

MINUTES

City of Las Vegas

BOARD OF COMMISSIONERS

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

DATE: April 5, 1978

TIME: 9:45 A.M.

INVOCATION: Rev. Donald Blake, St. James Baptist Church

PLEDGE OF ALLEGIANCE:

BOARD OF CITY COMMISSIONERS

PRESENT

ABSENT

EXCUSED

MAYOR BILL BRIARE

Approximately 5:20 P.M

COMM. PAUL J. CHRISTENSEN

COMM. RON LURIE

MAYOR PRO-TEM

COMM. MYRON E. LEAVITT

COMM. ROY WOOFER

CITY ATTORNEY

MIKE SLOAN

APPROVED BY REFERENCE May 3, 19 78

ATTEST:

Edmund J. Coe CITY CLERK *William H. Briare* MAYOR

MINUTES

April 5, 1978

A Regular Meeting of the Board of City Commissioners of the City of Las Vegas, Nevada, held this 5th day of April, 1978 was called to order by his Honor, Mayor William H. Briare, at the hour of 9:45 A.M.

AGENDA POSTED March 31,, 1978 (See Page 3 of these Minutes Affidavit)

AGENDA MAILED March 31,, 1978 (See Page 4 of these Minutes Affidavit)

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

AFFIDAVIT OF POSTING

(Posting required under the provisions of NRS CHAPTER 271)

CITY CLERK

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

31st day of March, 1978, at the hour of 8:15 A.M.

there was posted a copy of ADDENDUM No. 1, the attached of which is a true and correct copy, to the Agenda of a REGULAR MEETING of the BOARD OF CITY COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA to be held at 9:45 A. M. on

the 5th day of April, 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 31st day of March, 1978

Public Services, Quality Control
(department or division)

Marcy M. Woods
Notary Public in and for said County and State
MARCY M. WOODS
Notary Public - State of Nevada
COUNTY OF CLARK
My Commission Expires May 19, 1981

AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS Chapter 241)

STATE OF NEVADA)
)
COUNTY OF CLARK) ss.

DORIS M. KARSNOK, an employee of the City of Las Vegas, Nevada, being first duly sworn, deposes and says: That on the 31st day of March, 1978, a copy of ADDENDUM No. 1 to the AGENDA (NOTICE) of a Regular Meeting of the BOARD OF CITY COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, to be held on the 5th day of April, 1978, of which the attached is a true and correct copy, was deposited in the United States Mail, postage prepaid, first class mail, to each person and/or organization whose name appears in the Agenda Register maintained in the Office of the City Clerk as having requested, in writing, a copy of said Agenda (NOTICE).

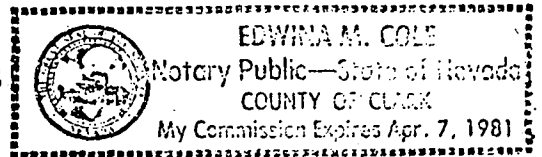
Doris M. Karsnok

(An employee in the Office of the City Clerk)

SUBSCRIBED AND SWORN TO before me
this 31st day of March, 1978

Edwina M. Cole

Notary Public in and for said County and State



INVOCATION AND
PLEDGE OF
ALLEGIANCE

Mayor Briare: Good morning, this is the regular meeting of the Las Vegas City Commission. First we will have Rev. Donald Blake of the St. James Baptist Church for the invocation, and if you will all please remain standing for the Pledge of Allegiance.

Rev. Blake: Dear God this morning we thank You that You have given us a reasonable portion of health and strength. Today as these ladies and gentlemen come to discuss the business of running this City, we are asking for more than the wisdom of men, but Your Divine Guidance in making the decisions that rules the lives of all concerned. Bless Las Vegas, and all of our friends. In Jesus name we ask this, Amen.

PLEDGE OF ALLEGIANCE

Mayor Briare: Thank you Rev. Blake. The first item on this mornings agenda is the Department of Business Activity.

DEPARTMENT OF BUSINESS ACTIVITY

ILA M. BRITT, DIRECTOR

See Pages 6 thru 16 of these minutes - Annotated Agenda

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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CITY COMMISSION - REGULAR MEETING - MINUTES - Page 6

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY

ILA M. BRITT, DIRECTOR

*CONSENT AGENDA

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

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

Family Child Care Homes

1. MARIA AND MARVIN LANG
709 North Eastern

6 children days
3 children before/after school
2. DELORES LEE
3109 Theresa

6 children days only
3. JOANNE WASLESKY
5301 Jay

6 children days only
4. STEPHANIE GILSON
2021 Embry

3 children days/3 nights

Items 1 thru 6
Approved
as recommended
Lurie - unanimous

Director
authorized
to proceed

AGENDA

City of Las Vegas

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BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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CITY COMMISSION - REGULAR MEETING - MINUTES - PAGE 7

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

*A. CHILD CARE FACILITY APPLICATIONS
(cont'd)

See Page 2

See Page 2

5. "BONNIE" YVONNE EDWARDS
921 Nye

6 children days only

6. ISOBEL BARI
1801 Atlantic

6 children days/6 nights

*B. GAMING -- Additional

1. MINI PRICE MOTOR INN CASINO,
INC.

Bingo Palace Casino
2540 South Rancho
102 slots

2. FREMONT HOTEL, INC.

Fremont Hotel & Casino
200 E. Fremont
18 slots

3. TWO-ONE-NINE CORP.

Lotus Inn Casino
1213 Las Vegas Blvd South
3 slots

4. HOTEL NEVADA & CASINO

Hotel Nevada & Casino
235 South Main Street
12 slots

Items 1 thru 10
Approved
as requested
Lurie - unanimous

Director
authorized
to proceed

AGENDA

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BOARD OF CITY COMMISSIONERS
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Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

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

See Page 3

See Page 3

5. HORSESHOE CLUB OPERATING CO.

Horseshoe Club
128 Fremont Street
4 slots

6. EXBER, INC.

Western Hotel & Casino
899 East Fremont Street
12 slots

7. BALLY DISTRIBUTING CO.

Foxy's Firehouse
2423 Las Vegas Blvd South
1 slot

8. J. J. PARKER CO.

Atomic Liquors
917 Fremont
2 slots

9. J. J. PARKER/OPERATOR

Lady Luck
206 North Third Street
20 slots

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Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

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

See Page 3

See Page 3

10. UNITED COIN MACHINE CO.

Circle K Store # 1252
2721 W. Lake Mead
3 slots

Cockatoo Club
1601 North Rancho
1 slot

Lucky Pierre's
1225 E. Sahara
1 slot

New Town Tavern
600 Jackson
1 slot

C. LIQUOR -- Change of Corporate
Officers/Change of Business Name

Approved
as presented
Lurie - unanimous

Director
authorized
to proceed

1. From: De Luca Importing Co.

TO: COORS OF LAS VEGAS
3290 South Highland
Wholesale Beverage

De Luca Importing Co., Inc. --

From: John J. DeLuca
R. J. McElhone
Robert Keyser
C. R. Clark

To: Robert S. Keyser, Chmn
of Bd/Pres/100%
Frank F. Keyser, VP/Secy
Elmer Vacchina, Dir

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Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY (cont'd)

D. LIQUOR & RETAIL TOBACCO -- Change of Business Name

1. From: Lavicio's Food Store
26

TO: HOAGY'S CORNER DELI/
GROCERY # 26
4400 E. Charleston
Beverage Off-Sale

National Fast Foods, Inc. --
Samson Meyer, Chmn of Board/
Pres et al

Wayne Edington, Dist Mgr

2. From: Lavicio's Food Store
27

To: HOAGY'S CORNER DELI/
GROCERY # 27
5700 W. Charleston
Beverage Off-Sale

National Fast Foods, Inc. --
Samson Meyer, Chmn of Board/
Pres et al

Wayne Edington, Dist Mgr

Items 1 and 2
Approved
as presented
Lurie - unanimous

Director
authorized
to proceed

AGENDA

City of Las Vegas

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BOARD OF CITY COMMISSIONERS
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Commission Action

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

E. LIQUOR & RETAIL TOBACCO -- New

1. *7-ELEVEN FOOD STORE # 2052-20826
NE corner Decatur/Vegas Drive
Beverage Off-Sale

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

Richard D. Evans, District Mgr

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

Approved
as presented
Subject to
Conditions
Lurie - unanimous

Director
authorized
to proceed

F. LIQUOR & RETAIL TOBACCO -- Approval of Store Manager

1. THRIFTIMART
2200 West Bonanza Road
Package Liquor Limited

Thriftimart, Inc.

Store Manager:
Ronald G. Christman

2. THRIFTIMART
4725 West Charleston
Package Liquor Limited

Thriftimart, Inc.

Store Manager:
Charles W. Zimmer

Items 1 and 2
Approved
as presented
Lurie - unanimous

Same as above

AGENDA

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BOARD OF CITY COMMISSIONERS
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CITY COMMISSION - REGULAR MEETING - MINUTES - PAGE 12

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY (cont'd)

G. LIQUOR & RETAIL TOBACCO -- Approval of Store Manager/Liquor Department Manager

1. SKAGGS DRUG CENTER
3550 W. Sahara
Package Liquor Limited

Skaggs Companies, Inc. --

Store Manager:
Walter S. Sobota

Liquor Dept. Manager:
Charles M. Melinchok

Approved
as presented
Lurie - unanimous

Director
authorized
to proceed

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

1. From: Mr. Porterhouse

Las Vegas Oriental, Inc.
Alfred Wu, Pres
Benjamin Hwang, Secy/
Treas

To: *SABELLA'S ITALIAN
SEAFOOD HOUSE
1401 Las Vegas Blvd So.
Tavern License

Sabella's of Nevada, Inc. --
Saverio A. Sabella,
Director/sole officer
& stockholder

Approved
as presented.
Subject to
Conditions
Woofter - unanimous

Same as above

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

AGENDA

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CITY COMMISSION - REGULAR MEETING - MINUTES - PAGE 13

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Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY (cont'd)

I. GAMING -- New

1. BRUCE'S LIQUORS
2027 North "H" Street
3 slots

Governor M. Johnson, 50%
Homer B. Walker, 50%
2. *LE ROY'S HORSE & SPORTS PLACE
114 South First Street
Race Book/Sports Book

Le Roy's Horse & Sports Place
Le Roy Bud Merillat, sole
officer & stockholder

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

3. CITY CENTER MOTEL
700 East Fremont
5 slots

Dommermuth Enterprises, Inc. -
Bernhard Dommermuth, Dir/
Pres/Treas, 66-2/3%
John Blied, Dir/Secy, 16-2/3%
James Scott, Dir/VP, 16-2/3%

