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Date: Feb. 14, 1978

To: EDWINA M. COLE
City Clerk, Las Vegas, Nevada

CALL OF SPECIAL MEETING: A Special Meeting of the Board of Commissioners of the City of Las Vegas, Nevada, is hereby called to be held in the Commission Chambers of the City Hall on the 18th day of February 19 78, at the hour of 9:00 A.M. to consider the following matters:

ITEM	Commission Action	
1. <u>LIQUOR & RETAIL TOBACCO - NEW</u> <u>*HOLIDAY INTERNATIONAL CASINO</u> 300 N. Main Street Service Bar License S A R Enterprises, Inc. Major A. Riddle, Dir./Pres/Treas/ 50% Stockholder Morris A. Shenker, Dir/VP/Secy/ 50% Stockholder *Subject to provisions of the Planning, Building & Fire Codes, Health Dept. regulations and final Police investigation	Items 1 and 2 Approved subject to conditions Lurie - unanimous	Director authorized to issue
2. <u>RETAIL TOBACCO - NEW</u> <u>HOLIDAY GIFTS, INC. DOWNTOWN</u> 300 N. Main Street Holiday Gifts, Inc. Avis Jansen, Pres. Ella Ferber, Secy.		
3. <u>APPOINTMENT OF MUNICIPAL COURT JUDGE</u>	Abeyance Leavitt - unanimous (see conditions on reverse side)	3/15/78 Agenda

William N. Briare
MAYOR

NOTICE OF SPECIAL MEETING:

To: William H. Briare Mayor Roy A. Woofter Commissioner

Paul J. Christensen Commissioner Russell Dorn City Manager

Myron E. Leavitt Commissioner _____ Asst. City M

Ron Lurie Commissioner Mike Sloan City Attorney

You, and each of you, will please take notice that pursuant to the above call of the Special Meeting this day issued, a Special Meeting of the Board of Commissioners of the City of Las Vegas, Nevada, will be held as stated above.

Edwina M. Cole
CITY CLERK

ACCEPTANCE OF NOTICE: We, the undersigned Mayor, Commissioners, City Manager, Assistant City Manager, and City Attorney of the City of Las Vegas do hereby admit due service of the foregoing Notice of Special Meeting:

Ron Lurie
William N. Briare
Roy A. Woofter

Russell Dorn
Myron E. Leavitt
Mike Sloan

(From reverse side):

3. APPOINTMENT OF MUNICIPAL COURT JUDGE Abeyance 3/15/78 Agenda

CONDITIONS:

1. All applicants to present credentials through the office of the City Clerk.
2. A five (5) member Committee shall be appointed, with one (1) member nominated by each City Commissioner and the Mayor; said Committee to select three (3) qualified applicants for consideration by the Board of City Commissioners to fill the Judgeship vacancy. The members of the screening Committee shall be residents of the City of Las Vegas.
3. The screening Committee shall report to the Board of City Commissioners prior to March 15, 1978, at which time the Commission shall make an appointment.
4. All applicants shall be a practicing Attorney in the State of Nevada and shall be a qualified elector of the City of Las Vegas for two (2) years immediately preceding time of appointment.

AFFIDAVIT OF POSTING

(Posting required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

CARL D. PETERSON, an employee of the City of Las Vegas, Nevada, being first duly sworn, deposes and says that on the 15th day of February, 1978, at the hour of 8:15 A.M.

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 18th 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)

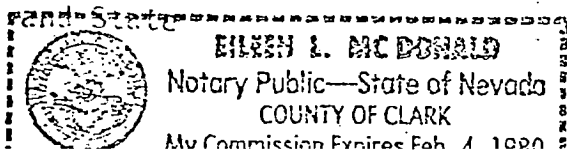
Subscribed and sworn to before

PUBLIC SERVICES - Quality Control
(department or division)

me this 15th day of February, 1978

EILEEN L. McDONALD

Eileen L. McDonald
Notary Public in and for said County



AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

DORIS M. KARSNOK, an employee of the City of Las Vegas, Nevada, being first duly sworn, deposes and says that on the 14th day of February, 1978, a copy of an 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 18th 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).

