there and I like the program, but I also believe in the neighbors have a right to say about this. On that basis there is no happy medium, and I make the motion to approve the appeal.

Mayor Briare: The motion is to allow the appeal. Any comments? (No response).

Commissioner Woofter: I would like a certain amount of time though.

Commissioner Lurie: I would like to amend the motion that three months time be given to Mrs. King to find other shelter for the ladies who she is carrying for now.

Mayor Briare: On your amendment you are aware that Mrs. King said she couldn't do it.

Commissioner Lurie: Well if she doesn't want the three months then as of the motion if it is approved now, then the ladies would have to leave tomorrow.

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Commissioner Christensen: I don't think it is a case where it can't be done. I think if it is illegal business activity, and we deny that illegal business activity you are in the same posture that you would be; then there are legal time elements that you give somebody to do whatever they are doing that is illegal. To say that a person can't do it is not usually true, because she can close the doors and say O.K. I can't operate this any more, find another place; tomorrow if she had to. Perhaps the results would not be satisfactory of unloading 13 people out on to the street. But the fact that somebody has been there a year and a half doesn't mean that the reason they are there for a year and a half is because she can't pry them loose.

Commissioner Leavitt: I think if we vote for the amendment that what we would be doing is giving her a 90 day use permit.

Mayor Briare: That is exactly right. You either say yes, or you say no. Mr. Sloan would you care to comment on whether a motion to allow the appeal, which is to disallow the use can carry a 90 day grace period?

Mr. Sloan: Well I think basically that what Commissioner Leavitt said is true. It would be a contrary motion. The amendment probably should be out of order, and people who are in favor of allowing that to continue should vote no on Commissioner Woofers motion, and those who want to give a 90 day use permit will vote against Commissioner Woofers motion.

Commissioner Woofter: I am going to stick with my motion. I think everybody is reasonable here, and I think that there would be a reasonable time here to allow her to accomodate the women that is at the house now. I don't think anybody in here is thinking that we would want them booted out tomorrow.

Commissioner Lurie: I will withdraw my amendment.

Mayor Briare: The motion is to allow the appeal, which would deny the use. Would you cast your votes. Motion is approved. The use is denied.

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

(Commission meeting recessed at 3:25 P.M.)

(Commission meeting reconvined at 3:30 P.M.)

BILL No. 78-6  
INCREASING  
PARKING  
RATES AT  
MUNICIPAL  
GARAGES  
Held in  
Abeyance

See page 67 of these minutes - Annotated Agenda

Mayor Briare: The next public hearing for this afternoon is on proposed Ordinance Bill No. 78-6 for increasing parking rates at municipally owned garages. The committee that this ordinance was referred to was a committee consisting of the entire board with Commissioner Christensen as the Chairman.

Commissioner Christensen: Since this committee is composed of the entire board, and you are sitting there in the middle and you are doing a great job conducting the meeting, why don't you just continue.

Mayor Briare: If there is no objections it will be so ordered. Mr. Dorn would you make a few opening comments with respect to the ordinance that is before us?

Mr. Dorn: The ordinance before the public today I think needs some explaining. There is a misrepresentation of the ordinance, or the wording. It says, "a rate increase of .25¢." That is not 25¢ per hour, that is .25¢ for the first hour. Presently the structure exists where it is .25¢ per hour straight through every hour with \$1.50 maximum for both public garages for 10 hours. We are proposing on one phase of this ordinance that .50¢ be charged for the first two hours. So it would be an increase of .25¢ for the second hour. One of the factors in studying this proposal is that we have a high rate of users that come in for 15, to 45 minutes, and this way we could recoup an additional .25¢. There are also increases to the hotels, and particularly the Four Queens who uses one of our garages. To look at it in the financial picture, the purpose of this ordinance is to bring more revenues into the City. Presently the garages are running at a deficit. We would like to come to a break even factor where it would be no cost to the tax payer. As you are well aware, there was a bond passed in 1966, and it expires in 1978 for five million dollars. Presently about half the bond is paid off. We owe approximately two point nine million dollars. In 1976 we were in a deficit operation of approximately ninety two thousand dollars. We project a higher deficit this year. We also want to increase the monthly rates of parking in both the garages. With this rate increase of a monthly increase in both garages for monthly users, and the .25¢ for the second hour we project a revenue increase of approximately \$151,710.00.

Mayor Briare: Clear or just catch up with the deficit?

Mr. Dorn: It would catch up at this time, it would not clear the entire deficit.

Commissioner Christensen: Just one clarification, the only thing really that has increased is the minimum, so if you are there for 15 minutes it costs you .50¢, or if you are there two hours it costs you .50¢.

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Hearing  
Bill 78-6  
Continued

Mr. Dorn: Correct.

Commissioner Christensen: So the only place there would be an increase, is if you stayed less than the two hours?

Mr. Dorn: That is correct. We have had a lot of people who just stay 15 or 20 minutes, and we would like to recoup that .25¢.

Mayor Briare: If there are no further comments from the Commission, I would ask if there was anyone in the audience who wishes to be heard on this proposed ordinance. Excuse me Mr. Dorn.

Mr. Dorn: One point I would like to bring out to the public. Presently the private sector is charging \$2.40 a day opposed to the City's rate of \$1.50 for parking in garages downtown.

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

Paul White: I am from the First National Bank of Nevada. I am at the Las Vegas main office at 300 East Carson. The first thing I would like to do is present a petition to the Commission signed by 29 employees of the First National Bank who currently use your parking facility. Let me go ahead and read this. "We the undersigned employees of the First National Bank of Nevada hereby enter our protests against the proposed increase in the monthly parking rates of the municipal garages. It is our contention that the rates are excessive as requested, and that the regular monthly patrons of the parking ramps will be exploited due to the fact that the downtown parking facilities are limited. Thereby forcing workers in the area to pay prices arbitrarily set by the operators in order to go to their respective jobs. It is our feeling that the City of Las Vegas should do whatever possible to assist in the continued success in growth, and to business in our downtown area. Not only will this cost us directly, but since many of the Clark County Employees receive parking facilities at the municipal ramps at the expense of the County, we will also be effected indirectly as tax payers."

Mayor Briare: Thank you very much Mr. White.

Commissioner Leavitt: What is the rate increase that effects these particular employees and what are you paying now a month?

Mr. White: I believe it is \$18.00, and that will be raised to \$25.00. Currently I believe County employees are paying \$15.00, and that will be raised to \$20.00. That is my first point. It seems to me that as private individuals these people are actually being asked to subsidize County employees who are using the same facilities at a currently reduced rate, and that the rate that is proposed for the County Employees will be substantially less than the same rate that will effect the private individuals. My second point is that, because of the limited parking that is available, in order for these people to park they have to use that City facility. It seems to me that an

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arbitrary rate increase, or \$7.00 per month is going to set a precedent that is going to be very difficult.

I don't use the City facility I use the one in the bank lot. I am parking on the roof.

Commissioner Lurie: How much?

Mr. White: \$16.00, but the only space available to me is on the roof. I would be much happier parking down below protecting my car, but I cannot because I think there simply isn't space available. To ask these people to pay an increased rate at the City lot seems to me to give license to the private sector, to go ahead and bump their rates up accordingly. As you have already stated, the private sector is charging \$2.40 per day, as opposed to the \$1.50 charged currently by the City. If they have a proportionate increase then it is going to effect everybody who uses the down town parking.

Commissioner Lurie: Why would they increase? We are not asking to reach that \$2.40.

Mr. White: I understand that, but it seems to me that if you can go ahead and raise your rates, then they can go ahead and do the same thing. In other words picking up what the traffic will bear.

Commissioner Lurie: Well we are looking for people to maybe encourage them to go in to car pools. That will eliminate some of the problems.

Mr. White: If there is some way that I could get to work, then I would much rather leave my car at home.

Commissioner Christensen: What are you in an official capacity at the bank?

Mr. White: I am an Assistant Operations Officer at the Las Vegas main office. I was only asked to present the petition on behalf of the people who are parking in there.

Commissioner Christensen: I agree with you on some of your points. I don't agree with the County employees getting a reduced rate. I question very strongly the feeling, well I think the bottom line should say if we raise our rates it is inflationary, because if we raise our rates the other people raise their rates and so forth. I recall my interest rate climbing steadily at the bank based on the availability of money, and we change the parking rates based on the availability of parking spaces. I think they are very similar. You don't get much sympathy on that I don't think.

Mr. White: What I am saying is, that I think the other entities will raise their rates, and it will be inflationary. There is already talk of it. I don't like to pay the \$16.00 that I pay. I would much rather use municipal transportation if it is available, and I could use that.

Public Hearing  
Bill No. 78-6  
Continued

Commissioner Christensen: Well since I have been on this Board in order to get the turn over in the Carson Garage we have moved the jurors out of their over to the Ogden Garage. We have made some other moves that have kind of squeezed some of these monthly parkers in to the Ogden Garage where they have had more space to alleviate the pressure on the Carson Garage. I think that is good business management to try and shift things back to where there is space. There is a lot of places in town where people have trouble finding parking places, and they go to work, and I don't think we have yet established the burden of the City taxpayers to furnish parking spaces for the people who work downtown. That is what you are saying. That we should shoulder that burden at a loss, and to continue that policy of furnishing spaces for those people who work downtown. I don't really think that is totally our responsibility do you?

Mr. White: I don't see that responsibility no. I do think an arbitrary increase of this proportion, especially when it effects the private individual more than it does the County employee. I think it sets a precedent that a lot of other people are going to be faced with. That is the inflationary rate.