J. RETAIL TOBACCO -- New

1. JOSEPH MEAD APARTMENTS
825 South 1st Street

Joseph O. Mead, 100%

Items 1, 2 and 3
Approved
as requested.
Item 2 Subject
to Conditions
Woofter - unanimous

Director
authorized
to proceed

Approved
as requested
Leavitt - unanimous

Same as above

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CITY COMMISSION - REGULAR MEETING - MINUTES - Page 14

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Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY (cont'd)

K. RETAIL TOBACCO VENDOR -- New

1. RASMUSSEN LEASING, INC.
200 North Casino Center

Erik Rasmussen, 100%

Location: Jenny V's
111 Ogden

Approved
Wofter
Commissioner
Christensen and
Mayor Briare
voted "no"

Director
authorized
to proceed

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

1. DETEK SECURITY ALARMS, INC.
From: 2480 S. Industrial Road
To: 510 Las Vegas Blvd So.

Detek Security Alarms, Inc. --

From: Daniel E. Kessler, Dir/
President
Gary Carlson, Dir/VP
David J. Wargack, Dir/
VP
George A. Waugh, Secy/
Treas

To: Daniel E. Kessler, Dir/
President
Gary Carlson, Dir/VP
David J. Wargack, Dir/
VP
Deana Gay Harrison
(aka Deana Gay Lewallen),
Secy/Treas

Approved
as presented
Lurie - unanimous

Director
authorized
to proceed

AGENDA

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BOARD OF CITY COMMISSIONERS

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III. DEPARTMENT OF BUSINESS ACTIVITY (cont'd)

M. SPECIAL EVENT LIQUOR LICENSE

1. THEATRE ARTS SOCIETY, INC.

Location: Reed Whipple Center

Date: April 15th, 1978

Responsible Licensee:
Al Garbian

Approved
as requested
Lurie - unanimous

Director
authorized
to proceed

N. LIQUOR -- Request for Extension of of Inactive Status

1. THE LIFT 3045 Valley View Package Liquor/Beer Bar

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

(Approved 10/12/77. Extension for
12/11/77 thru 2/8/78 approved
11/30/77; extension for 2/9/78
thru 4/9/78 approved 2/1/78.
Request for extension of inactive
status for 60-day period: 4/10/78
thru 6/8/78.)

Items 1 and 2
Approved
as requested
Lurie - unanimous

Same as above

2. HOAGIE'S NEW YORKER, INC. 1553 North Eastern Service Bar

Hoagie's New Yorker, Inc.--
Roger Petorella, Pres,
sole officer

(Approved 2/15/78. Request for
extension of inactive status for
60-day period: 4/16/78 thru
6/14/78.)

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Commission Action

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III. DEPARTMENT OF BUSINESS ACTIVITY (cont'd)

O. SPECIAL EVENT LIQUOR LICENSE

1. HELP THEM WALK AGAIN FOUNDATION, INC.

Location: Lorenzi Park

Dates: April 13 thru 16, 1978

Responsible Licensee:
Robert W. Keck

Approved
as requested
Woofter - unanimous

Director
authorized
to proceed

Abeyance Item (Tabled 3/15/78)

P. APPEAL ON DENIAL OF BUSINESS LICENSE

1. THE ACTORS WORKSHOP
2309 Las Vegas Blvd South

Applicant: Walter D. Leake

Motion to deny
License
Christensen -
unanimous
(Mayor Briare
did not vote -
excused)

Director to
proceed

BY ADDENDUM No. 1:

Q. LIQUOR - CHANGE OF OWNERSHIP

JENNIE V's, 111 Ogden Ave.

TAVERN LICENSE

From: Sagest, Inc.:

Eugene Wintermote, Pres.	Treas.	20%
Kenneth Demmons, VP/Secy		40%
Stephen Lazarus, MD/VP		40%

To: OLD TOWN NEVADA, INC.:

Erik Rasmussen, Pres.	50% Stockholder
Linda Sue Rasmussen, VP,	30% Stockholder
Martin L. Freeman,	20% Stockholder
Secy/Treas/Gen. Mgr.	

SUBJECT to the provisions of the Planning,
Building & Fire Depts., Health Dept.
regulations and final Police Investigation

Approved
Woofter
Commissioner
Christensen and
Mayor Briare voted
"no"

Same as above

LIQUOR - CHANGE
OF OWNERSHIP
JENNIE V'S
Approved

Mayor Briare: We have an addendum item on the agenda for a change of Ownership for Jennie V's to Old Town Nevada Inc. Is the applicant present?

Mr. Thompson: I have an officer of the corporation with me, if you have any questions we will be happy to answer them.

Mayor Briare: I see here before us what would appear to be the investigation. Is there anyone from the Licensing Department going to comment on this?

Commissioner Christensen: Since the report information is brand new to us, and nobody has even looked at it yet, I would move that we hold this until our next meeting.

Mr. Thompson: Well it was my understanding that the reports were made available; you say it was just made available today?

Commissioner Christensen: That is right. The report was laying right here this morning.

Mr. Thompson: What we have is that this license is tied up with the lease, and the present owners in there have been almost unable to sustain the operation. We are endangered of possibly losing the license at the location of a master lease standpoint relating back to Mr. Papanya himself. It is conditioned right now that the lease be kept in a _____ condition. There is a time restraint that we are under in this matter.

Commissioner Christensen: Well we have had problems in the past with the proposed operators of this. It would indicate to me that I have got to look at this just a little longer than five minutes. We have been sued by these people, we have been forced to issue licenses by the court. To go ahead and consider this kind of a license as a privileged license with a 5 minute look at this information just isn't enough for me.

Commissioner Woofter: I did request that this be placed on the agenda on the basis of what Mr. Thompson represented. That there was a critical situation in regards to the transfer as far as the possibility that there might be a closure of the business if we didn't act upon it on this particular agenda. That was my understanding. I notice Mr. Papanya is in the audience too. In regards to the ordinance that I requested be drafted by the City Attorneys office I believe that Mr. Rasmussen is an alien.

Mr. Thompson: Yes.

Commissioner Woofter: We have got that situation. We haven't even acted on that ordinance before us today. It is going to be some time even if the Commission goes along with approving it.

JENNIE V's
Continued

Mr. Thompson: Well we were under the impression as of last week that this matter was all cleared to be on the agenda. We were so informed early last week. Then we found out later in the week it had not been done. It is my understanding that the licensing division understanding the nature and the emergency did the best they could to get it before you today. Mr. Papanya as the owner of the property leased this property and transferred the license at one time to Sagest Inc. Sagest Inc has been operating there. Some time ago the applicant secured the master lease to Sagest Inc., and allowed Sagest to stay and operate with the liquor license. Well Sagest has had a very difficult time.

Commissioner Christensen: I believe there is a motion to hold on the floor, and I don't think that is a discussable motion is it?

Mayor Briare: I am sorry, I didn't hear you make a motion. I knew you wanted to hold it, but I didn't realize that you actually made a motion.

Commissioner Christensen: I said that I move to hold this until the next meeting.

Commissioner Woofter: I have been advised by the City Attorneys office that that ordinance would have nothing to do with as far as our action on approval, or disapproval of this particular license application today.

Commissioner Christensen: Of course you and I have conflicting ordinances on the floor.

Mayor Briare: Your motion is just to hold it. It isn't for a time certain?

Commissioner Christensen: Well I think we can consider it at our next meeting. There is a motion on the floor to table this until the next meeting of the City Commission, which is two weeks from today.

Commissioner Lurie: If the motion passes, and it is held, what is the time frame as far as these people going out of business, or having the business attached by the IRS. Where is that going to leave the license?

Mr. Thompson: Well it is a tonight, tomorrow, next day, or whatever type of thing. That is the reason for it. That is the reason why we are here in the posture that we are here today. We would not be in this posture, except we were informed last week or 10 days ago that everything was in order, and we would be before the Commission to be approved or denied. We just found out last Friday that it was not.

Mayor Briare: Who told you it was in order?

JENNIE V's
Continued

Mr. Thompson: I received word that it was in order, not in order for approval. That is the decision you would have to make. I was informed that by my clients from discussion with the licensing officials. They said it looked like it would be no problem, that it would be on the agenda and everything was fine.

Mayor Briare: Any questions on the motion to hold? Cast your votes. Motion fails.

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

Mayor Briare: Now we will discuss the application.

Mr. Thompson: The application is before you. I have here Linda Rasmussen one of the officers of the corporation. The managing agent will be a Mr. Martin Freeman as set forth in the application. We are here to answer any questions.

Commissioner Woofter: I don't have any. The report speaks for itself. I make a motion to approve.

Commissioner Christensen: I am voting against this motion based on the fact that not only do we not have any time to look over the information, and also based on the fact that we have had nothing but problems with this mans business before. Perhaps you don't remember, but I am surprised that Commissioner Lurie doesn't remember.

Commissioner Lurie: I remember Commissioner, but we are not talking about a jam auction license, we are talking about about another type of business.

Commissioner Christensen: We are talking about the suitability of the owners. I question the suitability of the person of whom we have had to defend ourselves against in court several times.

Commissioner Lurie: I couldn't win an argument this morning on that. My feeling is that we are talking about two different types of licenses, and I think the man applied in good faith, and I think he deserves consideration of this request.

Mayor Briare: Is Mr. Rasmussen here? I want to ask him a couple of questions. (Mr. Rasmussen appeared to the stand). Do you know what a privilege license is?

Mr. Rasmussen: Yes I do Mayor.

Mayor Briare: A privilege license is a great deal of discretion given by the granting body. They can also inquire as to who the person is that is seeking the license. I am not referring to your citizenship, I am referring to your businesses of jam auctions. When we discuss the suitability of a person to have

JENNIE V's
Continued

to have a retail tobacco license, and the questions that bother some members of this board, was that that person was in the jam auction business, and whether that person was bringing discredit to the entire business community on Fremont Street by that business. Would you like to make any comments as to your suitability to hold a privilege license, and at the same time hold jam auctions?

Mr. Erik Rasmussen: I feel by the very fact that I am an operator of a jam auction that it gives me the credibility, and should substantiate my ability to operate a privilege license. Such as a liquor license. The Jam Auctions are very much like the gaming business. Without proper controls people can be taken advantage of very easily. We have instituted and changed the nature of the jam auctions in this town by upgrading the merchandise, by having cameras, by having recordings of every word that is spoken. We make those tapes available not only to the police, but also to the attorney generals office. We have cleaned up that business, and there are no misrepresentations made at my auctions. For the past couple of years I have been very much offended by some of the statements that have been made. I am telling you that I have operated these businesses under tremendous new controls that I have implemented. I have engineered new concepts in that business, and we have cleaned up and improved, and I am proud of the operation that I have in that business.