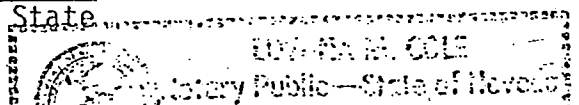
Doris M. Karsnok

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

Subscribed and sworn to before me
this 14th day of Feb, 1978

William M. Cole

Notary Public in and for said County and State



A Special Meeting of the Board of City Commissioners of the City of Las Vegas, Nevada, held this 18th day of February, 1978, was called to order by His Honor, William H. Briare, at the hour of 9:00 A. M., with the following members present:

Mayor	William H. Briare
Commissioner	Paul J. Christensen
Commissioner	Myron E. Leavitt
Commissioner	Ron Lurie
Commissioner	Roy A. Woolfer

STAFF
PRESENT

City Manager	Russell Dorn
City Attorney	Mike Sloan
Deputy Director, Dept. of Business Activity	Howard Crow
City Clerk	Edwina M. Cole

OTHERS
PRESENT

Holiday International Casino	Major A. Riddle
	Morris A. Shenker
Holiday Gifts, Inc. Downtown	Avis Jansen

Legal Counsel	Clifford A. Jones, Esq. Jos. W. Brown, Esq.
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Mayor Briare: Ladies and Gentlemen, this is a Special called meeting for the purpose of considering a request by representatives of the Holiday International Casino and we assume, Mr. Brown, it is because of the fact that we have a long holiday and it would be nice if they could open up to take advantage of this holiday, and recognizing that this is a very large contribution to the Downtown Resort Area, the Commission, as you can obviously see, is delighted to cooperate and assist in any way we can. These people are not total strangers to this community and they have some kind of background we can take a look at.

Attorney Joe Brown: For the record, I'm Joe Brown, 300 South 4th Street. I want to tell you Gentlemen that we deeply appreciate your consideration in being here today. It is very nice of you to do this for us.

I have with me the Applicants, who are well known in the community - Major Riddle and Morris Shenker, and I would ask them to please stand.

Mayor Briare: Good morning, Gentlemen.

Attorney Brown: If you should have any questions of them or any concerning the application, please feel free -

Mayor Briare: Do any of the Commissioners have any questions?

Commissioner Leavitt: I have a comment: I understand we do not have the back-up material - the investigative material - on this application as yet. Of course, these two gentlemen have been licensed by the County and by the State, but I am a little concerned about a precedent we might be setting here. In any event any approval would be subject to a review of the investigation report. Would that be proper, Mr. Sloan?

City Attorney, Mike Sloan: Yes - I'm sure -

Commissioner Leavitt: I know that both of these gentlemen have been licensed by the State and County, but if we are going to approve the License, I want to be sure it is conditioned upon a review of the investigative report.

M o t i o n Commissioner Lurie: Mayor, I move that the application be approved subject to the provisions of the Planning, Building and Fire Codes, Health Department regulations and final Police investigation.

See Page 1 of these Minutes (Annotated Agenda)

RETAIL
TOBACCO - NEW
Approved

Mayor Briare: Item No. 2 on the Agenda is for a new Retail Tobacco License for Holiday Gifts, Inc., Downtown.

Attorney Brown: Again, for the record, I am Joseph W. Brown, 300 South 4th Street, Mrs. Avis Jensen is here in the audience. Mrs. Jensen, would you please stand?

Mayor Briare: Good morning -

Mrs. Jensen: Thank you for coming.

Mayor Briare: Are there any comments or questions by the Commission?

(No response)

M o t i o n Commissioner Lurie: I move for approval subject to any conditions.

See Page 1 of these Minutes (Annotated Agenda)

Attorney Brown: Thank you very much.

Mr. Shenker: We appreciate very much your accomodating us on this Saturday morning when, I'm sure' everyone has something else to do.

Mayor Briare: You're welcome, Mr. Shenker.

MUNICIPAL
COURT
JUDGE
Abeyance

Mayor Briare: The next item on the agenda is shown as "Appointment of Municipal Court Judge". The purpose in putting this on the Agenda was in order to comply with the law we are bound by relative to any discussions being open and being posted - whatever it is the pleasure of the Commission to do on the appointment to fill a vacancy. First I am going to ask Mr. Sloan to comment on whether there is, or isn't, a vacancy. In order for us to discuss it, the matter, of course, had to be on the Agenda. I don't think there is any impression here by anyone that there is necessarily going to be an action today. That will be determined after the Commission has had an opportunity to review it. Mr. Sloan, would you please comment on the vacancy aspect?