Mr. Dorn: Some of the things that Mr. White brings up are very valid. I would like to make this statement, that the First National Bank at 302 Carson right now charges \$1.00 for one hour, and the monthly rate is \$25.00 for the first and second floors, \$24.00 for the third and fourth floor, \$22.50 for the fifth and sixth floor, and \$16.00 for the seventh and eighth floor. One of the objectives of this ordinance is to lower the burden on the taxpayer. Presently for this years operation we will have to supplement \$335,000.00 of general City funds to prevent this deficit from increasing.

Mr. White: It seems to me that you are confusing the First National Bank Parking Lot with the First National Bank. They are totally separate. We simply lease that floor space, and we have no control over the amount that we are paying.

Commissioner Christensen: Well the point is still there however, that we are already under the private sector quite ways.

Mr. Dorn: We have also had a demand for increase of spaces there. A bank contacted Business Activity just last month, and wanted 70 more monthly spaces. We just can't provide them at this stage.

Commissioner Lurie: Just to give you some more figures, the Valley Bank charges \$20.00 for the roof, and \$30.00 for the fourth to the sixth floor, and the Golden Nugget is contemplating \$33.00 a month.

Mr. White: Again it is an increase, an inflationary spiral. I am hoping that that doesn't happen, because for some of the employees those rates are fairly prohibitive any way. But to ask them to pay an additional amount, and from \$18.00 to \$25.00 is very substantial. Especially when you consider that over 12 months.

Public  
Hearing  
Call No.  
3-6  
Continued

Commissioner Woofter: Then you can see the possibility of a need for a raise, but not what you consider a drastic raise?

Mr. White: Yes, that is correct.

Commissioner Lurie: How many spaces does the bank furnish for its employees?

Mr. White: Are we talking about free parking, or paid parking?

Commissioner Lurie: Both.

Mr. White: I can't give you a total on the paid parking, but I believe we have six individuals that are parking underneath.

Commissioner Lurie: There is no one else in the bank that you subsidize parking for?

Mr. White: No.

Mayor Briare: Thank you Mr. White.

Harry Caruba: I am at 2989 Corneilian Street. I am here representing no particular concern. I do work at the First National Bank. The cost of money does mean that the banks charge more money, but when the cost of money goes up the banks pay more for the money that they need. We also increased interest payment to customers here recently, so it works both ways. That is just a small point. The employees of downtown business, particularly the banks use these parking facilities during daylight hours essentially. Not to long ago I can remember paying \$15.00 at the same facility which I still use today. What you are asking me now, is not to pay the \$15.00 that I did pay a short while ago, but something like \$25.00 which is roughly a 66.7% increase from what it was. The last time they were satisfied with a 20% increase, and this time it looks like the increase of \$7.00 is like a 38.9% increase. I think possibly an increase is justified, but I think it is excessive. Are there any questions?

Mayor Briare: Thank you very much sir.

Jean Hood: I am president of the Four Queens Hotel. Gentlemen as you know we are a principle user of the parking on Carson Street particularly, although we use Ogden Street for our employees. I am not sure of the proposed increases. Nobody has discussed them with me, and I would like to ask for a deferment until I know what our increase are going to be.

Commissioner Lurie: Mr. Dorn who was it that your people contacted over at the Four Queens?

Mr. Dorn: In our last discussion I thought someone went over on Friday. He was going to, but he didn't have time to go over. That is a valid point.

Public Hearing  
Bill No.  
78-6  
Continued

Mayor Briare: Mrs. Hood our City Manager presented to the members of the Commission this morning a good bit of information about the financial condition of the City owned garages, and other materials which he made mention of in his preliminary comments this afternoon. It would seem to me that there is probably other work that we might address ourselves to, and Mr. White touched on them a little bit. I am kind of interested that this is a losing business to the City. Nobody likes to be in business and loose money. Least of all the City of Las Vegas. I think there are considerations that have to be given in this that would even entail competition. Right now we are underselling parking spaces. The competition it would appear from Mr. Whites testimony before us today charges more than the City does. We are losing money, and I guess it is pretty obvious why. I think there is other things that we would have to cover, and I would certainly like to see this Commission hold this matter in abeyance, but while we have people here that wish to be heard I think we would also like to hear them, so that if it should be the will of this Commission to hold the matter, at least we have had the advantage of them speaking on the matter.

Doris Main: I live at 1004 Saylor Way. I am a secretary over at the First National Bank. I have used the parking garage since about 1969. I just wanted to bring out one point which no one else has. A great many of us down town, not just people from the bank, but from many of the offices who use the facility, use it only between the hours of 7:00 and 5:30, and never on the weekends, which is prime time for the hotels, and tourist trade. I just wanted to bring that one point up. The hours that we use it do not include the whole month.

Commissioner Christensen: I appreciate what this lady has said, but I think; what is the prime time?

Ila Britt: It is from 1:00 to 3:30 P.M. Monday through Friday. Those are the top useage periods.

Commissioner Christensen: Well I think this establishes something here that we should all be aware of. The garages primary use is contract parking. Wouldn't you say that Mrs. Britt?

Ila Britt: Yes I would say the majority of the use is contract.

Mayor Briare: We will declare this public hearing closed.

Mr. Dorn: Mr. Mayor the comment I wanted to make is, if the Mayor and the Commissioners would like me to meet with some of the public to discuss some details, then I would be available for that.

Mayor Briare: Well I closed the public hearing with the thought in mind that a motion would be in order to either pass, or to hold, or to deny.

Public Hearing  
Bill No.  
78-6  
Continued

Commissioner Christensen: Well I would have to ask the City Attorney exactly where we are with this ordinance. This being a public hearing, and according to our code we can't pass this ordinance until two weeks from today by law, because of the publishing. Now can we extend it beyond that?

Mr. Sloan: This has already been published one time, and it has to be acted on within 30 days from the date it was first published. It was published on the 20th of January so we could act on it at the February 15th meeting.

Commissioner Christensen: Well then we could consider more input at that time before it was passed, and could we also consider amendments? I want a few amendments made to it. I would like to see some amendments to this ordinance, and I think I indicated two weeks ago that I would be happy to look at it for the amendments and so forth.

Mayor Briare: Mr. Sloan the requirement is that we take action. Now an action could be one of many things?

Mr. Sloan: You have to have a report from the recommending committee today, then you can defer action until the next meeting, but in any event the ordinance will die as proposed if action is not taken within 30 days of the date it was published. It either has to be passed or rejected within 30 days. Today we have to have a report from the recommending committee.

Commissioner Christensen: It can't be sent back to the attorneys office for amendments?

Mr. Sloan: We could prepare a first amendment, but my point is this; if you want this particular ordinance with this bill number, then it has to be done within 30 days from the time it was published. That is not to say that we could just let this die, and reintroduce it as another bill. There is nothing magic about the number 78-6.

Commissioner Christensen: Well I think the consensus is that there is not really too much wrong with looking at the parking garage rates with an ordinance to change those. The problem seems to be the amounts, and where they are assessed. As Chairman of the committee I am perfectly willing to consider those things. Now is it the proper thing to recommend that we hold this ordinance for two weeks, and get the input. If that is the proper motion then I will so move.

Mayor Briare: It is proper. The motion is to hold for two weeks. Cast your votes. Motion is approved.

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

Public  
Hearing  
Bill No.  
78-6  
Continued

Commissioner Christensen: I would like to request that the City Manager furnish Mrs. Hood with a copy of the information that he gave us showing the break downs, and a copy of the ordinance and so forth.

Commissioner Leavitt: I think we ought to notify the people that are here today on this ordinance, as to when that ordinance will come up on the 15th. The exact time. It will be in the morning agenda at 10:00.

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# AGENDA

## City of Las Vegas

February 1, 1978

BOARD OF CITY COMMISSIONERS  
 COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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PHONE 386-6011

CITY COMMISSION - REGULAR MEETING - MINUTES - FEB 1, 1978      Commission Action      Department Action

67

2:00 P.M. - PUBLIC HEARINGS

A. APPEAL FILED BY DON J. SAYLOR, AIP, SECY, BOARD OF ZONING ADJUSTMENT and JOHN A. DIFIORE, M.D., CHAIRMAN, BOARD OF GOVERNORS, SPRINGHURST TOWNHOUSES - U-79-77 (Abeyance from 1/18/78)  
to action of the Board of Zoning Adjustment in APPROVING a USE PERMIT for Security Fidelity No. 1, allowing an R-4 Apartment Development on property under a Resolution of Intent to C-1, generally located 430 ft. north of Sahara Ave., extending east from Richfield Blvd. 1,250 ft.

Appeal Denied  
 Christensen -  
 Commissioner Lurie  
 and Commissioner  
 Leavitt voting no

Clerk to notify

B. APPEALS FILED BY R. K. VAN HOUTEN and JOSEPH F. RUNDUS - U-88-77  
to action of the Board of Zoning Adjustment APPROVING a USE PERMIT to allow a non-profit Christian Residential Facility providing temporary shelter and counseling for women, on property located at 1100 Virginia City Ave. R-E District

Appeal Approved/  
 Use Denied  
 Woofter - Unanimous  
 with provisions to  
 allow a period of  
 time to find shelter  
 for women residing  
 there.