Mr. Thompson: We have had certain problems with the reputation of the jam auction business. I represented Mr. Rasmussen before the state legislature, I represented him before the consumer affairs departments, and I represented him before the City Attorneys office, and the Attorney Generals office. We have take only one position, and that is tell us what you think is wrong, and we will tell you if it is or isn't. If it is wrong we will clean up. We have been totally cooperative and I think if you do your research you will find that there has been a marked degree in difference in the operation and reputation of those two businesses.

Commissioner Christensen: I respectfully disagree. Mr. Rasmussen through the courts, through his so called constitutional rights as a noncitizen of the United States has forced the City to cease and desist trying to control jam auctions. He has successfully got all our ordinances declared unconstitutional. They have successfully suppressed evidence in blocking; well they have fought us on all these things. It is very easy to say that these businesses are cleaned up. It all boils down to the fact that Mr. Rasmussen and Mr. Shift has forced this down the throats of the community of Las Vegas. I object very strongly of issuing a privilege license to a person that is not even a resident of this country. I think this is absolutely ridiculous.

Mayor Briare: I have to ask Mr. Sloan a question. There are two ordinances before us today. One says that you must be a citizen of the United States, and the other the law is mute. Is that correct?

JENNIE V's
Continued

Mr. Sloan: The law provides that in a sole applicant or in a partnership that you need be a citizen. It also provides that the managing agent must be a citizen. My predecessor wrote an opinion interpreting that to mean permitting a corporate licensee to have a share holder as a non citizen. There are at least two situations similar to Mr. Rasmussens that I am aware of. Where a shareholder has been a noncitizen to be licensed.

Mayor Briare: Depending on what type of action taken, one of those ordinances is going to be useless.

Mr. Sloan: Well for example you have already approved noncitizen licenses previously. If you were to change the law I think you could do that. The Supreme Court has knocked out restrictions of licenses which had a restriction that you had to be a U.S. Citizen, on the other hand they have upheld certain exclusions. I think you could pass an ordinance. As far as the state gaming regulations they don't comment on citizenship.

Commissioner Woofter: I think the Commission as a whole certainly frowns upon jam auctions, but that is not before us. It has already been held that they can operate such a business, but I am concerned about Commissioner Christensen's comments. Mr. Sloan has your office received any reports as far as Mr. Rasmussens operations?

Mr. Sloan: Since I have been in office all the complaints that I have received regarding jam auctions have been about the other jam auction.

Commissioner Woofter: Move to approve.

Mayor Briare: The motion is to approve. Cast your votes. The motion is approved.

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

ACTORS WORKSHOP
Denied

Mayor Briare: The next item is an abeyance item.

It is an appeal of a business license. Is Mr. Carelli, or Mr. Leake present? (No response).

Mr. Sloan I have called for Mr. Carelli and Mr. Leake and neither are present. It is on the schedule for today. I would like to take action on this. Was Mr. Carelli advised that this would appear today?

Mrs. Britt: Mr. Carelli was aware that it is on the agenda.

Mr. Sloan: I would like to make the request that you hold this. I would like to request this because he is in court or something. Could you hold this for at least 10 minutes.

Mayor Briare: If there is no objection then we will hold this until Mr. Sloan reports back. The next item is page 13.

ADMINISTRATIVE AGENDA

RUSSELL W. DORN, CITY MANAGER

CONSIDERATION
OF A
PROFESSIONAL
SERVICES
CONTRACT FOR THE
REVIEW AND
EVALUATION
OF THE 208
PLAN (ADVANCED
WASTEWATER
TREATMENT)
Approved as
recommended

Mr. Dorn: The first item is the consideration of a professional services contract for the review and evaluation of the 208 Plan. Before you is a contractual agreement for the retaining of Vertex Corporation as consultants of the 208 plan. The two principle points on this contract is that it is not to exceed \$39,000.00. The hourly rate is \$43.00, and the assistant would received \$27.00 per hour. This is for a forty hour work week. I might add that there have been numerous occasions that they have worked late and sat with Commissioner Christensen and myself. Many hours beyond the 40 hours. It is my recommendation to ask for your consideration to retain Mr. Horowitz and Mr. Basil for this study.

Commissioner Lurie: Move we follow the recommendation of the City Manager.

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.

REPORT RE:
SECURITY
SERVICES FOR
VARIOUS CITY
PARKS
Approved

Mr. Dorn: The next item is a report on security services for the various city parks. This is at the request of Commissioner Lurie. My recommendations for addressing the problem of security in the parks is to do a four month test, to hire some CETA park service security people, and to combine that with a private security contract at \$4.50 per hour. For a patrol to go in the parks and assist in security matters. To use Lorenzi and Lions as a test pilot during these months. It would be for seven hours a day at 7 days a week, and this private contract would then come on after the CETA people left. During the summer months it would be 14 hours a day, and in the winter months 7 hours a day. That is my recommendation to proceed with this program.

Commissioner Lurie: I requested this proposal. I feel that the need is there as far as providing residents and the users of these parks proper security. I feel too that through our town hall discussion meetings that they also agree that we need security. Also the people feel that they need someone there that can be identified as a park guard, who has the proper communication in case he needs to call for an emergency vehicle. I feel that with the costs going up each year with vandalism, that this will cut down on vandalism that is now running 89 to one hundred thousand dollars a year. I feel that the money saved will pay for the services of security. I do have a few questions on the duties of the

PARK SECURITY
Continued

park security people. They have a job description here and I see they are performing minor maintenance. I believe that is going to take away from a park security guard, and I would like that part reviewed again. Also I believe that these people should be equipped with radio communication equipment. Possibly with this equipment it will lessen our use with the outside security personnel. By having these communications available to our people metro has agreed to give our park security guards a four way instruction course in law and crowd control. The Fire Department has agreed to work with these people as far as a course in emergency medical training. I believe we are getting the cooperation from both metro and the Fire Department, and I would also like to recommend that the scooter that we have, that an additional one be assigned to the Lions Park so that the guards have a way of patrolling the park in a faster manner. I believe that with our security guard in uniform that people could identify with him. I would recommend that we approve this plan to put security guards into our City parks.

Mayor Briare: The only question I have is that portion where you are hiring private security personnel. Why does a private security company charge over time for holidays?

Mr. Dorn: It is under their contract Mayor. They charge \$6.75 for holidays. Mr. Cathcart contacted all of them, and they all have this policy.

Mayor Briare: Well I have no argument with their contracts. It just seems that if you need a person on a Saturday, or if you need a person on a Monday holiday that....

Mr. Dorn: Well that contract is only for legal holidays.

Mayor Briare: Oh, it is not for Saturday or Sunday?

Mr. Dorn: No sir. It is my recommendation that in October I will give you detailed findings of costs of this program.

Mayor Briare: Any other 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.

CITY SPIRIT
COALITION, LAS
VEGAS
CIVIC SYMPHONY
CONTRIBUTIONS
Information
Only

Mr. Dorn: In behalf of the Department of Recreation I am happy to announce that the City has received a \$15,000.00 from the National Endowments of the Arts. I would like to add that the cooperation of cultural activities and various organizations, that the Dayton Foundation has donated \$5,000.00 for the City Spirit Coalition, and Central Telephone Company has donated \$100.00 for the Las Vegas Symphony program.

Mayor Briare: That is fine.

CONSIDERATION
FOR THE
INTERM USE OF
THE LAS
VEGAS
SPEEDROME
Approved

Mr. Dorn: This is a consideration for the interim use of the Las Vegas Speedrome. Based upon your directions the City staff had a public hearing on March 14th with the citizens who are interested in the Speedrome use. It is important to the community to meet the racing needs for sports cars, and motorcycle enthusiasts. Based upon input by the citizens Jan Stewart is available to give you a reading regarding the use of the Speedrome. Bill Purvis is here in regards to the repairs of the Speedrome. It is my recommendation at this time to establish a Citizens Advisory Committee to come up with guidelines and responsibilities and policies for the use of the Speedrome. I would like to recommend that the City charge a fee of \$400.00 per weekend for the utilization of the Las Vegas Speedrome.

Commissioner Leavitt: I note that we have an existing recreational advisory committee, and I think they could work out suggestions and recommendations as far as establishing a fee schedule and such. They do that in other recreational activities. I think this would create a dual citizens advisory committee. It would be my recommendation that we just refer this to the existing advisory committee.

Mayor Briare: This is a real special type of expertise that goes into this.

Commissioner Leavitt: There is nothing wrong with somebody coming in from the motorcycle people, and anybody else to make recommendations. I just don't see any sense in creating another Citizens Advisory Committee when we already have got one.

Mr. Dorn: Mr. Commissioner I agree with that, but this is for a short period of time until they could come up with an administrative policy procedures as outlined above. This meeting we had of the various groups they were concerned with drag racing, motorcycle racing, sports cars etc.

Commissioner Leavitt: What you are suggesting is that we get one from drag racing, one from motorcycles, one from sports cars. This isn't something that is going to go on forever?

Mr. Dorn: No, this is only until we come up with recommendations, and an administrative policy for the use of the Speedrome.

SPEEDROME
Continued

After the procedures are adopted by the City Commission then this committee will be disbanded.

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

Mayor Briare: Cast your votes. Motion is approved.

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

REQUEST SUBMITTED BY TOM LOUGHLIN JR. FOR THE USE OF THE LAS VEGAS SPEEDROME FOR THE "WHEELS OF FORTUNE CLASSIC" NATIONAL CHAMPIONSHIP MOTORCYCLE RACE OCTOBER 21, 22, 1978
Tabled

Mr. Dorn: This is a request submitted by Tom Loughlin for the use of the Speedrome. The concern of Mr. Loughlin is that he had correspondence with Mr. Price and had published a brochure on this national championship race. There will be three thousand racers from all over the world coming to this attraction. It is for October 21st, and 22. My recommendation would be to consider this, but that Mr. Loughlin would have to go along with the policy that is set by the City Commission. By that time we will have that policy included.

Mayor Briare: Is your recommendation for just one year?

Mr. Dorn: Yes. This is just for one year.

Mayor Briare: Is he aware of that?

Mr. Dorn: No he isn't. He is waiting for a response from us. I believe this committment was made by Mr. Price.

Mayor Briare: I would like to ask that we perhaps hold October 21, and 22 open, but I think that staff should make a little more inquiry. I would very much like to have them here, but I think you better be able to give us a little more information.