City Attorney, Mike Sloan: Yes, Your Honor - we have previously given each member of this Commission, an opinion written by Audrey Daines of my office, stating the opinion that the office that Judge Mullen held became vacant by operation of law at the time he was sentenced, and for the purpose of this record I would like to have the Clerk make a part of the final proceedings, a certified copy of the Judgment entered in the Federal Court, which certifies that Judge Mullen is a convicted felon within the meaning of both the Nevada Revised Statutes and the Constitution of the State of Nevada.

At the time we were trying to figure out how to put this on the Agenda, we didn't know, obviously, what you would want to do - there were only two of us there so we had to make it broad enough to cover any potential action you might take but does not necessarily imply that any action will be taken.

Mayor Briare: Would the Commission care to make any comments? I would like to remark - you will recall that when the 3rd Department of the Municipal Court was created by this Commission, as it is constituted now, the Commission's desire at that time was to appoint a Committee to receive applications from any and all applicants interested in being considered for the appointment. That Committee functioned - I believe they met on two occasions - perhaps more - and come up with some recommendations to this Commission, which this Commission subsequently approved, and Judge Francis Horsey was appointed.

I only throw this out because that is the only one that I personally had anything to do with. Perhaps the Commission has other suggestions for methods they might want to propose.

Commissioner Lurie: Mayor, it is my understanding that we have thirty (30) in which to fill this vacancy. Is that correct, Mr. Sloan?

City Attorney, Mike Sloan: Yes - that is what the Charter provides.

Commissioner Lurie: What dates are we talking about? Thirty

United States District Court for the District of Nevada

United States of America vs.

DEFENDANT

ROBERT EUGENE MULLEN

DOCKET NO. Criminal-LV 77-45 RDF

JUDGMENT AND PROBATION/COMMITMENT ORDER

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH DAY YEAR FEBRUARY 13, 1978

COUNSEL

WITHOUT COUNSEL However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel. WITH COUNSEL GEORGE E. GRAZIADEI & CLYDE MAXWELL (Name of counsel)

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea, NOLO CONTENDERE, NOT GUILTY

FINDING & JUDGMENT

There being a verdict of NOT GUILTY. Defendant is discharged. GUILTY.

Defendant has been convicted as charged of the offense(s) of subscribing to false income tax returns, in violation of Title 26, Section 7206(1) of the United States Code, as charged in counts 1, 2 and 3 of the indictment; and making false declarations before a Federal Grand Jury, in violation of Title 18, Section 1623 of the United States Code, as charged in counts 4, 5, 6 and 7 of the indictment.

SENTENCE OR PROBATION ORDER

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted AS TO COUNTS 1, 2, 3, 4, 5, 6 AND 7. IT IS ADJUDGED that imposition of sentence as to imprisonment is hereby suspended and the defendant is placed on probation for a period of THREE (3) YEARS, upon the general conditions of probation as set forth on the reverse side of this order. Pursuant to Rule 38(a)(4) of the Federal Rules of Criminal Procedure, the defendant's term of probation shall commence on the date of this judgment.

SPECIAL CONDITIONS OF PROBATION

IT IS ADJUDGED that the probationary terms imposed as to counts 2, 3, 4, 5, 6 and 7 are to run concurrently with each other and concurrently with the probationary term imposed as to count 1.

I hereby attest and certify on 2/14/78 that the foregoing document is a full, true and correct copy of the original on file in my office, and in my legal custody.

CAROL C. FITZGERALD CLERK, U. S. DISTRICT COURT DISTRICT OF NEVADA

By Faye McMillan Deputy

ENTERED

FEB 14 1978

CLERK, U.S. DISTRICT COURT DISTRICT OF NEVADA BY FAYE McMILLAN DEPUTY

ADDITIONAL CONDITIONS OF PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION

The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

U.S. District Judge

ROGER D. FOLEY

CERTIFIED AS A TRUE COPY ON

THIS DATE 2/14/78

By Faye McMillan () CLERK

() DEPUTY

Date FEB. 14 1978

MUNICIPAL days from the date that was signed?

COURT

JUDGE

(cont'd)

City Attorney: Thirty (30) days from the 13th of February.