Clerk to notify

C. BILL No. 78-6 - INCREASING PARKING RATES AT MUNICIPALLY-OWNED GARAGES  
 Committee: Full Board  
 Chairman: Commissioner Christensen

Held in abeyance  
 Christensen-Unanimous  
 A notice be published  
 notifying public  
 specifically when  
 the public hearing  
 will be on the agenda

To be placed on  
 2/15/78 agenda

COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT

DON J. SAYLOR, AIP, DIRECTOR

See page 81 and 82 of these minutes - Annotated Agenda

ZONE CHANGE  
Z-149-77  
Ernest A.  
Becker  
Denied as  
Recommended  
by  
Planning  
Commission

Mr. Saylor: This is a request for a change in zoning from R-1, and R-3 to C-2, for property generally located at the Northwest corner of Oakey, and Decatur. It is not right on the corner. If you will look at the screen you will see the parcel in question. There is a service station right on the corner. There is the Vegas Village Development, and there is another service station on the north corner right there. (Referring to the map). Further South and North on Decatur of course is commercial zoning. One of the questions that came up at the Planning Commission was to a standard depth of commercial along Decatur, however, this is all predicated on the street pattern, and things of that nature. There is no standardization. It ranges from 150 feet to 1,300 feet in some cases. The proposed use is for a new car agency. This is the plot plan of the proposed development fronting on Decatur with the buildings oriented toward the Eastern two thirds of the property. It is my understanding that the rear area is to be used for storage. This indicates how it fits in with the existing residential development to the West, and to the North. At one time many years ago the street pattern in the subdivision was supposed to be continued, and subsequently was not. That is why this street here (referring to the map), at the present time simply dead-ends at the rear of this property. There is an alley on the rear of the lots that front on that street. This is an alley, and it goes on out to Oakey. This street at the present time dead-ends. The Planning Commission recommended denial of the application.

Mayor Briare: Is the applicant, or his representative here?

Ernie Becker: I live at 4401 Washington. I show you this (referring to the map), because it shows Decatur which is the widest boulevard in the City we have being 120 feet in width other than the freeway. The design and the flow of the traffic that we have here is to come through the islands at this point here. (Referring to the map). As it comes back, it goes back in to the work area at this point. The new car display is in here, and parking for the customers is in this area. This is the show room at this point. When people come to pick up the cars, then most of the traffic will continue on through a later development through here, through Oakey, or to Decatur. We have tried to work with it in such a way in the design of it, that we are away from the residential part of the area. I am developing a piece of ground at the present time with houses from \$77,000 to \$90,000, and come within 95 feet of the rear of friendly Ford, and of Albertsons Market down on Washington by the golf course. We have quite a few people buying those houses, and within 95 feet they don't seem to say they won't buy the house, so there is a market for that. We have in this design here more than 50 feet at this point. A 60 foot street

Z-149-77  
Continued

and the houses along here all have a 25 foot side yard. We are quite a distance away from that at this point. (Referring to the map). I wanted to point out in this map. We have never sold that house, or this house, and we bought this house several years ago. These people as I understand it are talking to the owners, and they have not sent anything in, although someone protested this spot here. Even if we come to this point in here (referring to the map), we have tried to carry it so the development of the building sits in this area here where we have got we hope, where we own some of the housing. Now the wall that faces the residential area that will be landscaped on this order. (Referring to the plot plan). The trees that we put in are over 40 feet. They are olive trees, and of course this tree here grows up quite tall. The reason we use that type of a tree is that it doesn't lose it's leaves in the winter time. I have here showing the depth of the major business, because there is only one or two service stations that are the 150 feet. Most of them run from 400 feet to 1300 and some feet. We have several ourselves that are 1000 feet, and we have one that is 400 feet. I also have a picture here showing the landscaping of other commercial developments through the City where they have used a block wall. They are maintained throughout the City. I want to call attention that a car sales agency is a sales tool, and everything about it has to be in order, and I think you will find that all the ones on the West side that they have all maintained their development. I want to be sure that on Decatur we have almost everything around 400 feet or deeper, and we have tried to develop this so that the buildings and everything were on a 450 feet line of Decatur Boulevard.

Mayor Briare: Any questions of Mr. Becker? (No response). Is there anyone here to speak in favor of this application other than Mr. Becker? (No response). Is there any one present who wishes to speak in opposition to this application?

Mike Rooney: I am a home owner at 5128 Doe Avenue. At the January 12th meeting of the Planning Commission I presented several neighborhood objections to the proposed property use reclassification, and these are a matter of record which I think perhaps you have reviewed. If you have not I have copies of my remarks, and I would be happy to give them to you at this time. We respectfully request that you deny this request for reclassification. Since the January 12th hearing residents of the neighborhood have expressed interest in a neighborhood association which would provide a means for the neighborhood residents to meet with Mr. Becker, and discuss the development program that would be most compatible to a residential neighborhood, and beneficial to his economic interest. The objectives of such an effort would be to be cooperative with all parties in the neighborhood, and not dictate to him how the development should take place. In view of Mr. Beckers position as president of the National Home Builders Association, and the implications which that organization has sound neighborhood development, then we see this as a desirable way of contributing to the growth of our community while preserving our neighborhood as a good place to live.

Z-149-77  
Continued

Mayor Briare: Thank you very much.

Mr. Howard Jones: I live at 5233 Wesley, which is directly affected by this. As I stated at the Planning Commission meeting where this was brought up, that this area, and this was not conducive to this type of business. I was informed this afternoon that Chrysler Corporation, who intends to purchase this land from Mr. Becker is presently involved in a law suit that would pertain to this type of development. I do not have the particulars on the law suit or anything other than that, but it is currently before the Supreme Court, and whether or not Chrysler Corporation could do this would depend upon the Supreme Courts action. I steadfastly am on record without getting in to all of the, or everything else that has been said about it against it. I do live in the area, and I hope you gentlemen see fit to deny this rezoning. It was also brought up at the Planning Commission meeting that situations involving Fletcher Jones, and Friendly Ford, and other different car dealers, you know that no one had protested this, but I want to make mention once again that Fletcher Jones was developed before homes were there. Friendly Ford was also developed before homes were in the area. I can't feel that that is a very valid argument.

H. E. Stanley: I live at 5224 Del Monte Avenue. Mr. Becker spoke of the property around Albertsons Market. These people know what is there when they buy it, there is nothing hidden. When we bought where we were at it was residential, and we assumed that it would continue to be residential. We know the property fronting Decatur must develop, but it seems to me that something a little more suitable than a car lot could be put in there. I walked by Prestige Motors today in the Grand Central Parking Lot, and the smell of paint fumes; we were able to smell it clear over to the main doors of Grant Central. I also walked on the West side of Datsun, and you could hear air grinders at least 150 feet away. The speaker noises exist, and the traffic. The employee will expect to park on the street, and if this happens I will appeal to this board for a no parking between 8:00 A.M. and 6 P.M. on the streets effected. There is land across the street which is also owned by Mr. Becker, about 40 acres, and I am sure that no one will object to that, or to have him use it to whatever he wants to use it for. It also leaves the neighborhood open to be cased by criminals by saying a car is in the garage. The police are not going to run down and check them if somebody is walking around the area. We know that something is going to develop there. We would just like to see something a little more quiet than a car lot.

Commissioner Lurie: Mr. Saylor what is that acreage of the R-3 in the front?

Mr. Saylor: I can't translate it in to acreage, it looks like it is about 150 foot deep.

Z-149-77  
Continued

Larry Lovelace: I live at 5216 Doe, which is just about 6 houses up the street from the proposed development. A couple of items that were brought up at the previous meeting which are not on the letter. Most of the homes that are nearby are on a hill which is above the development. The landscaping that Mr. Becker showed was real nice if you are standing at that level of 6 feet, but we are probably another 6 feet above that, and we will be looking right down in to that body shop area, and the sound of the loudspeakers and so forth are going to come right over that, and right in to our homes. It will not be buffered with a 6 foot fence with the small shrubbery. In addition to that the lights that are mentioned there are going to be shining directly in to many of our living rooms, which is one thing it doesn't make clear on the maps. There is just a very short distance across the street to several of these homes, and it is another point that wasn't brought up before, and that is currently down the street where Prestige Motor Cars is, the only facilities they have for unloading their cars is right on Decatur. When this is developed they don't leave locations on the property for unloading vehicles. They are going to be unloading their trucks right there on Doe, taking up the traffic, and when you test drive a vehicle they are not going to be using Decatur to test drive the vehicles. They are going to be driving up these streets in to the residential area to test drive them. The traffic is too heavy on Decatur for them to really be able to conveniently be able to move on and off that street. It is likely that it will be Oakey, and the other residential street that they are proposing exits from that will be used to drive the vehicles. Currently there is another car dealership there that has just been recently built. This was built however, with no residential areas around it. We can hear the loudspeaker of that currently over in our area. So with cutting the distance down I am sure we will hear everything that is said. It is absolutely essential that that type of thing not be put right in our back yards.

Mrs. Stanely: I live at 5224 Del Monte Avenue. I would like to add a little bit about the values of the property there. I think it is ultimately clear that all of us are against this project. The pollution, the extra traffic, the lights and so forth. I think also what hasn't been mentioned is the fact that most of us have lived there a good many years, and even if you have only lived there 6 weeks you have put in hours, days, years of hard work to improve your property. At this time that is a very desirable area there. If someone would have to sell their home directly behind, across or in that area, then the property value would be diminished. The only protection that we have against this is the Commission. When we bought our property there we were assured by Mr. Becker that that area would remain residential, that we need have no fear about commercial development in this area. I don't believe any of us would object to offices. We are asking your protection that R-1 remain R-1.

Z-149-77  
Continued

Vera Kelly: I live at 5200 West Oakey. I don't think that those maps show you exactly what is going on. I think if you look at that one up there (Referring to the map on the wall), that you can see that houses practically surround that entire area. I happen to be the little one at the farthest left hand bottom corner. You can hear them calling their address system down the street, and they unload their trucks and things on that little road on the side, and it makes an awful lot of traffic jams. That is at the Toyota place. Thank you.

Mrs. Margaret Frazier: I reside at 5205 Del Monte. We are the original owners. I have to exit on Doe, and that is a very narrow street, and at this time with all the heavy traffic on Decatur it is presently very difficult to make a left turn off of Decatur.

Mayor Briare: There are no islands Out there in that area on Decatur is there Mr. Saylor?

Commissioner Christensen: You bet there are.  
But I think Mr. Becker indicated that there would have to be a curb cut.

Mayor Briare: Now you can make a left turn Mrs. Frazier, because there is a cut through the island?