Mr. Dorn: Yes, I can check on further back ground.

Mayor Briare: If there is no emergency, then I would like to see you handle a few more inquiries. Especially from the local people.

Mr. Dorn: We will do that Mayor, and report back to the Mayor and City Commission.

Commissioner Lurie: I would move that we hold October 21st, and 22nd for the Wheels of Fortune, and also the City Manager be instructed to further investigate the background of this organization.

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.

REQUEST BY
THE MINT
HOTEL FOR
USE OF THE
LAS VEGAS
SPEEDROME FOR
THE DESERT
400
Approved

Mr. Dorn: This is a request by the Mint Hotel for the use of the Las Vegas Speedrome for the Desert 400 to be held on April 24th, thru the 30th. The Mint will clean up and will need the facility from April 24th thru the 30th. As you are well aware this has attracted many people to our town. It is my recommendation that you approve the dates of the Mint 400 classic, and authorize my office to forward a letter indicating the terms and conditions for the use of the Speedrome.

Commissioner Lurie: So move.

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

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

Mayor Briare: I would like to call now on Rev. Rivers for comments that he would like to make on a matter that is coming before us a little later this morning. Rev. Rivers has to leave at 11:00 A.M. Then it is my intention to call a recess, and then we will come back and talk about the 208 plan.

BILL NO.
78-11

Rev. Rivers: I represent the Clark County Ministerial Association. I am the president this year. At our executive board meeting yesterday our association unanimously approved the new draft of the ordinance Bill No. 78-11. We feel that this is a step in the right direction. As I understand it there was someone who spoke against this at the last meeting. This person is not a member of any recognized religious body in our town that I am aware of, and I have been here some 5 years. I know of him, but I don't know that much about the Christian Coalition. He stood up and opposed this. In fact at our meeting we asked if anybody knew much about the organization, and no one responded that they did. Of course the Clark County Ministerial Association represents a cross section of all the different churches here in Las Vegas. The Methodist, the Christian Church, the Lutheran, the Catholic, the Baptist, Nellis Air Force Chaplains, the UNLV Campus Ministry, and then there are many other who also participate in the association. We would be in favor of Bill No. 78-11, the ordinance to limit the pornographic material and shops in our community. Thank you.

Mayor Briare: How many members in your organization?

Rev. Rivers: I would say between 60 and 70 ministers and churches.

Mayor Briare: Thank you very much. We will be in recess for 5 minutes:

(Commission Meeting recessed at 11:00 A.M.)

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

208 PLAN
Discussion
Only

Mr. Dorn: The next item on the agenda is the 208 Waste Water Quality Plan for discussion. At this time I would like to turn it over to Mr. Atwater

Mr. Jim Ganz: I am the Assistant General Manager of the Clark County Sanitation District. We are here to answer your questions, or receive any comments you have. As you are probably aware we met with the City Staff, Mayor Briare and Mr. Dorn on the 9th of March, when we were presented with a list of 65 questions. At the conclusion of that meeting we understood that we did, at least for the time being address satisfactorily those 65 questions. It was obvious however, that one of the City's concerns is that there just was not adequate time for the City to review the program and make their recommendations. Of course Mr. Dorn made it clear that he would like to have 120 days of extra review time. Following that meeting by about a week the technical advisory committee for the County in the 208 plan also made similar recommendations to the County Commission. That the County formally request from the EPA a 120 day delay. I personally wrote a letter to the EPA, and it was felt, it was dated on 3/17, I think it was signed a day or two later, to the EPA requesting that 120 day delay. We gave reasons in that letter, that we would need additional time to increase public involvement, and it also would provide better coordination with the air quality maintenance plan. We have just recently received a letter in response to our request for that 120 day delay, and I would like to read it. The letter is addressed to Thalia Dondero, the Chairman of the Board of County Commissioners. It says, "Dear Mrs. Dondero, we have received your request dated March 17th 1978 from the Clark County Sanitation District for the extension of the Section 208 Program for 120 days from the June 13, 1978 deadline. This additional time will be utilized to provide increased public involvement in the local plan advisory process, and then have coordination with the air quality maintenance plan. While we sincerely respect the time constraints, and the benefits of the public involvement, I regret that EPA does not have the legal authority to grant this request for a time extension. All section 208 grantees must meet the specified deadline, which is June 13, 1978 with submission of plans. It is incumbent upon Clark County to submit the 208 Plan to the Governor by the end of this grant period. We strongly recommend that the County proceed with the process as scheduled. Completion and local adoption with the 208 plan on schedule makes benefits eligible, and the Clark County may be eligible for continuing 208 grant support for the continuing benefits. This process calls for a continue review of the adopted plan. It is our understanding that the 208 program has been providing full opportunities to individuals, public officials, and special interest groups to participate in this development of the plan. We further believe that opportunity is given to all parties to comment on the draft plan, and for additions to be made prior to the adoption by the Board of County Commissioners on May 2, 1978.

208 PLAN
Continued

If you have the opportunity, please contact John Winz, Chief of the Nevada Branch for further clarification on this issue. Sincerely, Frank Covington, Director of the Water Relation." So we sent you a copy of that letter. In addition I think I should add that we also had a meeting with the Chamber of Commerce last week, and at that meeting they requested that Mrs. Dondero send letters to the Congressional Delegation, and to the Governor requesting added support for this delay. I understand that those letters were sent last week. When I talked to Mr. Ernie Grable as recently as this morning about his activity, he indicated that he had not received anything from the Governor's office yet. At this point then I assume that there has been no other activities. So that kind of sums up the City's interest at this point. We have broken this report down which is six pages long, which is a little bit more readable than the total report that we have published. We also have published the Management Report Number 6, which is a draft 208 plan. I think copies have been sent to all the Commissioners, and City Staff.

Commissioner Christensen: Can you tell me why the request was made by the impact committee, why it was not followed up, and in fact a request was made by all members there that the County Commission was asked to send the letter, and why that letter went out under your signature to EPA?

Mr. Ganz: All I can say is that I was asked by the County Commission to send that letter, which I did about four hours after the request. Commissioner Bob Broadbent requested for me to do that.

Commissioner Christensen: Well I have requested a transcript, because the minutes of that meeting do not reflect what actually took place at that meeting. The transcript will show that it was requested of the County Commission to send that letter, because a letter from Jim Ganz would not have the weight that it would if it was sent by the County Commission.

Mr. Ganz: Well Mr. Wise indicated that he did not have the statutory authority to extend that, so I was not that concerned whether the letter came from me, or the County Commission.

Commissioner Christensen: Well we knew full well on that Board that with those reasons, and going to the Governor, and also with the information that portion of the transcript showing that a wide representation was there, and that a motion was made, and they all supported it. I don't think any of that information was ever transmitted. I think we just ended up with just one letter which was a whole lot less than what was called for in the motion.

Mr. Dorn: Mayor on your request on March 30th I addressed a letter to Commissioner Dondero to ask the County Commissioners,

208 Plan
Continued

who is the representative body under 208, to request this delay for 120 days. I have not received a response from Commissioner Dondero, I did receive a response from the County Manager saying that he would consider this request, but I have not received a letter, one that was sent out by the County Commissioners requesting a delay to EPA. I have not received a denial, and I just wanted to verify that. Mr. Ganz: your request was a letter....

Mr. Ganz: Well I forget the way the letter was worded, but my letter responded to all requests. The bottom line of the request was a 120 day delay. I think it responded to APAC, to TAC, and the City's request.

Mayor Briare: Are you convinced Mr. Ganz in paragraph two that we are faced with a statutory deadline, and if that is the case, that I am aware that the government is run by delay. In this instance notwithstanding Mr. Covingtons remark in his last paragraph, that "it is understood that the 208 plan has provided full opportunities for individuals, local and state agencies, and public officials and special interest groups, and we believe that adequate review time is available." Larry Hampton was the former Director of Public Works, and Acting City Manager, and he expressed great concern with a number of things as the program was developing, but of course it doesn't come before this commission until such time as we have recommendations from the Staff. If June 13, in your professional opinion is truly a statutory deadline, then I think we would have to ask our own City Attorney as to what procedure we should follow to address ourselves to that problem.

Mr. Ganz: Mr. Atwater and myself have discussed this. We have gone through the law, and the law has two provisions in it. They do allow one year from the time of the grant offer, from the signing of the grant agreement for each of these agencies to get the ball rolling. Once that happens the Regional Administrator would then designate the time when the period officially begins. In our case they gave us the greatest amount of time possible. They gave us the full year to start the ball rolling, which was from June 13, 1975 through June 13, 1976, which was a limitation in the statute. Then he identified our time period as beginning on June 13 1976, and the statute has another limitation which requires a maximum of two years for the planning period. The statute is very clear on these one and two year limitations. We have gone to the maximum on both of those.

Mayor Briare: Well Mr. Dorn, or Mr. Sloan.

208 PLAN
Continued

Mr. Dorn: That was brought to my attention just the other day. I didn't realize that the County had received a one year delay. Will you give us some reasons why....

Mr. Ganz: O.K. it is not a delay, the statute provides for one year to begin the planning process, and then two years in the actual planning process. Some agencies have not taken the full year, so then the regional administrator will then come in and say, "you are done, we will start your planning process now." In our case it was the full statutory provision for one year.

Mr. Dorn: Was that the understanding of the APAC Committee, or the advisory groups that worked with the 208 staff?

Mr. Ganz: It was my understanding that it was. We have worked with APAC since 1976, we laid out all the plans to these committees so they knew exactly what they were doing.

Mr. Purvis: You say the committee started meeting in late 1976?

Mr. Richard Atwater: Yes, September 1976.

Mr. Purvis: Staff was on board when?

Mr. Atwater: I started working for Clark County July of 1976.

Mr. Purvis: You have been here two years then?

Mr. Atwater: Of course I was there, and Mr. Ganz, and other staff worked on the 208 program, and developed the work plan. They also hired a consultant in September of 1975 to develop a work plan which was approved by EPA in March of 1976. That started out the planning progress on June 13, 1976.

Commissioner Christensen: Do you recall who the first City member was on the APAC Committee?

Mr. Atwater: Yes I believe it was Commissioner Christensen.

Commissioner Christensen: Can you explain to me why I wasn't involved starting in Late 76? I stopped in that meeting one day and found out that the City didn't have a representative and got myself named the representative. I don't believe there was a representative from the City prior to that.