Commissioner Lurie: So that means by the 15th of March - our meeting on the 15th we could appoint somebody to fill that vacancy. It is my opinion - I like the process that we did in taking the applications and submitting them to a Committee as was done when Judge Horsey was appointed.

M o t i o n

I would move that the Mayor form that Committee and take names from this Board for members to serve on that Committee so that we can start accepting applications from people who are interested in being considered for that position that has been vacated.

Commissioner Christensen: I would like some clarification here: When you form this Committee who are you going to consider to be on the Committee? How many people are going to be on the Committee? How many names are they going to give us to choose from, or are they going to pick the Judge, or give us three names - five names - two names - or what? I would be more specific, I think, on our motion.

Mayor Briare: Commissioner, I would suggest that each member of this Commission who wishes to submit a name, as more or less of a nominee, that they indicate whether they want one person - do you want to name one person to serve on this Committee if this motion should be approved - do you want one member or do you want three members?

Commissioner Christensen: Is this Committee going to have attorneys, or are attorneys excluded, or what?

Mayor Briare: Commissioner, on the last committee, if my memory serves me, there was Attorney Tom Foley, Attorney Mike Cherry, non-attorney, Marion Bennett, Clark Coleman, who is a member of the Traffic & Parking Commission, and Bart Jacka. Those people who were kind enough to serve the last time doesn't necessarily mean that is a standing committee. That was dissolved. There could be 5 members - there could be 10 members - or whatever you want. All I ask is that each Commissioner, and the Mayor, be allowed to nominate the same number of people they want to serve on the Committee and thereby creating the size of the Committee.

Commissioner Lurie: I would recommend that the Committee consist of five (5) members - that each Commissioner and the Mayor appoint one (1) person - to submit one name - to serve on that Committee and that the Committee, depending upon the number of applications submitted, can rank the individuals 1 thru 3 - submit three (3) names to us. We don't know how many applications are going to be submitted -

Mayor Briare: More or less on the manner, but on a more confined basis, that we selected the City Manager candidates.

MUNICIPAL
COURT
JUDGE
(cont'd)

Commissioner Christensen: You would only have to have three qualified applicants?

Mayor Briare: When it becomes known that the Commission is accepting applications, there might be more.

Commissioner Leavitt: I would like to ask the City Attorney to clarify what the requirements would be for a person we would select as a Municipal Judge. I don't have a copy of our Code in front of me, but I believe there is a 2-year requirement -

City Attorney: Required to be a 2-year resident of the City and being an Attorney.

Commissioner Leavitt: In other words, whoever applies must be an Attorney; a resident of the City of Las Vegas and a resident for a period of two (2) years?

Commissioner Woofter: I question that: I talked to Mike (Sloan) in that regard because I know there was a candidate for Municipal Court Judge, just in the last Election, that certainly got that one qualification thrown out in his particular case. I don't know whether that applies, generally, or not. I refer you to the matter of Gary White - the late Gary White - who filed for the position of Municipal Court Judge - who was a non-resident and moved into the City, and he was allowed to run for Municipal Court Judge, and threw the requirement out of "2 years". The question came up in my mind - I know that in my race for City Commissioner I had a candidate who opposed me who had not been a qualified elector for two years in the City and he went to Court. The Court didn't dispose of it prior to the election so the question became moot, but I don't think there was ever a decision made.

Commissioner Leavitt: Was there actually a decision made in the Gary White case?

City Attorney, Mike Sloan: Mr. Jan Stewart made the one decision, but that decision was written in such a manner that it applied only to Gary White.

Commissioner Leavitt: OK - we are not talking about an Election - we are talking about an appointment now. What I need from you is - what is the criteria - what are the qualifications that we have to take into consideration for appointment of a person to the Court Municipal Judge? What are the qualifications?

City Attorney, Mike Sloan: The Charter says there are are two qualifications: It says a candidate shall be an Attorney licensed to practice law in the State of Nevada or a previously elected and presently incumbent Judge of the Court and be a qualified elector for at least two (2) years immediately prior to the year in which the election is held, within the territory established by the boundaries of the City on the last day for filing an affidavit of candidacy.

MUNICIPAL
COURT
JUDGE
(cont'd)

Commissioner Leavitt: Now, a "qualified elector" means a registered voter, or just . . .