Mrs. Frazier: Yes.

Commissioner Christensen: Mr. Becker mentioned that he would have to petition the Highway Department for a cut through the island.

Commissioner Leavitt: Between Oakey and Decatur. I have got an aerial map here, and the lady mentioned Toyota. There is a Toyota, and there is a Volkswagen, and a Datsun dealership isn't there? Between Oakey and Decatur? There is a Grand Central, and a proposed Von Tobel. How deep is that commercial property between Oakey and Sahara on Decatur on that side of the street?

Mr. Saylor: Again it is at varying depths Commissioner. On the West side of Decatur the part that is zoned commercial in the City I would say is a couple hundred feet.

Commissioner Leavitt: Well there is a Datsun agency now right behind that volkswagen, so it is actually deeper.

Mr. Saylor: Then if you go North a little bit is the Grand Central, and I would say that that is approximately 700 or 800 feet deep. Immediately North of the area on Grand Central is a little spot of commercial where there is a financial institution, and North of that is a bar.

Mayor Briare: What is all the white area?

Mr. Saylor: That is all County. It is basically vacant. It is zoned R-E with the exceptions of the spots of commercial that I mentioned.

Z-149-77  
Continued Commissioner Leavitt: Well what about Toyota, that is in the County isn't it?

Mr. Saylor: Yes, down below.

Commissioner Leavitt: How deep is the Toyota dealership?

Mr. Saylor: Right off hand I don't know.

Commissioner Leavitt: Well it seems to me that all the way from Charleston to Sahara on that side of the street is commercial development. What is the depth along that road? I was out there looking at this area, and it seems to me that Grand Central certainly would be deeper than what we are talking about here. What is the depth that we are talking about here?

Mr. Saylor: Six Hundred Feet. Just looking at the map I would say Grand Central is probably 800 feet.

Commissioner Leavitt: Where the orange area is on the map, all that area facing on Decatur, (Referring to the map), all that area; there is a sign there that says "This property is being held for commercial development."

Mr. Saylor: That is just that one section.

Mr. Jones: I would like to point out one thing. As pointed out here by Mr. Becker, the development would go in here. (Referring to the map). By the way this is the only street that goes in to the Stratford area off of Decatur at that point. Mr. Becker was talking about putting an exit on to Oakey. They have a paramount traffic problem on Oakey between Decatur and Lindell. The speed limit is 25 miles per hour. We will have another problem in the same area because we have at the intersection of Wilshire and Doe the average of one serious accident per month. Now in test driving cars, and checking them out which has to be done from time to time by any car dealership, we are going to increase the traffic problem there, increasing more accidents at that intersection, plus if we do have an egress from on to Oakey we are going to have a continued problem there. There is a court case involving this type of development, and Chrysler Corporation. I strongly urge....

Mayor Briare: Mr. Jones you know that whenever it is being adjudicated in court, then we have no control over that, and it is really kind of immaterial.

Commissioner Leavitt: Well as I understand it nobody objects to commercial, that they object to the depth, and this particular type of commercial. Is that about correct?

Mr. Jones: Yes, and the type of commercial.

Z-149-77  
Continued

Commissioner Leavitt: There is no objection to commercial itself. Everybody realizes that this eventually has to go to commercial. I am trying to pin point what the complaints area.

Mr. Jones: The complaint is number one the type of dealership, and the depth.

Commissioner Lurie: Is it the type of dealership, or is it the back area being used for body work painting etc?

Mr. Jones: Well it is an automotive dealership. I don't care who went in there, the pretext would still be the same, and we that live in the area would still be protesting this development. I personally am not opposed to apartments, because I think it is a matter of reality that something has to go in there.

Commissioner Leavitt: Well what I am getting at, is that already the depth between Oakey and Sahara has already gone a lot deeper than what we are talking about here.

Mr. Jones: That is right, but at this point there are no homes that were developed in there. The apartments were built after everything else was built.

Commissioner Leavitt: Basically what we are saying is, that this cannot be as deep as it is, and you can put apartments between apartments and the homes, because that is what has happened further down the street. That is probably what would happen here.

Mr. Jones: I would say that this is the more logical approach to it.

Mr. Mooney: There are two points in answer to Mr. Leavitt's question. One is that we object to the entire area being devoted to commercial purposes. We are realistic I think in the effect that the front part, the front 100 feet....

Commissioner Leavitt: O.K. if you are going to say that the front part is going to be commercial, then what is going to be between the commercial and the homes? It is going to be apartments.

Mr. Mooney: No.

Commissioner Leavitt: What is going to be in there a park? What is going to be between the commercial and the homes? What do you suggest we put there?

Mr. Mooney: As it is presently zoned this portion is R-3, the remaining portion here is R-1. I personally see no reason why Mr. Becker could not....

Z-149-77  
Continued

Commissioner Leavitt: Well we had the same problem a little while ago. The people said that; well apartments were going to come between their apartments and their homes, and now they say they don't want apartments, they want commercial. Something has to happen between that commercial, and the residential.

Mr. Mooney: Well this is Mr. Becker's decision I suspect. When I purchased this was R-1, and R-1 what I understand is what I live in.

Commissioner Leavitt: What the point I am making is, what happened to the people in Fairacres. It is just down the street on Oakey. They are now saying that they would rather have commercial all the way back to their houses rather than have the apartments. I would venture to say that if we only zoned part of that commercial in the front, that pretty soon you people would want the same thing. You wouldn't want apartments you would rather have commercial.

Mr. Mooney: We do not really object to this being commercial. One of the things we do object to is the fact that here comes something into an established residential neighborhood without any kind of a buffer. We have talked about the area North on Decatur. As Mr. Jones pointed out that on Mt. Claire there is a buffer between that activity and....

Commissioner Leavitt: How long have you lived in that area?

Mr. Mooney: Four years sir.

Commissioner Leavitt: How long has that area been vacant?  
It has been vacant since the subdivision has been built right?

Mr. Mooney: Right.

Commissioner Leavitt: Well obviously it wasn't going to be used for homes, it was going to be used for something else. You didn't expect that to be homes did you?

Mr. Mooney: I don't know.

Mayor Briare: Is there something else anyone has to say?

Z-149-77  
Continued

Mrs. Wochek: I live at 5208 Doe Avenue. I would like to know what the frontage is here on Decatur?

Mr. Becker: Not quite 400 feet.

Mrs. Wochek: Well we have an aisle from Decatur that goes in to Doe right here. Mr. Becker said, are you going to have an aisle break going in to his property here? This is Oakey, and this is Decatur (Referring to the map). That traffic both ways, and especially on Decatur is enormous. If you are going to make another aisle, then he is going to create a traffic jam right here on Oakey and Decatur. All his traffic is coming out here, and he says it won't. You can't tell people which way to go in or out of. It is going to be really a traffic jam. I don't see it any other way.

Mayor Briare: Mr. Becker do you have any comments you would like to make in rebuttal, then the public hearing will be closed..

Mr. Becker: I would like to show on this map. This wall that faces to the North is a solid wall, and the ends of these buildings are also a solid wall. They will have landscaping around them as would be required by the Planning Commission. Consequently that takes as much noise as possible out of it. The problem of the street of Doe being the only access is one that started that when the time we started this development, that we did not own this property. We had signs up that said certain property was being held for commercial, and residential development. We could not put two streets out to Decatur because it was a major street. The Traffic Engineer designed the tract in such a way that everybody would come out to Doe Street. Doe Street was designed as a 60 foot street to take that kind of traffic. Oakey and Decatur is designed also to handle from 30 to 40,000 cars per day. While we are talking about traffic count the interesting thing is the number of people that this agency will bring into the area. It will bring approximately 30 some more employees than what will come in to a 7-11 store. It will bring in approximately 50% to 60% less people. Less people will come in to this agency in total traffic than will go to a normal 7-11 store. I am talking about the one by our office now, with the count that they have in to that store, and what the count this agency will generate in the next 15 to 20 years. If we were to put a Lucky Store in this area that they seemed fairly satisfied with, then there would be 28,000 people a week would go in to that store. This will be around 15% of that. A 7-11 store will generate more traffic than this facility will. We are not going to load up the area with a lot of people coming in.

Mayor Briare: We will now declare the public hearing closed. Any comments from the Commission, or what is your pleasure on this application?

Z-149-77  
Continued

Commissioner Woofter: I wanted to ask Don a question on the depth of the building as far as from Decatur.

Mr. Saylor: It will be back 450 feet from Decatur, and the remainder of the area will I believe be for the storage of the vehicles.

Commissioner Woofter: This seems to be the two concerns, the depth, and the buffer. That back part instead of storage, just for parking. One of the ladies mentioned that the employees would have to park on the streets, that there is no accommodations. So it would be all on-site parking?

Mr. Saylor: Yes.

Commissioner Woofter: Would that resolve some of the concerns if that back part would be just strictly for parking, and be considered the buffer zone? (Negative response from the audience). We all know it is going to go commercial a certain depth, and yet if we could restrict that back part to nothing except just parking.

Commissioner Christensen: I would like to pursue this law suit just a little more. I think if the plaintiff prevails in this law suit, then there will never be an automobile agency there. Is there not an injunction in effect right now preventing this agency from proceeding?

Mr. Gary Becker: The nature of the law suit at this time; there was a law passed in the last session of the Legislature that put the burden on the back of the dealerships, or the manufacturers agencies to prove that there is a need for another dealership in an area that would be within 10 miles of an existing dealer. There was a question brought up on this, but it is being fought right now. This particular case is on the point of law, that this law is unconstitutional, and they can't have a law that restrains trade like that.

Commissioner Christensen: Well don't they have a restraining order in effect against Chrysler?