Mr. Atwater: Well we sent a letter in August of 1976 to all the Citys for them to appoint a representative to be on that policy committee. I think the first meeting that you did attend was in November of 1976 to select the consultants. I know you were very active in the selection of the consultants for the 208 program. The Chairman of our technical advisory committee was the representative of the City of Las Vegas for the first year.

208 Plan
Continued

Mr. Ganz: There was some confusion with the City at that time. I recall when that letter was first sent in August, the City was among the last entities to appoint a member, and we tried to trace that down. I think Mr. Schofield was in with us also. The City evidently lost the letter in the mail process. I think we had to end up sending the City Manager two or three copies of that letter. Until the designation was finally made. I know it was late for the City.

Commissioner Christensen: Do you know of any area that has received 208 extensions after they started the planning process?

Mr. Atwater: Yes, we are aware, there are approximately 3 or 4 other programs that have, or that would keep their initial two year planning grant conditions to complete their work on time. The primary reason for that was that they couldn't complete the studies, or reports etc., to develop a draft plan on schedule.

Commissioner Christensen: Well it says here that the EPA can't grant a delay, and yet they have granted a delay. How do they justify the fact....

Mr. Atwater: What happens in those cases is that you have to submit a partially incomplete 208 Plan. The law is very specific in that case. You have to submit a plan during the statutory period. What you do is just turn in an inadequate, or a partial plan, and complete the other work as scheduled. They put a very stringent time schedule on those 208 programs that cannot meet the time schedules.

Mr. Ganz: Now also when this happens it does place in jeopardy any other grants under the EPA grant programs for the 208 Plan.

Commissioner Christensen: Where does it indicate that?

Mr. Ganz: This is through conversations that I have had, because when we first discussed this Mr. Wise said, "well look there is a possibility that if your initial work is not completed, and you can give us grounds and proof that that work is not completed, that we could extend, but if we did so we would not give you any additional funds for that period. In doing so, he explained at the time....

Commissioner Christensen: Well the other entities under the same circumstances, there is no proof that they have lost that funding.

Mr. Ganz: I am not sure that they would, in our case I believe it could place some jeopardy on the secondary and the sewage plant. I don't know if the others had existing 208's which had been funded. I think it is on a case by case basis.

208 Plan
Continued

Commissioner Christensen: Has there been any more of these conversations that you mentioned that we don't know about?

Mr. Atwater: I understand that your staff has contacted Region 9, and Washington D.C., EPA about time extensions. They have discussed that with them. I have not talked personally to anybody in Washington D.C. regarding the time extension, or time standards.

Commissioner Christensen: I have got some questions I would like to ask, and I think they will show that their plan really isn't complete. This is a serious environmental problem with the Las Vegas Wash that I don't think is mentioned in the 208 plan. That is the odor of the waste water treatment plants. Is this issue addressed in the 208 study? One of the sites that we had picked for the jail won't be considered, because the EPA won't allow us to house prisoners in an area where you can smell the sanitation plant. It seems to me like that is going to become a serious problem.

Mr. Ganz: There has been some reflections put on development within specified uses in relation to sanitary plants.

Commissioner Christensen: Where is that discussed in the 208 plan?

Mr. Ganz: Well we were not aware that it was a serious problem.

Commissioner Christensen: Well you show three divisions under the director, the comprehensive planning division that has to do with County land use, regional land use, housing, transportation. Then you have the environmental planning division which has to do with water quality, air quality, solid waste, flood control, and then the other division. Data Management, for all the modeling and demographics. It looks to me like you have covered the water front pretty good. The only thing I don't see listed here is smell. I am sure you can put that under some of these other entities.

Commissioner Leavitt: I think it is a serious problem. You try to attend a Rebel Football game sometime when the wind is blowing just right. It is a little embarrassing when you are an elected official. Some of the people in the stands start booing you instead of the umpire.

Mr. Atwater: That problem is directly related to the City of Henderson treatment facility which is quite close to the stadium. We are looking at this time to contracting out regional treatment facilities, or development another treatment.

Commissioner Christensen: When I was down in the wash a week or two Saturday the smell was coming from the treatment plants. It wasn't coming from Henderson at all.

208 Plan
Continued

Mr. Atwater: One of the ways we are addressing that as far as development is under the Las Vegas Wash plan we have developed a management plan for the Las Vegas Wash.

Commissioner Christensen: Well you haven't even addressed that in the 208 plan.

Mr. Atwater: Well we have addressed that issue. That is Chapter 5 of the report.

Commissioner Leavitt: Well if we are going to be spending all this money, Fifty Three million, or sixty three million, what are you going to do with all that money?

Mr. Atwater: Well some of the facilities that have been projected in the plan, we have identified all of the waste water treatment needs.

Commissioner Leavitt: How much money?

Mr. Atwater: Approximately seventy million dollars for the AWT Plant now for design and construction.

Commissioner Leavitt: O.K. you are going to spend all that money, after all this are you still going to smell that stuff down there?

Mr. Atwater: There is consideration for that.

Mr. Ganz: In my opinion there will also be some of the odor, but first of all there will not be odors from the water plant. It is going to activate a sludge. You will not receive those kind of odors out of that plant. We will have some odors that is for sure, but they will not have those type odors.

Commissioner Leavitt: Well how long is it going to take to get rid of those odors?

Mr. Atwater: Well the thing you have to look at is whether you want to phase out the Las Vegas Treatment Facility. That would cost millions, and millions of dollars to correct the problem.

Commissioner Leavitt: Then the bottom line is that you won't be able to get rid of the odor unless you spend millions and millions of dollars.

Mr. Atwater: Exactly. If you want to take out the existing treatment facilities.

208 Plan
Continued

Commissioner Lurie: You are talking about 70 million dollars, and then you are talking about another salt, or salinity plant down a little farther. What about the operation costs. What kind of an effect is that going to have on the taxpayers of Las Vegas to pay for this? The second question referencing grounds and proof that EPA is asking for on the 208, I think the shoe ought to be put on the other foot. That if this is approved, that there is proof that this is going to clean up the Wash, and clean up the smell. Clean up the problem that we have in the Wash. I don't think you can name me one plant, one AWT Plant in this United States that has been successful in cleaning up water quality.

Mr. Atwater: One thing that we like to point out, and that is that if this 208 plan is implemented, that there will be a definite cost savings. Regarding the areas of waste water treatment, and also storm water flood control. Under waste water treatment the current projections of growth if they continue we will have to expand the AWT Plant in 1989, and 1996. If that continues, projecting inflation and everything, that will cost millions and millions of dollars. Also with that increase flow to the AWT facility, then that increases the operation costs. It would cost many millions of dollars a year to operate the facility. We estimate that if the 208 plan was implemented that it would save many hundreds of millions of dollars over the next twenty year period. Through our existing programs. Under the storm water program we estimate that if the programs that we recommend are implemented over existing facilities, that the City could save roughly \$30 million dollars over the next 20 years in improvements of flood control facilities, flood planning management etc. We estimate that if the plan is approved that we can save over \$250 million dollars.

Mr. Ganz: I think it has to be understood by all the Commissioners that we hope we haven't presented 208 as a panacea because it is not. We have received a grant for three quarters of a million dollars to begin a water quality management program, and we have done just exactly that. There was not sufficient funds of course to study every single item that would involve water pollution control and management in this valley. That is not the purpose of 208. We have just got the basic ground program for a water quality management in Clark County. I want to make sure that that is clear, as far as addressing every thing in detail. In some of the areas we are not making recommendations for specific management alternatives. We are making recommendations for further studies, further surveys.

Commissioner Christensen: Well I believe your plan sets up responsibility right under the County Manager which is one entity, that is going to have control over all these items. You are setting up the controls under one person to control our very lives.

208 Plan
Continued

Mr. Ganz: I am talking about surface water, or ground water. There are new elements to this planning. It doesn't stop on June 13, 1978, we have got to continue on.

Commissioner Christensen: It just starts on June 13, 1978. That is when the County has the say, or nay over this whole valley, and that is what scares us.

Mr. Atwater: We feel that all planning functions should be carried out in one department. This is a decision I think makes sense as far as coordination....

Commissioner Christensen: Well if I understand your planners plan, or whatever you want to call it. It puts the control of all of these factors under one Director. Now what it says, is that we must adopt ordinances as told by this group. In some cases we will have maybe a right to appeal.

Mr. Atwater: This County Planning Department is developing for example the air quality maintenance plan. You need to coordinate the air quality plan, the air use plan, and the water quality plan. We feel that all of this could be better carried out in the same department.

Commissioner Christensen: Well that leaves the City in the hands of the Director of the County Environmental Planning Department.

Mr. Atwater: That is not true. The final decision does not rest with the Director at all, it rests with County Commissioners to adopt it. This doesn't show who approves what. I think what this plan says is who is responsible for these responsibilities.

Commissioner Christensen: This requires cooperation from the other entities to get this thing going?

Mr. Atwater: Yes it does.

Commissioner Christensen: Well now you are going to ram this 208 plan down our throats over opposition to every other entity in the community.

Mr. Atwater: Many of these things that you have mentioned are County Planning functions which have been on going in the past, and....

Commissioner Christensen: It says right here in your report that we are required to pass ordinances to make this thing work. Doesn't say that we have to adopt ordinances regarding building and flood plans?

Mr. Atwater: What we are saying in that case is that a valley wide drainage study needs to be carried out. With cooperation with the cities, develop valley wide a storm water management plan.

208 Plan
Continued

Commissioner Christensen: Now do we not have to pass an ordinance to satisfy that....

Mr. Atwater: What you are talking about is probably in an unincorporated area so I won't effect the City of Las Vegas.

Commissioner Christensen: Doesn't it give the power to require the City of Las Vegas to pass ordinances to carry this out?

Mr. Atwater: If the plan worked, which it does not. To say specifically that in an area in the City of Las Vegas were not to be developed, then State law does provide for that, but again the plan does not make those kind of directions or statements.

Commissioner Christensen: Your management is setting up the power. That is what scares me. With this plan it is setting up the management under the County to have the power to determine how often we sweep our streets, where we build, all of the off-site improvements. There is none of the elected people from the City of Las Vegas, the City of Henderson, and Boulder City. There is no input from any of them. Is that wrong, or is that right?

Mr. Atwater: That is wrong. If you look on that chart you will see the Environmental Resources Advisory Board is an intent...

Commissioner Christensen: Those people will be responsibility to the appointment authority.

Mr. Atwater: Well the reason we are here today is to look at recommendations from other cities and other groups on changing....

Commissioner Lurie: You are here to take comments on how we feel about the 208 plan. Yet I am not convinced that any comments we make, or any input that we might have is going to make any difference.

Mr. Ganz: I would like to recommend that the City go on record and submit these comments in writing to the County Commission.