City Attorney, Mike Sloan: I think there is a difference -

Commissioner Leavitt: We call it a "qualified elector" if he is in the State six months, the County thirty days and precinct ten days -

City Attorney: It says "and be a qualified elector for at least two years immediately prior to the year in which the election is held . . ." which applies to this year in which the appointment is being made -

Commissioner Leavitt: Does that mean he has to have lived in the City for two years prior to the appointment?

City Attorney: Rather than give you a legal opinion off the top of my head, I would be happy to research it and give you a written opinion . . .

Commissioner Leavitt: This is the thing I am really concerned about - I know there are a couple of probable applicants who live in the County - they don't live in the City - and the question I have is . . .

City Attorney, Mike Sloan: I would say they would be excluded -

Commissioner Leavitt: OK - but my understanding of a "qualified elector" is . . .

City Attorney: "a qualified elector for at least two years immediately prior to the year in which the election is held, within the territory established by the boundaries of the City . . ." That means he lives within the City.

Mayor Briare: Perhaps you feel, Mr. Sloan, that you should give us an Opinion of some sort that we could give to the Committee so they would have it as a guideline in their consideration of the applications that come in.

Mike Sloan: I think that if somebody wants to apply and then wants to challenge the residence provision, then we'll take a look at it . . .

Commissioner Leavitt: I'm not trying to ask for a legal opinion off-the-cuff, or anything like that, but it would seem to me that a challenge in an election is one thing and a challenge on an appointment because someone doesn't live in the City - I don't think that is the same thing as challenging the right of a person to run for office.

MUNICIPAL
COURT
JUDGE
(cont'd)

City Attorney, Mike Sloan: I suppose someone could go to Court and get declaratory relief that this provision is void thereby saying I am eligible for appointment - I live in the City but have not lived here for two years. Or, if Mr. Stewart should be in error and the provision goes out the window, I would advise the Committee accordingly. The Committee has to remember also that they have to function under the requirements of the Open Meeting Law. Once the Committee is appointed, you are going to have to post and comply with those requirements. Perhaps you could give the Mayor the authority to go ahead and finalize the appointment of this Committee once you have submitted your names so that you can get the process in operation as soon as possible..

Commissioner Lurie: That could be a part of the motion.

A m e n d e d

Mayor Briare: Would you restate your motion, Commissioner?

M o t i o n

Commissioner Lurie: My motion was to have each Commissioner submit a name to the Mayor and that the Mayor form a Committee to review candidates to fill the vacancy created by the conviction of Judge Mullen and that the Mayor be authorized to take whatever steps are necessary to create the Committee.

Commissioner Christensen: I think if we are going to a Committee and the newspapers, we ought to clarify it a little further. Are the Committee members going to have to be residents of the City?

Mayor Briare: As far as I am concerned, Commissioner, any names that you, or any or the other Commissioners, want to submit to me - and my name also that I will submit to myself - they are to be people who, in the opinion of the person making the nomination for that Committee member feels will be able to do a real fine job. Personally, I don't care whether they live in the City, the County or the State. If you submit a name to me, I'm not going to ask you where they are from. I would ask that when each Commissioner submits a name that they confirm that that nominee would be willing and able to serve - that when you submit a name, it is someone who is willing to serve.

Are there any other questions or comments?

Commissioner Christensen: I want to clarify one thing: I am going to have to vote "no" on this motion, and it is not that I'm against committees. That really doesn't bother me. I don't care. The thing that bothers me is that here we have the possibility of a man being ranked No. 1 by a Committee, which then makes it almost impossible to chose anybody else that could possibly be ranked No. 1 by a Committee from electors outside the City Limits of Las Vegas, and I don't think that's right.

Mayor Briare: That would be possible if a Committee member that is appointed by someone on this Commission happens to live outside in the County.

MUNICIPAL
COURT
JUDGE
(cont'd)

Commissioner Christensen: That is correct. If we don't have that qualified in the motion I can't act to support it because you are turning over the government of the City of Las Vegas to somebody else from my point of view, and that is wrong.

Mayor Briare: From my point of view, Commissioner, if you would like to know, I certainly would intent to appoint somebody who lives within the City of Las Vegas.