Mr. Becker: At this time yes, but first of all if this law suit is won, then that doesn't mean there will never be a dealership there. That just means that the law is constitutional, and then the manufacturer will have to show through their sales statistics that this area can warrant two chrysler dealerships.

Commissioner Christensen: Well if it is rezoned then it might not be an automobile agency, because this could last who knows how long.

Mr. Becker: That is true.

Commissioner Christensen: Has anyone gone to the effort of checking with some people that back up against some agencies along Sahara Avenue? I thinking of the South side.

Z-149-77  
Continued

Mr. Saylor: As far as I know we have not received any particular complaints with those homes.

Mayor Briare: What is the pleasure of the Commission?

Mrs. Kelly: Is it possible to put restrictions on some of these things if it was passed?

Mayor Briare: In the event the motion should be made to pass this application, or to approve it, then conditions can be put; any conditions that this Commission want to put on such an approval can be made. There are a number of alternatives. I am still impressed with Mr. Mooneys statement, that he suggests that the neighborhood would work cooperatively with all the parties, and would like to sit down with Mr. Becker and try to work something out. We could hold this, and invite Mr. Mooney, and spokesman, or anybody that wants to try to work something out, but I don't know whether Mr. Becker would be agreeable to such a thing. He has a right to ask for a vote right here and now.

Commissioner Woofter: I agree with the neighbors that commercial, and a need for a buffer whether that be parking, the shrubbery or something in that regard which both sides would be happy with. If there is a possibility there then I would go along with holding the matter so both sides could get together.

Mayor Briare: In some instances when there is a possible feeling that something could be worked out, as long as people are willing to sit down and negotiate then something is going to happen. Mr. Becker why don't you see if you can resolve this for us.

Mr. Ernie Becker: My problem is that I am gone until the 15th of February. I have one day here, and then I am gone until almost the 27th of February.

Commissioner Leavitt: Well we can hold it until March 1st.

Commissioner Lurie: Barry could meet with the neighborhood group.

Mr. Ernie Becker: We have no problem. We meet with them all the time.

Mayor Briare: Well if there is a possibility of resolving something, then maybe we could set a time for representatives of your firm, and you ladies and gentlemen to meet in Mr. Saylor's office.

Mayor Briare: Can you meet with them Mr. Becker sometime between now and March the 1st?

Mr. Ernie Becker: Well I am here on the 27th, but....

Mayor Briare: Mr. Mooney I am not trying to pinpoint you as a spokesman, but in order to try to work something out. We might solve the problem by waiting another 30 days so that you won't be faced with another thing in 180 days, and another thing, and so on.

Z-149-77  
Continued

Commissioner Leavitt: Mr. Mooney I really think you ought to consider this, because I am very concerned if this thing only goes 100 foot deep, as to what would be between that commercial and the homes. I think this is an opportunity where you can get together and maybe work something out that is compatible to both of you. I think you ought to sit down and talk to Mr. Becker about this, and try to work something out.

Mr. Mooney: I cannot make any kind of commitment. All I can say as far as this particular type of proposal is concerned, I am not in favor of it. I am willing to sit down myself.

Commissioner Leavitt: Nobody is approving it today. If it is held.

Mayor Briare: Is there anyone who could meet on February the 27th at Mr. Saylor's office here in City Hall? Mr. Mooney could you be at Mr. Saylor's office on February 27th?

Mr. Mooney: I think I could. I don't think there is any question in our minds that we would agree to this. If it was some other type of commercial yes, but if it is just to discuss a car dealership....

Mayor Briare: Well how do we know if it isn't the 27th of February yet?

Commissioner Leavitt: Mr. Saylor assuming that something else is worked out, would they have to start all over again?

Mr. Saylor: No. That is your choice if you want to refer it back to Planning or not.

Commissioner Christensen: Well Mr. Saylor what we are acting on is the zoning, so if we zone that C-2, and approved a plot plan, then it could be C-2 for Chevrolet, Chrysler, or any automobile dealer as long as they stuck to that plot plan. Isn't that correct?

Mr. Saylor: Right, as long as they conform to the way the application was advertised.

Commissioner Christensen: So they wouldn't have to go back to the Planning Commission as long as we didn't change the zoning on it?

Mr. Saylor: No.

Commissioner Leavitt: Well, I question the value of holding it because of the nature of the protestants, and the dealership. That is what the application is before us, and we approve it as a dealership or we don't.

Mayor Briare: What is the pleasure of the Commission?

Commissioner Lurie: I know that that property right now could be developed in to apartments, and you know how I am opposed to apartments especially in that particular area. I do feel that that area is going to be developed some day with commercial, but I don't know what the depth should be. Taking in to consideration

Z-149-77  
Continued

the neighbors concerns, and the objections of the people that are here I am going to have to move at this time to deny the application.

Mayor Briare: Any comments or questions? (No response).  
Cast your votes. Motion is approved. This application is denied.

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

Z-140-77  
BRIAN MURPHY  
Approved  
subject to  
conditions

Mr. Saylor: This property is along Eastern, the Planning Commission recommends approval subject to the conditions set forth.

Mayor Briare: Does the applicant wish to make any presentation?

Brian Murphy: I live at 4990 Spring Oaks Street. I guess the only thing I am asking for is to be a little more specific on the conditions. I was concerned about something in there about a curb cut. I am not sure exactly what the Commission had in mind.

Mr. Saylor: The only thing it indicates is that the driveway access would be oriented towards Eastern.

Brian Murphy: O.K. there is an existing driveway there. I just didn't understand the condition.

Commissioner Leavitt: Move for approval.

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

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

See Pages 82and83 of these minutes - Annotated Agenda

Z-141-77  
SAMUEL  
D'ANDREA II  
Approved  
subject to  
Conditions

Mr. Saylor: There is other commercial zoning in the immediate area. The Planning Commission recommends approval.

Commissioner Lurie: Move we follow the recommendations 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 Woofter, Lurie, Leavitt,  
and Mayor Briare voting aye; noes, none.  
Commissioner Christensen temporarily absent.

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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.

ZONE CHANGE - Z-149-77 - ERNEST A. BECKER

Property generally located on the west side of Decatur Boulevard and the south side of Doe Avenue extending west from Decatur Boulevard 606 feet.

From: R-1 (Single Family Residence)  
R-3 (Limited Multiple Residence)  
To: C-2 (General Commercial)

Proposed Use: Chrysler/Plymouth new car sales and service agency, with body and fender repair.

Planning Commission unanimously recommends DENIAL because they did not feel this would be compatible with the surrounding land use pattern.

PROTESTS: Approx. 225

Denied as recommended by Planning Commission Lurie - Unanimous

Clerk to notify

3. ZONE CHANGE - Z-140-77 - BRIAN MURPHY

Property located at 2036 Hassett Avenue on the southwest corner of Hassett Avenue and Eastern Avenue.

From: R-1 (Single Family Residence)  
To: P-R (Professional Offices & Parking)  
Proposed Use: Accountant's office.

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. Construction of a 6' high masonry wall on the west property line.
3. Driveway entrance to be oriented toward Eastern Avenue.

Approved subject to the conditions Leavitt - Unanimous

Staff authorized to proceed. Clerk to notify

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Page 82 X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT  
CONTINUED

Item "B" continued . . . .

4. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
5. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.
6. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
7. Conformance to the plot plan to reflect the above conditions.
8. Conformance to code requirements and design standards of all City departments.

PROTESTS: 0

C. ZONE CHANGE - Z-141-77 - SAMUEL D'ANDREA II

Property located at the northwest corner of Lamb Boulevard and Bonanza Road.

From: R-E (Residence Estates)

To: C-1 (Limited Commercial)

Proposed Use: Convenience Market (Circle K Store) and self-service gasoline pumps.

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time period.

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Approved subject to conditions Lurie - Unanimous Commissioner Christensen temporarily absent

Staff to Proceed Clerk to notify

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### COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT CONTINUED

Item "C" continued . . .

2. Construction of half-street improvements on Lamb Boulevard and Bonanza Road including pavement, curb and gutter, sidewalk, street lighting and traffic signal light base as required by the Department of Public Services.
3. Driveway entrances to be a minimum of 7 ft. from curb return point of tangency and to be constructed to Public Services Department requirements.
4. Building openings less than 10 feet to the property line and canopy for gas pumps to be protected as required by the Department of Public Services.
5. Fire hydrant and water main tie to be provided and meet the requirements of the Department of Fire Services.
6. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
7. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.
8. All mechanical equipment, air conditioners, and trash areas shall be screened from view from the abutting streets.
9. Conformance to the plot plan to reflect the above conditions.
10. Conformance to code requirements and design standards of all City departments.

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PROTESTS: 0

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VI COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT  
CONTINUED

D. ZONE CHANGE - Z-142-77 - SHIRLEE CARISTO

Property located at 135 North Bruce Street,  
on the west side of Bruce Street between Fre-  
mont Street and Ogden Avenue.

From: R-1 (Single Family Residence)

To: C-1 (Limited Commercial)

Proposed Use: Contractor's Office.

Planning Commission unanimously recommends  
APPROVAL subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
3. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.
4. Approval for an office use only.
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.
8. No vehicle larger than a pick-up truck to be permitted.

Approved subject  
to conditions  
Leavitt - Unanimous  
Commissioner  
Christensen  
temporarily absent

Staff authorized  
to proceed  
Clerk to notify

PROTESTS: 0

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XI COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT  
CONTINUED

E. ZONE CHANGE - Z-143-77 - JUSTIN J. & LAUREL D. JULIAN

Property located at 1325 Maryland Parkway.  
From: R-1 (Single Family Residence)  
To: P-R (Professional Offices & Parking)  
Proposed Use: Office

Planning Commission unanimously recommends  
APPROVAL subject to the following conditions:

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

PROTESTS: 0

F. ZONE CHANGE - Z-144-77 - HERBERT BARSKY AND MARVIN STARKER

Property located on both sides of Jones Boulevard between Del Rey Avenue and Charleston Boulevard.