Commissioner Christensen: I admit that you probably have a good case here, but that is exactly why we wanted the time. We got handed this plan, and we were asked to review 3 volumes. We were asked to review 1 volume, we were asked to review volume 5, and make our comments, and almost as soon as volume 5 hit us we had volume 6 comes out. We have got to review what you yourself have taken two years to prepare, and we have got to review that and give our comments in 30 days. We intend to have some recommendations in writing on the deadline. We don't have them ready today, but I can give you an idea of what some of them will be. We are going to recommend that the Board be made up of elected officials like the law says, which it isn't.

208 Plan
Continued

Mr. Atwater: Excuse me I think the County Commissioners as the governing board, I assume they are elected officials.

Commissioner Christensen: They are not elected officials from the entities.

Mr. Atwater: Well the draft plan is just an extension of the recommendations detailing what is necessary to be done. Giving the details of the findings, and organizations, etc.

Mr. Ganz: Well of course the State said back in 1975, they said that this plan is going to be a sleeper. I think we have been frustrated because in some areas we have gotten participation, but in other areas we have been disappointed. The idea was not to wait until the last minute to present the plan and develop the plan. The idea was for everyone to get their comments, and recommendations, and as the plan was being developed, so at the last minute we wouldn't have a plan that was a surprise to everybody. That is what we attempted to do.

Commissioner Christensen: Well I don't think there is anybody that could actually understand all of these plans, and the input and how it is working until you see the final plan so that you could really digest it. No conclusion is drawn whatsoever, other than this is a book of technical information, and these are some problems that need to be addressed. We have a culmination of two years study that in 35 days we have got to buy change or whatever. I think minds have been made up. I think minds are made up because of the actions that have taken place.

Commissioner Lurie: I just have one question. You said that this was going to be a sleeper. Well it was a sleeper to me, because I was woken up last Saturday when I toured the whole Wash. The thing that surprises me is the water quality. You are talking about taking water to point A, and putting it through the AWT Plant, pushing it down the Wash to a Bureau of Reclamation Plant. Again we are talking millions of dollars. We push it to point C where water comes out. Water A, and water C is the same quality after it goes through both plants, AWT and Bureau of Reclamation plants when it ends up at North Shore Road, pour it back into the lake. It is just as bad as it was when it went in up here at the AWT Plant, and we are talking millions of dollars to the taxpayers of Las Vegas to clean up something that they are not even cleaning up. Now that woke me up standing underneath that big beautiful new bridge at the entrance to the Wash watching that dirty water go right back into the lake. Now you tell me why the people of Las Vegas has to pay for something up stream that is not going to correct the problem when it gets to the bottom of the Wash? You address it in this 208 Plan, and I don't see where you are going to clean it up.

Mr. Ganz: I think the criteria upon which the AWT Plant is based is under water quality standards. Those standards were developed in 1973, they were changed in 1973, that we feel

208 Plan
Continued

it will do exactly what it is designed to do. It will remove phosphrates. It will better quality water standards. We have to build the AWT Plant to meet water quality standards. These are approved by the State of Nevada and approved by EPA.

Commissioner Lurie: Well we are going to make our presentation before the County Commission at a public hearing, and we are going to refute a lot of those water quality standards that have to be met. I was with some technical people who had some technical equipment that I just became familiar with. We took samplings and testings from ground water, to surface water, to well water, and I am telling you that when that water hits that lake it is no better than when it first went in at the AWT Plant. It is not going to do any good to approve the documents today. I would rather wait and make my presentation before the County Commission. I am sure that they will have all the answers.

Mayor Briare: Mr. Ganz, by whom is Mr. Atwater employed?

Mr. Ganz: The Clark County Sanitation District. The County is the main agency, and they delegated the responsibility of the preparation of the plan to the Clark County Sanitation District.

Mayor Briare: Well it would appear that you have made an effort to get an extension on this. It also appears that perhaps we are in a very serious position here. Last night I addressed the Nevada Association of Home Builders. They have a committee that is meeting today to discuss the 208 plan, and what they see in the future of Las Vegas, and how it is going to effect the home building in Las Vegas. We all recognize this as an extremely serious matter. I asked a question of them last night if they were aware of certain things that have not been addressed. I made the comment to the Home Builders that it is projected in 1980, which is less than two years away, the cost for operation and maintenance would be 9.6 million dollars a year, and the projected operation and maintenance increase would climb to 34 point 2 million dollars annually. Has there been much discussion as to what it is going to cost to operate this big project?

Mr. Ganz: Right now the first year of operations, that we are looking at 5 to 7 million dollars a year initially. Whenever you have chemicals involved in any kind of a treatment plant it is going to be expensive.

Mayor Briare: Well a very well known person in this community called and questioned me about the City budget. He was wondering about why the City budget went up last year, and I believe it is an amount of money that the City Manager is convinced that it is a reasonable increase with inflation, and a number of other factors. He was very concerned about it. I asked him, well what is your feelings going to be when it comes time for

208 Plan
Continued

the citizens of Las Vegas to participate in a cost of nearly 10 million dollars a number of years, and that is going to keep going up and up. It is true that there is not dollars that are going to be levied by the City Commission, but they are all dollars that are going to be coming out of the taxpayers pockets one way or another. Not only are we talking about a future here of \$172 million dollars until 1997, but we are also faced with a tremendous impact of the annual cost of maintenance and operation. I am also disenchanted, that when the federal government begins to govern by coercion it really concerns me. If you don't do something, then something else is going to happen. If you don't do it the way you are told to, notwithstanding an extension of time or not, certain consequences are going to happen that also might be very tragic. The LEAA grant is an example. Because there is some problems at the jail money has to be taken away from other law enforcement uses. I don't think that is in the general interest of the taxpayer. I think there is good reason for why we all should be concerned. I personally would like to extend my appreciation to you for making an effort to get this extended. Where do we appeal from Mr. Covington?

Mr. Ganz: Well I think the Chamber of Commerce opinion is that we try to arrange for this meeting, and sit down and discuss the whole matter.

Mayor Briare: Were you at that Chamber meeting?

Mr. Ganz: Yes.

Mayor Briare: Would you care to relate the two questions that were before the Chamber?

Mr. Ganz: You will have to refresh me. What do you mean by the two questions before the Chamber?

Mayor Briare: Well it was my understanding that there were two questions. One was to support a delay and try to get some more input which passed, the other one was to junk the whole thing. This is hearsay that I am relating to you.

Commissioner Christensen: I was at the meeting and I don't recall the suggestion that it be junked. The general intent of the meeting was that we should request a delay, and ask the chamber to request a delay. It was also brought out that that delay should be requested the exact same way as the APEC Committee also requested that delay. I hope it gets done the way it was asked, and not the way the APEC request was handled. We knew going in that we would have to go to the higher ups. We are in an unusual situation here. It seems like we have in region 9 an EPA dictator who is known far and wide as a dictator. He answers to nobody but pressure. That is why we wanted to bring the pressure on him. That is why we didn't want a letter from Jim Ganz, we wanted a letter from the County Commission. We wanted that letter signed by the County Commissioners. We also decided that there should

208 Plan
Continued

be separate letters to all of the congressional delegation, as well as to the State agencies. It was also brought out that our State Environmental people adopted standards in excess of what the federal standards are. There is some question as to whether the AWT Plant will meet the State standards. I think we have an 80 million dollar gamble going down that hole, that that is going to meet the standards. That was the idea behind that Chamber meeting. They were very up in arms over this. It looks like we are going to have to modify the State standards, because we have a dictatorial situation in the State also. Which was prevalent by the fact that when they wanted to extend the moratorium the board determined that they couldn't allow it.

Commissioner Leavitt: I was also at that meeting, and my understanding is that the letter was going to be signed by the Chairman of the County Commission. I know that there was some discussion of what there should and shouldn't be, and whether it would make any difference if the Chairman of the County Commission signed, or whether somebody else signed. That was part of the discussion. I don't remember anybody making any statement about the fact that the whole thing should be scuttled.

Mr. Bruce Spaulding: In response to your question, the next day Chairman Dondero did write a response and it was sent out the same day. It was sent to the Governor, to Mr. Gregory and all the congressional delegation. To find out if there were any additional recourses, or in terms of trying to get a delay. A suggestion has been made by Mr. Gregory and the government staff to possibly take the opportunity to at the National Association of Broadcasters Meeting coming this week, then the delegation will be available to see if there is anything additional that can be done about the delay. The County Commissioners wanted me to tell you that they are making every effort possible to solicit and seek additional delay.

Mayor Briare: Could we have your word then that you will notify our City Managers office with any meetings, or any conversations that are going to be held relative to this matter between now and whatever date?

Mr. Spaulding: Yes, I would point out that these letters were sent out before we got the formal indication that such a delay was not within the statutory authority.

Mr. Dorn: Might I also ask Mr. Spaulding if he would be kind enough to send me copies of those letters that were sent out. I did not receive copies of those letters that Chairman Dondero sent out.

Mr. Spaulding: Yes I will.

208 Plan
Continued

Mr. Dorn: Mr. Mayor you mentioned some figures before, I just wanted to verify where they came from. The first figures come from page 24 of the 208 staff management report number 6. The worst case that you mentioned the 1985 operation would cost 9.6 million dollars. The best figure would be 6.7 million in 1985, and 21.8 million in the year 2000.

Mayor Briare: That is half the metro police budget. I might mention that we all want clean air, and eventually we are going to get it. We all want clean water and eventually we are going to get it, but I think that everybody is entitled to express their concern for any kind of project that comes up, but one particularly as probably the largest type of project that we have ever had, besides a flood control plan that the taxpayers rejected for 120 million dollars flood control plan. It was just out of the question that we could afford that kind of a flood control plan. Now that same flood control plan would probably cost half a billion dollars. Eventually we have got to do something, but we have got to do something we can all live with.

Commissioner Lurie: I see Daisy is sitting there. The letter you signed, you say that we should move ahead with this as fast as we can and leave politics out of it. I don't think this is a situation as far as politics I think it is a matter of economics. Whether or not we want to spend hundreds of millions of dollars to take a look at a problem that is not going to satisfy the end result when it gets back into the Wash.

Daisy _____: I think it was March of 1974 I was testifying on the 208. I was calling attention to the fact that it included land use, floods the works. At that particular meeting the City took the position presented by Commissioner Christensen, that the County Commissioners were the proper body to carry this out.

Commissioner Christensen: That is not true.

Daisy _____: I have the record sir.

Commissioner Christensen: I don't consider newspaper clippings records.