Commissioner Christensen: Well, now there seems to be some question as to whether or not a person even has to be a resident of the City to solicit this job - there seems to be some question raised that a person could - conceivably could put in an application - move in 10 days before the appointment and be appointed a Municipal Judge. Now, stacked on top of that there's a good possibility that a County Committee will suggest him. I can't conceive of that. This is the City of Las Vegas.

A m e n d m e n t
t o M o t i o n

Commissioner Leavitt: I would like to amend Commissioner Lurie's motion to read that all members appointed to the Committee for the selection be residents of the City of Las Vegas.

Mayor Briare: Does anyone object to that amendment?

Commissioner Woofter: I have one question also, Mayor: Commissioner Christensen said something about - would we be obligated to take No. 1 submitted by the Citizens Committee? It is my understanding in Commissioner Lurie's motion was that the screening Committee would narrow it down to three (3) final candidates - not rank them 1, 2, 3 -

Commissioner Lurie: That we consider just the top three candidates -

Mayor Briare: The instructions given to this Committee, providing this Commission this morning votes to form one, would be that recommendations be made to the Commission without rank. Are there any further comments?

(No response)

Mayor Briare: Commissioner Leavitt, are you satisfied that your suggestion is now incorporated in Commissioner Lurie's motion?

F i n a l
M o t i o n

Commissioner Leavitt: The amendment, of course, will be that all members of the screening Committee be residents of the City of Las Vegas and, in addition, that they would submit to us three (3) names without any ranking, for our choice as to who shall become the next Municipal Court Judge to fill that vacancy.

MUNICIPAL
COURT
JUDGE
(cont'd)

Mayor Briare: Is that the understanding of all Commissioners?
Are there any further comments or questions on the motion?

(No response)

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

Mayor Briare: Now, if the Commissioners would, hopefully by Tuesday and no later than Thursday of next week, let me have your nominations. Further, I would ask for the cooperation of the news media to assist us in this matter, to indicate via the Press that the City Clerk is receiving applications from persons interested in being considered by the Committee that is to be formed. Mrs. Cole, if you would let me have those names, we will try to get this Committee together as quickly as possible.

Judge Seymore Brown: Mayor, would you clarify something for me? This appointment would be until the next Election?

City Attorney, Mike Sloan: That is correct.

Judge Brown: Then he would have to run in 1979.

MAYOR
BRIARE
EXCUSED
FROM
3/1/78
MEETING

Mayor Briare: Also, one last thing - it is not on the agenda but I want to make mention of the fact that I am not going to be able to attend the March 1, 1978 meeting. I will be out of the City on that day. Would the Clerk please mark the record that I will be excused for that Meeting.

ACTING
FIRE
CHIEF

Commissioner Leavitt: I would like to request that on the next agenda - I don't know whether this has to be done administratively or whether it has to be done before the full Board - in view of the recent Court decision on the Fire merger, that we should move to remove the "Acting" in front of Chief Sam Cooper's name. I don't know whether you make that appointment or whether it has to be ratified by us - whatever the procedure is, I think it is a matter to be taken up on the next Agenda. I request that it be placed on the next Agenda for proper legal action.

Commissioner Woofter: After the Mayor has just advised us that he will be out of the City on March 1st, I think an important decision like that - who we are going to make a permanent key position, should be with the full Board.

Commissioner Christensen: Maybe we should go to a Committee.

Commissioner Leavitt: I would have no objection - I just want to get the wheels in motion, and I don't care whether

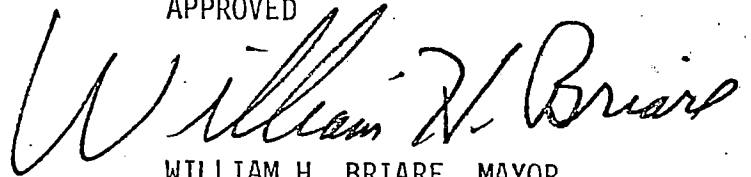
ACTING
FIRE
CHIEF
(cont'd)

it is March 1st or March 15th. I just think the matter ought to be taken care of.

Mayor Briare: Mr. Dorn, you will take care of that -


There being no further business to come before the Board, at the hour of 9:25 A. M., Mayor Briare declared this Special Meeting A D J O U R N E D.

APPROVED



WILLIAM H. BRIARE, MAYOR

ATTEST:



EDWINA M. COLE, CMC, CITY CLERK