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

Approved subject to conditions  
Lurie - Unanimous  
Commissioner  
Christensen  
temporarily absent

Staff authorized to proceed  
Clerk to notify

Approved subject to conditions, with an amendment to the conditions to allow PR on the East side of Jones Woofter - Unanimous  
Comm Christensen  
temporarily absent

Same as above

Z-144-77 Mr. Saylor: The Planning Commissions recommendation is an  
HERBERT amendment to the application. This is Charleston (Referring  
BARKSKY to the map), and this is Jones. We have allowed frontage  
AND on Charleston to be zoned commercial. This however, extends  
MARVIN STARKER in to the interior of the R-E area. Jones is a major street  
Approved bi-secting the property. The mental health facilities are  
subject immediately to the West. The area to the East is in the County,  
to but zoned R-E. The request was for commercial on all of it.  
Conditions We have recommended P-R on all of it, but the applicant  
with an indicated that he was in agreement, but at the Planning Commission  
amendment he said, "no he wanted commercial." The property owner immediately  
to allow to the East took the position that he would protest unless his  
PR on the property was automatically zoned commercial. A member of my  
East side staff said that he would go along with it if he could get R-3  
of Jones. zoning on his property, which is this one.

Mayor Briare: I am sure that Mr. Saylor told you that that  
is impossible to do.

Mr. Ray: I am withdrawing my objection, I am for P-R.

Mr. Saylor: Well the Planning Commission recommended that the  
application be amended so only the property West of Jones be  
commercial, and at this date is R-E. I think they are before  
you to request that the remainder of it be zoned P-R, instead  
of R-E.

Mayor Briare: It would be C-1 and instead of making it R-E  
it would be P-R. Do you have any comments to make on your  
application?

Mr. Topper McKay: I am representing the developers. We  
originally came in with C-1 zoning in both the East and the  
West side of Jones, and we presented a proposal for an office  
building, and the recommendation of the Planning Commission  
was for P-R on both sides because there was an office building.  
We pointed out that we would like to go to C-1 because  
the office zoning is a little restrictive on the set backs.  
They went along with the C-1 zoning on the West side of Jones  
which we are very much in favor of. We would like to go ahead  
the R-E on the East side to P-R on the East side of Jones.  
This is based on the fact that we have a proposed design for  
some office buildings on the other side, and it would not  
conflict with the objections of the land over to the East of us.  
So we would like to amend to C-1 on the West side and P-R  
on the East side. There wouldn't be any objections to this.

Mr. Saylor: It would just eliminate the R-E and it would be  
P-R. We have not however received any plans on this.

Mr. McKay: We are in the planning stages right now. At the  
time we were developing the property we were going to use a  
small shopping center over on the East side, but now we feel  
that the office spaces might be the best use of the property.  
We are making up plans to change the shopping center.

Z-144-77  
Continued

We feel that professional offices would be the best use for the building.

Commissioner Lurie: You are not planning to come in for C-1, and a use permit for R-4?

Mr. McKay: No.

Commissioner Woofter: If Mr. Saylor doesn't have any objections, then I would make the motion to approve, amending Condition #2 to allow P-R zoning on the East side of Jones.

Mayor Briare: Cast your votes. Motion is approved.

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

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### COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT CONTINUED

Item "F" continued . . .

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

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. Only the west side of Jones to be zoned C-1 and the remainder of the property to retain R-E zoning and be excluded from the plot plan.
3. Construction of curb and gutter, street paving to match existing, concrete sidewalk and street lighting on frontage street as required by the Department of Public Services.
4. Provide for existing drainage at the west property line 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 amended plot plan to reflect the above conditions.
9. Conformance to code requirements and design standards of all City departments.

PROTESTS: 1

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1. COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT CONTINUED

5. ZONE CHANGE - Z-145-77 - PARK SAHARA ASSOC.

Property located at the northwest corner of Sahara Avenue and Burnham Avenue.

From: R-1 (Single Family Residence)

R-2 (Two-Family Residence)

(South portion under ROI to C-1)

To: C-1 (Limited Commercial)

Proposed Use: Office Building.

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time period.
2. At the time of development it will be required to construct a concrete sidewalk on Sahara and on Burnham frontage as required by the Department of Public Services.
3. Fire flow and hydrants to meet the requirements of the Department of Fire 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. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
7. Conformance to the plot plan to reflect the above conditions.
8. Conformance to code requirements and design standards of all City departments.

Approved subject to conditions

Lurie - Unanimous  
Commissioner

Christensen  
temporarily absent

Staff authorized to proceed.

Clerk to notify

PROTESTS: 0

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**COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT  
CONTINUED**

**ZONE CHANGE - Z-146-77 - JAMES J. & MARY A. COSTA**

Property located at 2037 Hassett Avenue.  
From: R-1 (Single Family Residence)  
To: P-R (Professional Offices & Parking)  
Proposed Use: Acupuncture Clinic.

Planning Commission unanimously recommends  
APPROVAL subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. Plot Plan to be amended requiring the driveway entrance to be on Eastern Avenue and parking to be oriented toward Eastern Avenue.
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 code requirements and design standards of all City departments.

PROTESTS: 0

**ZONE CHANGE - Z-147-77 - BUSINESS DEVELOPMENT, INC.**

Property generally located north of Vegas Drive and south of Holly Avenue between Willowbrook Drive and Simmons Street.

Approved subject to conditions.  
Leavitt-Commissioner  
Lurie voting no.  
Commissioner Christensen temporarily absent

Staff authorized to proceed  
Clerk to notify

Approved  
Lurie - Unanimous  
Comm Christensen temporarily absent

Same as above

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91. XI COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT  
CONTINUED

Item "I" continued . . .

From: R-T (Trailer Residence)  
R-3 (Limited Multiple Residence)  
To: R-1 (Single Family Residence)  
Proposed Use: Single Family Homes.

Planning Commission unanimously recommends  
APPROVAL.

PROTESTS: 1

J. ZONE CHANGE - Z-148-77 - VALLEY BANK OF  
NEVADA, TRUSTEE

Property generally located on the southeast  
corner of Alta Drive and Shadow Lane.

From: R-1 (Single Family Residence)  
To: R-3 (Limited Multiple Residence)  
Proposed Use: Tri-Plex building (3 units)

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

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. Construction of half-street improvements on Alta frontage to match existing; construction of sidewalk and street lighting on Shadow Lane frontage and around radius corner and dedication of a radius corner as required by the Department of Public Services.
3. Parking plan to conform to the requirements of City standards.
4. Proposed tri-plex building to be reversed with the second-story portion on the north oriented toward Alta.
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

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See Page 36

Approved as  
recommended by  
Planning Commission  
Woolter - Unanimous

Commissioners  
Christensen and  
Lurie temporarily  
absent. Two  
Additional Conditions  
added: 1. A six  
foot block wall on  
South property  
line, and 2.  
No windows on  
South elevation of  
second story portion.

Staff authorized  
to proceed

Clerk to notify

Z-148-77 Mr. Saylor: This is the lot in question. (Referring to the map)  
VALLEY BANK We have been approving R-3 zoning all along Alta Drive before  
OF NEVADA the development of Tri-plexes, but you will notice those  
TRUSTEE properties were a little bigger, and they were all proposed  
Approved at one story. (Referring to the map). This is a corner lot,  
as and there is a house immediately to the South of it. That  
recommended is the basis of one protest, and the other one was from  
by the undeveloped P-R over across the street. The design proposed  
Planning a two story building with three apartments, with a two story  
Commission portion to the South, which would directly impact upon this.  
The Planning Commissions recommendation on approval made them  
redesign it to put the two story portion of the building toward  
Alta, and this would be one story.

Mr. Bill Soits: We live right in back of the proposed building.  
We realize that we are batting our heads up against the wall,  
but we would like this constructed so that there would be no  
driveway between our place and the building.

Mr. Saylor: Their property is immediately to the South. There  
is no proposed driveway there at all. There is a walkway here;  
and a walkway here. All of the parking would be to the East  
and the only access would be from Alta.

Commissioner Leavitt: Is there a block wall between this property  
and their property?

Mr. Saylor: No. The recommendation of the Planning Commission  
was to change this elevation so that the two story portion would  
be oriented towards Alta Drive, rather than towards....

Commissioner Leavitt: Is that condition Number 4?

Mr. Soits: Would there be windows in the Southside of that  
construction?

Mr. Saylor: No.

Mr. Soits: There would be no driveway in between the two, and  
there would be a wall?

Mr. Saylor: Yes.

Mr. Soits: I guess we can't fight it.

Commissioner Woofter: Move to approve.

Charles Nive: I live at 309 South 3rd Street. In the conditions  
I notice that they require street lights. There are no street  
lights in that area. Can we conform to that condition at a later  
date whenever the rest of that area has it. At this time this  
would be the only area where there would be street lights.

Mayor Briare: If you want my vote you are going to put a couple  
of street lights in.

Z-148-77  
Continued

You have a perfect right, however to ask that that condition be put as you stated. That when everybody else puts them up, then you will put them up. The motion was to approve the application, but there was nothing suggested in the motion that any conditions be waived.

Mr. Slick: Well I am making this request at this time.

Mr. Bill Simpson: I live at 1522 Pinto Lane. My office is a block from there. I lived in that area for many years. Very few places do have the street lights. I am all for getting an assessment and putting the street lights in personally, but it does seem like it puts quite a burden on one person to come in on one small piece of property, and put a couple of street lights in.

Mayor Briare: I hope Mr. Saylor that we are going to be consistent along these requirements.

Mr. Saylor: These are public services requirements. I suspect they are consistent yes.

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

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

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## City of Las Vegas

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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AI COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT CONTINUED

Item "K" continued . . .

3. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
4. Conformance to the plot plan to reflect the above conditions.
5. Conformance to code requirements and design standards of all City departments.

See Page 38

See Page 38

L. USE REVIEW - CD-1-78 - PHYSICIANS SERVICES

Review to allow a medical supply outlet on property located at 2324A West Charleston Boulevard, C-D zone.

Planning Commission unanimously recommends APPROVAL subject to the following condition:

1. Conformance to code requirements and design standards of all City departments.

Approved as recommended by the Planning Commission Lurie - Unanimous

Staff authorized to proceed Clerk to notify

M. ANNEXATION REPORT - A-6-77 - D.A.P. Inc.

Report for Annexation of property generally located at the southeast corner of Decatur Boulevard and Pennwood Avenue.

Report Approved No vote taken. Commissioner Lurie objected to the report.

Staff authorized to proceed

N. ANNEXATION - A-7-77 - LINCOLN PROPERTY

Petition of Annexation for property generally located on the south side of Pennwood Avenue, between Decatur Boulevard and Arville Street containing approximately 12 acres of land.

Planning Commission recommends APPROVAL (6-yes, 1-no vote).

Denied Christensen

Same as above

Commissioner Woofsten voted no.

O. TENTATIVE MAP - LEWIS HOMES-SAHARA #5

Property generally located on the north side of O'Bannon Drive, west of Jones Boulevard R-1 zone.

Owner/Subdivider: Lewis Homes of Nevada 7.0+ acres - 26 lots.

Approved Lurie - Unanimous

Same as above

A-6-77  
D.A.P.  
Inc.  
Report  
Approved.

Mr. Saylor: This is the procedure where I must briefly give to you a report, which is then accepted and put on file in the Clerks Office. Normal services would be provided. There is sewer line available. All off-site improvements would have to be put in at the expense of the property owners when they developed the property. The proposed land use is multi-family.

Mayor Briare: If there is no objections to accepting the report then it will be accepted.

Commissioner Lurie: I voice an objection.

A-7-77  
LINCOLN  
PROPERTY  
Denied

Mr. Saylor: This is the first step in the procedure. If you wish to go any further on it. There is an apartment house development all around this area.

Mayor Briare: How is this land zoned in the County?

Mr. Saylor: It is R-4 in the County, but it comes in to the City as R-3, which density wise is the same zoning.

Richard Juarez: I am a consultant, and I am here today representing Lincoln Property Company. Their address is 553 Pilgrim Drive, Foster City California. My understanding is that this is the first step; that there will be a resolution that will come back before the Commission. The resolution would then be referred to the Planning Department for the annexation report. When that report comes back you will have a public hearing, and that I presume is our day in court in terms of annexation.

Mr. Saylor: Yes, that is essentially the procedure, however as far as this Commission is concerned you have two points along the line where you can either approve or deny. This is the first step.

Mayor Briare: If your annexation would run its course and be accepted, what do you intend to do with the property?

Richard Juarez: The proposal is for garden apartments, a two story walk-up.

Commissioner Leavitt: What is across the street there?

Mr. Saylor: This is Enchanted Village.

Commissioner Leavitt: We have had a lot of protests in this area about apartments. Will the people in the area have any notification of this?

Mr. Saylor: At the time of the public hearing on the annexation they will.

Commissioner Leavitt: Yes, but they would never know that the zoning would be coming in that way.

Mr. Saylor: Yes that is right.

A-7-77  
Continued  
Commissioner Lurie: Well why don't they just go ahead and build the apartments now without having to properly annex into the City?

Mr. Saylor: Because of the sewer problem. There is facilities here, but....

Commissioner Lurie: But the County will not let any more hook-ups take place, is that correct?

Mr. Saylor: Right, the line won't accomodate them.

Commissioner Lurie: Well that is my whole question about these annexations coming in for those apartments. Why should we let them hook up to our sewer, because we are going to have the same problem that the County is having. That is my objection.

Commissioner Christensen: I move that we deny the petition.

Mayor Briare: Comments on the motion? (No response). Cast your votes. Motion is approved, and your request is denied Mr. Juarez.

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

TENTATIVE  
MAP -  
LEWIS  
HOMES-SAHARA  
#5.  
Approved.  
Mr. Saylor: This is a continuation of the present subdivision pattern. Everything is in order, and the Planning Commission recommends approval.

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

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

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

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CONTINUED

P. VACATION - VAC-21-77 - LARRY STORJOHANN, ET AL

Petition of Vacation for the west 9 feet of Cobb Lane from Hinkle Drive north to Owens Avenue.

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

1. Dedication of radius corners at Cobb and Owens and at Cobb and Hinkle.
2. Satisfaction of the requirements of the various utility companies.
3. Conformance to code requirements and design standards of all City departments.
4. Vacation shall not be recorded until all of the above conditions have been met.

SET DATE FOR PUBLIC HEARING

Public Hearing  
Date set for  
March 1, 1978

Staff to  
proceed  
Clerk to notify

Q. VACATION - VAC-22-77 - MERLIN S. MURPHY, ET AL

Petition of Vacation for that portion of public right-of-way shown as Mesquite Street and other rights-of-way on the original plat of Fairview Tract located approximately 243 feet south of the existing Mesquite Avenue between 10th and 11th Streets.

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

1. Dedication to be made for the west half of Eleventh Street.
2. Satisfaction of the requirements of the various utility companies.
3. Conformance to code requirements and design standards of all City departments.
4. Vacation shall not be recorded until all of the above conditions have been met.

SET DATE FOR PUBLIC HEARING.

Public Hearing  
Date set for  
March 1, 1978

Same as above

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R. VACATION - VAC-23-77 - EUGENE D. KATZ

Petition of Vacation to vacate a 33 ft. patent reservation located east of Jones Boulevard, extending south from Charleston Boulevard 270 feet.

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

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

SET DATE FOR PUBLIC HEARING.

S. SET DATE FOR PUBLIC HEARING ON ANY APPEALS FILED FROM THE BOARD OF ZONING ADJUSTMENT MEETING HELD JANUARY 26, 1978.

V-111-77, Homesite Baptist Church

U-96-77 Dan Hall and Peggy L. Amante

An approval was given to place an application for variance, V-3-78, Phyliss McGuire 200 Rancho Circle on to the February 15th agenda to determine whether the City Commission wants to grant a rehearing on the application.

XII. CITIZEN PARTICIPATION

Mayor Briare recognized that Tricia White of the Las Vegas Sun had been transferred from City Hall, and Bob Palm was taking her place.

Public Hearing  
Date set for  
March 1, 1978

Staff to proceed  
Clerk to notify

Public Hearing  
Date set for March  
1, 1978

Same as above

Public Hearing  
Date set for March  
1, 1978

Same as above

V-3-78

Commissioner Leavitt: Before we leave the Planning matters Mayor we received a memorandum from Mr. Saylor regarding the block wall in Rancho, Phyliss McGuire. I would like to request that that matter be put on the February 15 agenda. So we can decide at that time whether we want to rehear it or not.

Mayor Briare: If there are no objections it will be on the agenda for the 15th. Does that require notices to the neighbors?

Mr. Saylor: Not for the 15th if you decide to rehear it.

Mayor Briare: We won't take action on it, it will just be a matter to determine if we want to rehear it?

Mr. Saylor: Right, I'll advise the applicants that it will be on the 15th.

Mayor Briare: Well it seems to me that the neighbors should be notified.

Commissioner Leavitt: Well this is eight foot, so they don't quarrel with that. The other one was 16 foot.

Mr. Saylor: The only reason I brought it on for you, was because they wouldn't put the normal conditions on the dedication of right of way.

Mayor Briare: Would you please call Bruce Beckley.

Mr. Saylor: Sure.

Mr. Sloan: Mr. Saylor I don't have a copy of your memo, but was this a decision by the Board of Zoning Adjustments on what kind of matter?

Mr. Saylor: It was an application submitted by Phyliss McGuire to allow her to put up an eight foot block wall. There was no protest factor, and the BZA approved it, however, the BZA had not invoked the normal requirements of dedication of right of way.

Mr. Sloan: Procedurally it says, "that a Commissioner at any regularly conducted Commission meeting within 14 days from the date of the decision may request review. Such a request by a member of the Board of Commissioners shall have the same effect as the filing of an appeal by the applicant. So this is an appeal basically. At the time that he makes a request it becomes an appeal, just like an aggrieved person had appealed. So it should be put on the agenda for that purpose should it not?

Commissioner Lurie: Well you just put it on the agenda for the 15th.

Mr. Sloan: That is the way the ordinance reads. It says, "the filing of an appeal, or the adoption of a request shall stay the affective date until such time as the Board of Commissioners

has acted on the appeal.

Commissioner Christensen: So what is the question?

Mr. Sloan: Well what I am saying, is rather than put it on for next week, if you want to reconsider it, as I understand Commissioner Leavitt's request, that it is the same as an appeal, and it should just be put on the agenda as a normal appeal for BZA action. That is what the ordinance says.

Commissioner Leavitt: That is correct, but we may not have to hear it between now and then depending on what happens.

Mr. Saylor: My understanding is that they wanted on the 15th, at which time they would decide whether they wanted to rehear it.

Commissioner Leavitt: I just want to have it on the 15th. Then we can determine whether we want to have a notice. We have to do it within 15 days.