Daisy _____: It was before the Governors panel, Mr. Arkel and Mr. Grazier, who were sent by the Governor. I took the position that at that time that it should go to the regional planning counsel. Since that time we have all been following the 208. We followed it through the legislature. I have read all of the reports that have come out. I was interested in the environmental standards. We were at one time all set for the plan. I was at the legislature when it set the standards for the AWT Plant. There has been a lot of opportunity to study this plan. This has all been discussed over and over again.

208 Plan
Continued

I don't think you can say that we will go through the AWT and not clean it up. It will remove phosphorus. At the time we decided to build the AWT we had the Wash, now when the Bureau of Reclamation Project it was planned that only ground water would go through the project. Then the ground water would be evaporated out. It will not reach North Shore Road. The pipeline for the AWT Plant will go around the Bureau of Rec Project. The Bureau of Rec Project will be removing phosphorus. The preliminary data indicates that the ammonia will not be removed by the Wash. At the time all of this was happening I don't think any of us thought that the Bureau of Rec Project could create a terms of ammonia. Also we do have two sets of standards, one is the discharge standards, and one is water quality standards.

Commissioner Lurie: Well by the time we are finished we are going to have four or five plants. The bottom line is that there hasn't been one successful AWT Plant built. They are trying to use Clark County and Las Vegas as a model for the whole United States.

Daisy: It removes phosphorus, nobody said it removed ammonia. AWT has always been known to remove phosphorus.

Commissioner Leavitt: Has anybody given any studies to whether it is going to be necessary to remove the nitrogen?

Mr. Ganz: The one area is to control phosphorus. If we can control phosphorus then we meet the standards.

Commissioner Leavitt: Is it going to be necessary to remove the nitrogen from the water?

Mr. Ganz: We have no idea at this time.

Commissioner Leavitt: The federal standards are not set to remove nitrogen?

Mr. Ganz: Yes, that is true.

Commissioner Lurie: When is the public hearing scheduled for the County Commission?

Mr. Ganz: On May 7.

Commissioner Lurie: That is the day that they will adopt the 208?

Mr. Ganz: Right.

208 Plan
Continued

Commissioner Christensen: I don't see the City Commission going after the management control of this plan. We are not asking that we be the implementing agency. What we are asking is that the taxpayers be given representation to their elected officials on those various entities to this board to have some control. That is where I think the real danger is. We have to have air quality, and water quality, but I think it is very unsafe to create one super agency under one local government. What you are doing is creating an environmental protection agency under the County, which the County Commission will not control **once it** is named. It will control the County Commission. That is the scary part. Once this plan is adopted, if it is adopted in this form the Director of the Environmental Planning, or whatever is going to control the County Commission. They are going to have the say over every item that is ever done in this valley. When I was asking Atwater those question then he shot all around them. But he couldn't show me one place that that wasn't true.

Commissioner Lurie: The County Commission is going to act on this, and take testimony on the 18th?

Mr. Spaulding: Yes.

Commissioner Lurie: We would like to go on record as wanting to be present at that meeting and speak on the 208 plan. We will now recess until 1:30

(Commission Meeting recessed at 12:20 P.M.)

(Commission Meeting reconvened at 1:45 P.M.)

MAYOR AND
COMMISSIONERS
INPUT ON
1978-79 BUDGET
Continued
to 4/10/78
Special Meeting

Mayor Briare: Item H under your agenda. Do you have anything now to add? I believe this is going to be discussed again. Do any of the Commissioners have anything they would like to comment on? This time in the tentative budget.

Commissioner Lurie: I would like to request; I know that we are going to discuss this on the 10th, but I think all of the action should be held until the 19th before any action is taken. We should postpone it until the 19th.

Mr. Dorn: Not for H, but for I, for revenue sharing dollars. Not for the final adoption of our budget. Commissioner Lurie is referring to I.

Mayor Briare: Do any of the Commissioners have any further discussions on I?

Commissioner Leavitt: I notice that there is no new employees for the new budget and one of the problems we seem to be having is getting our various projects getting them going because of lack of design. I wonder if we ought to consider the possibility of adding one more position. I have been told that certain ball parks haven't been built. Perhaps we should look at another designer.

Mr. Dorn: I agree with your comments. Later on today's agenda in the personnel section we are addressing that problem of filling 5 vacancies in engineering design. Three in design, and one as an assistant engineer technician, and one for senior engineer design on today's agenda. Basically it is to replace two promotions and two people that have left. There is one vacancy, and that moves everybody up in the domino theory. These people will be particularly designated for engineering design for the projects on Regional Highway and Streets, and the parks, etc. We are looking in the tentative budget to correct those actions.

Commissioner Leavitt: If this is approved later on today is that included in this budget? Because it indicates there is no new positions.

Mr. Dorn: That is correct. These vacancies existed....

Commissioner Leavitt: So it is not a problem of having to hire new people, it is the case of having to fill the vacancies that we already have?

Mr. Dorn: Exactly.

AGENDA

City of Las Vegas

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

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April 5, 1978

CITY COMMISSION - REGULAR MEETING - MINTES - PG. 46

Commission Action

Department Action

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. C1001, C1261 to C1266, C114522, C943843, C210646, C509837 to C509840, C509846, C509849 to C509873, C509875, C509882 to C509901, C509903 to C509904, C509907 to C509925, C509927 to C509929, C509931 to C510247, inclusive.

In the amount of \$ 7,055,834.41

*B. PAYROLL WARRANTS

Nos. 2649 to 3989, inclusive

For Pay Period Ending 3/04/78

In the amount of \$ 476,334.05

C. Nos. 103990 to 105336, inclusive

For Pay Period Ending 3/18/78

In the amount of \$452,545.22

Items A, B and C
Approved
as submitted
Lurie - unanimous

Director
authorized
to issue

APPROVAL OF
STATE HIGHWAY
DEPARTMENT
PLAN FOR
WASHINGTON
AVENUE UNDERPASS
CONSTRUCTION
Approved as
Presented

Mr. Purvis: The State Highway Department is here. Mr. Crosby is here, Mr. Bill Young, Garth Dalt. They will explain the problem on the Washington Avenue underpass. This is Mr. Bill Derby who is the local design engineer.

Mr. Bill Derby: I am the design engineer. The Washington Avenue grade separations with the railroad tracks were presently scheduled to let the bid on this contract on June 8, or advertise for bids on this contract. Prior to that we have to clear the right of way, so we are going to let a utility contract this month to adjust the gas lines, and build a shoe fly for the railroad. We feel that it is in the public interest to close certain portions of this street down to all traffic during the period of the contract. Initially the only area will be between the Western edge of North Main, and the East side of Main Street. This is right in the area of the railroad tracks, and acceptable alternates for through traffic would be Bonanza, or Owens around the area. This closure will be in the neighborhood of 15 months long, from mid May 1978 to mid August 1979. During this time we would have to extend the closure over to the off ramps from the interstate. The ramps will remain functional, and to allow access on the North side of Washington Avenue we will maintain access for business traffic only.

Commissioner Lurie: All the yellow then is access? You are going to reroute traffic?

Mr. Derby: Yes, we have a storm drain down Washington Avenue down to Las Vegas Boulevard. This will require closure to through traffic. People living in that area will get in.

Commissioner Lurie: That is going to be large enough to handle....

Mr. Derby: It is designed to carry the 25 year storm. We should be out of there by August of 1979.

Commissioner Christensen: How do you plan to assign the alternate routes? With standard signs?

Mr. Derby: Yes.

Commissioner Christensen: I wonder if we could modify that. I come across detours and you never know when we are supposed to turn or what, unless you really know the detour.

Mr. Derby: We are signing per the NEEPD modifications.

Mr. Purvis: We will stay on top of them.

Commissioner Leavitt: What kind of procedure are you taking to notify the residents of the area?

STATE HIGHWAY
DEPARTMENT
Continued

Mr. Derby: We will advertise in the newspapers.

Commissioner Leavitt: Is there any possibility that you may be able to post some of those notices in the area, and in other public places? So the people who use Washington will be aware of the fact that construction will take place. It is just a suggestion.

Mr. Derby: Yes sir.

Commissioner Lurie: You need a motion to approve the detour and the closure of the road at this time?

Mr. Purvis: Yes sir.

Commissioner Lurie: I would move for approval.

Mayor Briare: 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.

REQUEST OF
ALLEN I CHANDLER
and TERRY
HESS
FOR SEWER
HOOK UPS
Approved

Mr. Purvis: The next two items are requests for hookups for individual outside sewer hookups.

Commissioner Christensen: Move for approval.

Mayor Briare: 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.

REQUEST OF
THOMAS E AND
LILLIAN F.
HARKENRIDER
TO INSTALL
FENCE IN CITY
RIGHT OF WAY
ADJACENT TO
PROPERTY AT
2009 JUANA VISTA
STREET
Approved as
Recommended

Mr. Purvis: We have a 60 foot right of way and Thomas and Lillian Harkenrider wants to fence it. They have sent a letter to us. It is going to be a block fence.

Mayor Briare: How tall is the fence going to be?

Mr. Purvis: I don't think it can be over 4 feet. It is not going to be a six foot fence.

Mayor Briare: I got the impression from your memo that it was going to be taller than that.

Commissioner Christensen: They have to build it according to the Code. It has to be built so you can see traffic.

Commissioner Lurie: I would move for approval.

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

AGENDA

City of Las Vegas

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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PHONE 386-6011
CITY COMMISSION - REGULAR MEETING - MINUTES - PG 49

Commission Action

4/5/78
Department Action

IV. (c) DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS

A. cont. FEDERALLY FUNDED

- (5)
MS/Purchasing & Contracts \$ 622
Jr. Office Assistant
Until 9/30/78
(fill vacancy)
- (6)
Recreation & Leisure Activities/ Recreation 758
Jr. Recreation Leader
Three positions
Until 9/30/78
(fill vacancy)
- (7)
Funds, Coordination & Projects 758
Stenographer
Until 6/30/78
(fill vacancy)
- (8)
Human Resources 1019
Human Resource Vocational Analyst
Until 8/5/78
(fill vacancy)

Responsible for filing, verification of invoices and related documentation and delivery and pickup of reproduction materials.

Responsible for assisting in organizing and leading participants in a variety of recreation activities at community centers.

To handle clerical responsibilities at the Westside Community Development Commission.

Interviews applicants to determine and match skills with needs of hiring agencies.