CONSIDERATION Commissioner Leavitt: I move that the policy Task Force  
OF POLICY of the Clark County District Board of Health be named as  
OF THE TASK the lead agency in preparing revisions to the State air pollution  
FORCE OF implementation plan.  
THE BOARD  
OF HEALTH Commissioner Christensen: Who all has applied for this?  
BEING THE  
LEAD AGENCY Mr. Don Arkell: There are thus far three applicants. One  
IN is the policy task force itself, which is composed of  
PREPARING members on the Board of Health who are elected from each of  
REVISIONS the affected entities in the valley. The second applicant is  
TO THE STATE Clark County, and the third applicant we understand to be the  
AIR Nevada Highway Department.  
POLLUTION  
IMPLEMENTATION Commissioner Christensen: Which one did you just make the motion  
PLAN for?  
Continued)

Commissioner Leavitt: The Policy Task Force, of the Clark County District Board of Health. If local governments can by agreement decide who is to do this, then they can do it that way, but if they don't decide by February 7th, the government is going to make the designation. Since Clark County has already made application to be the lead agency, then it is obvious that the local governments are not going to be able to reach an agreement. The purpose of the motion is to inform the government that we would prefer that the Policy Task Force be named as the lead agency, as opposed to the Clark County Board of Commissioners, and the State Highway Department.

Commissioner Christensen: Mr. Sloan have you researched this, and found out if that criteria has to be met?

Mr. Sloan: The language of the Act says that the lead organization should be an organization of elected officials of local governments, designated by agreement of local governments in the effected area. Where feasible it says, such organization shall be the metropolitan planning organization designated to; well the short answer is that I think this contemplates something other than the government of Clark County being the lead organization. The way I read this, it does not contemplate the Commissioners being the lead organization. It contemplates kind of a cooperative thing, as Commissioner Leavitt has suggested. Obviously the Governor is the one that has to make the decision, and not the City Attorney. It seems to be a kind of a cooperative type of effort that they are looking for.

Commissioner Christensen: I submitted to the Regional Planning Counsel an item to go on our agenda at the last meeting which was summarily shot down by a 3 to 1 vote, or a 4 to 1 vote. The motion, and the second made by the two County Commissioners that were on that deal, to reallocate the voting and restructure the Regional Planning Counsel, which will put the Regional Planning Counsel in the exact posture that you are talking about. Which would have given a representation from each entity of the government, but it failed on the vote.

POLICY I wanted to get this clarified as to what that body has to be.  
TASK There is much question in the law as to whether Clark County  
FORCE qualifies.  
(Continued)

Mayor Briare: If I could direct the Commissions attention to page III it says, "Each local entity is represented on the policy task force, and will participate as final decision makers." I kind of doubt that. I know that each local entity will be represented, but the local entity itself will not be participating in the final decision. It will be the member of the particular entity that is on the task force that will participate.

Commissioner Leavitt: I don't read it that way do you Mr. Arkell? I thought you meant that each local entity will participate in the final decision, because the local entity is the only ones that can pave roads, and make one-way streets, and have parking management etc.

Mayor Briare: Well that is the next point I have. I am asking if Henderson, or North Las Vegas buy this. I am not even sure that Las Vegas should buy this. It appears to me Mr. Arkell that if this whole thing were to be adopted in total, and eventually that is the way it is; that statement should be read in its total. "In addition some strategies may involve measures which, if implemented, must be enforced by local governments." The examples are, paving of unpaved roads. The Task Force could mandate that a participating entity pave some roads?

Mr. Arkell: A mechanism that we are proposing here is an inter-local agreement, so the Policy Task Force would not be ordering each entity to pave roads. These elements of the plan, if they are ultimately adopted would be enforced by the local entities after they reach an agreement to do so.

Mayor Briare: Do you visualize that the Policy Task Force might restrict parking under the example of parking management. This Task Force could come in and say that you have to do thus and so as far as parking. Which might be eliminated and go to pooling of cars, or go to bus service.

Mr. Arkell: This might be another example of an inter-local agreement in which the entity itself would implement this particular strategy.

Commissioner Leavitt: I would point out Mayor on page V, it says, "the Policy Task Force will encourage a Clark County Transportation Study Air Pollution Control Division, with local governments using a cooperative approach to the development of a revised implementation plan for consideration." Obviously it has to be a cooperative effort. This as I see it between the Policy Task Force, and; well the difference between the Policy Task Force proposal, and the Clark County proposal is the Policy Task Force attempts to coordinate all the different entities, and people involved in quality air control, whereas Clark County just simply wants to go ahead and do it.

POLICY  
TASK  
FORCE  
(Continued)

The proposal of the Policy Task Force is to coordinate all these different agencies, and suggest to them what can be done to improve the air quality. Further it says, "the Policy Task Force will review a series of proposed strategies which may involved different levels of effort by different entities. It is possible that there could be differences of opinion among the entities regarding the degrees of commitment to implement the revisions. If such difference occurs it is the responsibility of the Policy Task Force to seek consultation of the issue." We are going to try to work it out together.

Mayor Briare: In discussing this with Commissioner Leavitt just casually, and prior to the meeting I indicated to him that I am in favor of this alternative, because the other alternatives are not acceptable to me. I have some concern. I just wonder Mr. Arkell, if the Task Force is designated as the designated agency, are you going to come back to the local entities with a set of rules and regulations, or will we even get such a set of rules and regulations?

Mr. Arkell: The rules and regulations would be part of the package that will be assembled by the Policy Task Force. Those rules and regulations may not be adopted by the Task Force. Some may be adopted by the local entities.

Mayor Briare: In commenting on Commissioner Leavitt's referral, where we talked about the cooperative approach. "The Policy Task Force will encourage to use a cooperative approach." Then on Page 4, Roman Numeral V, Number A would it be safe to assume that not only does the Policy Task Force review, and approve the work program prepared by staff, but is it possible that the Task Force will review and disapprove the work program prepared by staff?

Commissioner Leavitt: The next sentence says, "it will recommend a common policy, standards, or criteria used in the planning process." Then on page six it says, "It is vitally important to exercise that all these planning efforts will be accomplished with participation of the local governments." It is not something that is going to be jammed down anybody's throat. It is going to be a recommendation process, a cooperative process, a coordination process.

Commissioner Christensen: Well I think the final sentence covers it too. "The operational, or regulatory units of governments must agree to the plan since they will have to assume the responsibility....". Any plan is going to have to come to this Board for approval.

Commissioner Lurie: If we don't follow the recommendations, and if we don't do the things that mandated, then it is going to effect federal funding eventually if we don't comply.

Commissioner Leavitt: This has to be completed by January 1st, 1979. There will be public hearings in July or August of this year. Let's hope between now and July, or August of this year that the plan can be put together, and have the public input,

POLICY  
TASK  
FORCE

and have the final plan after that. At least a tentative plan by that time.

(Continued)

Commissioner Lurie: Well like when you came down to Regional Streets, we accepted the responsibility of doing a certain segment of the plan. Now this information that we are doing will be submitted to the Task Force, and put in the final....

Mr. Arkell: That will be one component of the transportation part of it.

Commissioner Lurie: So what we are approving here today is that the Task Force will be made up of the Board of Health?

Commissioner Leavitt: The Policy Task Force is made up of the following people: myself as Chairman, Charles Deaner, who is the City of Las Vegas appointment to the Board of Health. Councilman Tom Brown of North Las Vegas, Councilman Gary Price of Henderson, and Commissioner Sam Bowler of the County Commission. There is 5 altogether.

Mayor Briare: Mr. Arkell there was a lady that called me, and she said that she called the air pollution department, and either immediately or shortly thereafter was connected to talk with you, and you made a comment something to the effect that you said to her, that you were sick and tired about hearing these complaints. Something to this effect and to call Commissioner Leavitt. Then she told me of her conversation with Commissioner Leavitt, and he went in to lengths trying to explain to her the conditions. He tried to give her an answer. What she wanted to hear was that there would be no more emissions out at Henderson. I remember when the Air Pollution Board was created, and you know what Mr. Arkell? It seems to me that things are no better now, and perhaps even worse than they were those many years ago. It doesn't appear to me that anything is better now. Do you think now with the Task Force, that things are going to get better, or are we still going to have a lot of a tremendous bureaucracy, and other things?

Mr. Arkell: The two questions are almost unrelated, because we are talking about two different problems. We are talking about the lady who called you, with whom I spoke for 45 minutes trying to explain what the circumstances are out in the BMI complex. I did make the comment that I was not at all willing any more to defend those companies out there. We have been trying to explain on behalf of the Health Department what has been done, and how much money has been spent, and what kind of improvements have been made while at the same time recognizing that we still have problems out there. Our division is charged with enforcing the regulations adopted by the Board of Health, and we have been doing that. As you recall last month there was a considerable fine levied against one of the companies out there for a violation of those regulations. Until the regulations are specific in further limiting emissions out there we are stuck with enforcing what we have got.

POLICY  
TASK  
FORCE  
(Continued)

Commissioner Leavitt: Let me say right here that at the present time the Board of Health is preparing to draft new regulations to make them even stronger than they are right now.

Mr. Arkell: The Air Pollution Control Committee considered a proposal by the staff last August, and that has been tabled to gather information necessary from which to base some additional regulations, if such are indicated. A \$150,000.00 study is being conducted out there right now to identify what the components cloud are, and possibly what chemical reactions are taking place in the air to form that white cloud, and the odors associated with it. This Policy Task Force is a requirement by federal law. That local and state agencies get together to solve another kind of problem in the metropolitan areas. That is the problem of motor vehicle emissions. The Policy Task Force as organized by the Board of Health is responsible for that part of the air pollution program. The Air Pollution Control Committee will continue to be responsible for a portion of the Air Pollution Control Program which manages all the other problems.

Mayor Briare: How long have you been the officer in charge?

Mr. Arkell: I have been with the Health District for 11 years.

Mayor Briare: Do you feel that in 11 years things are a lot better now than what they were?

Mr. Arkell: Mayor I grew up in Henderson, and I know they are better.

Mayor Briare: The motion is for approval. Are there any other comments or questions? (No response). Cast your votes.  
Motion is approved.

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

There being no further business to come before the Board, at the hour of 5:55 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.