See Page 15

See Page 15

AGENDA

City of Las Vegas

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

CITY COMMISSION - REGULAR MEETING - MINUTES - PG 50

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4/5/78

Department Action

IV. (c) DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS

A. cont. FEDERALLY FUNDED

(9)		
Human Resources Office Assistant Until 8/5/78 (fill vacancy)	721	Functions as PBX operator for entire CETA office
(10)		
MS/Reprographics Jr. Office Assistant Until 9/30/78 (fill vacancy)	622	Provides staffing for quick copy facility and aids in finishing operations and collating or bindery.
(11)		
Recreation & Leisure Activities/ Recreation Jr. Office Assistant Until 9/30/78 (fill vacancy)	622	To file, register participants, receive monies and render receipts, type, answer phones and perform other clerical duties.
(12)		
Funds, Coordination & Projects Housing Counselor I Until 9/30/78 (fill vacancy)	994	To carry out the required functions under the Developmental Programs Division with regard to housing counseling and inspections.
(13)		
PS/Animal Control Office Assistant Until 9/30/78 (fill vacancy)	721	To provide clerical assistance to Animal Care & Control Center.

ee Page 15

See Page 15

AGENDA

City of Las Vegas

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

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CITY COMMISSION - REGULAR MEETING - MINUTES - PAGE 51

Commission Action

Department Action

IV. (c) DEPARTMENT OF PERSONNEL & EMPLOYEE
RELATIONS

B. CITY FUNDED

- (1)
PS/Animal Control 901 To ensure that
Animal Control Officer field enforcement
(replace budgeted and support for
vacancy) complaints are
carried out as
specified by
ordinance.
- (2)
PS/Traffic Engineering 758 To function as a
Maintenance Laborer member of a paint
(replace budgeted crew for signs,
vacancy) poles and curb
painting.
- (3)
MS/Reprographics 758 To operate a
Reproduction Equipment variety of
Operator duplicating
(replace budgeted equipment in
vacancy) Reprographics
Services.
- (4)
PS/Streets 758 Responsible for
Maintenance Laborer hauling gravel for
(replace budgeted streets and roads,
vacancy) hauling trash,
repairing fences
and operating a
variety of tools.
- (5)
PS/Engineering Design 1241 Responsible for
Senior Civil Engineer roadway design
(replace budgeted projects in the
vacancy) Engineering Design
Division.

Items 1 thru 8
Approved
as recommended
Lurie - unanimous

Director
authorized
to proceed

AGENDA

City of Las Vegas

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE
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4/5/78

CITY COMMISSION - REGULAR MEETING - MINUTES PG 52

Commission Action

Department Action

IV. (c) DEPARTMENT OF PERSONNEL & EMPLOYEE
RELATIONS

B. cont. CITY FUNDED

- (6)
PS/Engineering Design 946 To function as
Engineering Designer members of design
Three positions squads, one in
(replace budgeted roadway design,
vacancies) one in storm
drainage design
and one in
Right-of-Way
design work re-
quired on all
Regional Street
and Highway
projects.
- (7)
PS/Engineering Design 836 To provide the
Assistant Engineering necessary support
Technician to the storm
(replace budgeted drainage design
vacancy) squad.
- (8)
PS/Engineering Design 1097 Functions as Plan
Senior Engineering Checker for all
Designer consultant designs
(replace budgeted submitted to the
vacancy) City for approval,
in addition to
in-house design
checking.

See Page 18

See Page 18

AGENDA

City of Las Vegas

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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April 5, 1978

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CITY COMMISSION - REGULAR MEETING - MINUTES PG 53 Commission Action

Department Action

IV (d). DEPARTMENT OF FUNDS, COORDINATION AND
PROJECTS - RONALD C. JACK, ACTING
DIRECTOR

N
o
n
e

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

N
o
n
e

AGENDA

City of Las Vegas

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BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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CITY COMMISSION - REGULAR MEETING - MINUTES PG 54

Commission Action

Department Action

IV (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

*A. PERMISSION TO RECEIVE BIDS

1. 2,175 Sq. Ft. Tile - Congoleum, Fire Stations #1, 2, 5, and 6 (Fire Services)
2. 501 Sq. Yd. Carpet - Fire Stations #1, 2, 4, 6, and 8 (Fire Services)
3. Fifteen (15) Rocker Recliners (Fire Services)
4. Twenty-two (22) Couches, Five (5) Overstuffed Chairs and Sixteen (16) End Tables (Fire Services)
5. Traffic Signal Replacement Parts (Public Services - Traffic Division)
6. 10,000 Ft. I.M.S.A. Cable - Replacement (Public Services - Traffic Division)
7. 402 Sq. Yd. Carpet - First Floor City Hall Replacement and New (Public Services)
8. Four (4) Each 72" Rotary Lawn Mowers (Recreation and Leisure Activities - Parks Division)
9. 750 Square Yards Carpet - 9th Floor- City Attorney and Financial Management (Public Services)

Items 1 thru 9
Approved
as recommended
Lurie - unanimous

Director
authorized
to proceed

AGENDA

City of Las Vegas

April 5, 1978

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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CITY COMMISSION - REGULAR MEETING - MINUTES - PG 55 Commission Action

Department Action

IV (f) DEPARTMENT OF MUNICIPAL SERVICES, CONTD.

*B. AWARD OF BIDS

1. Bid #78.20 - Two-Year Contract for Rental Uniforms for Classified Employees - July 1, 1978, through June 30, 1979 (Various)
2. Bid #78.24 - 19,300 L.F. Replacement Fire Hose (Fire Services)
3. Bid #78.25 - Traffic Signal Replacement Parts (Public Services - Traffic Division)
4. Bid #78.26 - Replacement Sprinkler Parts (Recreation and Leisure Activities - Parks Division)
5. Bid #78.27 - Traffic Signal Phase Timing Equipment (Public Services - Traffic Division)
6. Bid #78.28 - Lease of Three (3) 12' x 60' Personnel Trailers Complete With Restrooms and Shower Facilities - 24 Month Minimum (Recreation and Leisure Activities - Recreation Division)
7. Bid #78.62 - 80 Hours Rental Clam Shell for Washington Drain (Public Services)
8. Bid #78.67 - Two (2) Each Power Tool, Hurst 32A (Fire Services)

Items 1 thru 8
Approved
as recommended
Lurie - unanimous

Director
authorized
to proceed

AGENDA

City of Las Vegas

APRIL 5, 1978

BOARD OF CITY COMMISSIONERS
COMMISSIONERS CHAMBERS • 400 EAST STEWART AVENUE

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CITY COMMISSION - REGULAR MEETING - MINUTES - PG 56

Commission Action

Department Action

IV (f) DEPARTMENT OF MUNICIPAL SERVICES, CONTD.

C. CONTRACT MODIFICATION

1. Bid #R77.13 - Charleston Blvd.-Fremont St.-Eastern Ave.-25th St.-Atlantic St. Intersection - Bid Group I - Roadwork, With Alternates Only (Public Services)

Request approval of Contract Modification #3, to Wells Cargo, Inc., Las Vegas, NV, in the amount of \$10,175.00, for asphaltic concrete overlay of a portion of Fremont St. This work is at the request of the State of Nevada Highway Department, and will be paid for in total by the State.

2. Bid #77.123 - Additions to City Hall Parking Garage - Base Bid Only - Federal Funded - Local Public Works Capital Development and Investment Program - Round II (Public Services)

Request approval of Contract Modification #2, to Sletten Construction Co., Las Vegas, NV, in the amount of \$8,969.29. This work was necessary to correct hidden conditions found at the time of stub column removal. This work necessitated an additional eight (8) calendar days above the allotted contract time, and a time extension for that period is recommended.

Approved
as presented
Christensen -
unanimous

Staff
authorized
to proceed

Approved
as presented
Lurie - unanimous

Same as above

AGENDA

City of Las Vegas

April 5, 1978
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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

CITY COMMISSION - REGULAR MEETING - ^{PHONE 386-6011} MINUTES - PG 57

Commission Action

Department Action

IV (g). DEPARTMENT OF PUBLIC SERVICES

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

Items A, B, C, D
and E
Approved
as submitted
Leavitt (unanimous)

Director
authorized
to proceed

*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.

Commissioner
Leavitt abstained
on Item E-18

1. Metropolitan Park - Unit 18. (Metropolitan Nevada Corporation, Wesley Lister, Vice President)

2. Conso I West. (Consolidated Realty and Management, Inc., Dwight W. Jory, President)

*B. RELEASE OF SUBDIVISION BONDS

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

1. Spanish Oaks Unit No. 1. (Royal Crest, Inc., E. A. Collins, President. Surety Bond No. 5018888 with Hartford Accident and Indemnity Co. for \$5860.00 has been posted to cover sidewalk placement.)

AGENDA

City of Las Vegas

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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CITY COMMISSION - REGULAR MEETING - MINUTES - PG 58

Commission Action

Department Action

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

*C. RELEASE OF BOND

See Page 24

See Page 24

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

1. Location: 844 N. Rancho Dr.
Use: Offsites, Wendy's Rest
Builder: Kalb Construction
Surety: St. Paul Fire & Marine Ins. Co.
Amount: \$10,160.00
Bond No.: 400EH7686
2. Location: O'Bannon & Edmond
Use: Offsite improvements
Builder: Emerson Development
Surety: Fireman's Fund
Amount: \$55,000.00
Bond No.: SC 6307979
3. Location: 5509 Bromley Ave.
Use: Offsite improvements
Builder: Hyrum G. Riggs
Surety: Ensign Fed. Credit Union
Amount: \$2,000.00
Bond No.: CLV #CD-2-76
4. Location: 5513 Bromley Ave.
Use: Offsite improvements
Builder: Vern E. Hawkins
Surety: Ensign Fed. Credit Union
Amount: \$2,000.00
Bond No.: CLV #CD-1-76

AGENDA

City of Las Vegas

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BOARD OF CITY COMMISSIONERS
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CITY COMMISSION - REGULAR MEETING - MINUTES - PG 59 Commission Action

Department Action

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

*D. RELEASE OF CONSTRUCTION CONTRACTS

See Page 24

See Page 24

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

1. Bid No.: 77.82
Contractor: ETS-Hokin & Galvin
Elec. Co.
For: Traffic Signals -
Mojave & Washington Ave.
and 6th St. & Ogden

Notice of
Completion: March 15, 1978
Release Date: April 19, 1978
2. Bid No.: 77.7
Contractor: Bongberg & Whitney
Elec. Co.
For: Traffic Signals -
Third & Bridger; and
First & Ogden

Notice of
Completion: March 15, 1978
Release Date: April 19, 1978

*E. RIGHT OF WAY ITEMS

See Page 24

See Page 24

1. Grant Deed
From: Roger V. Keeley and
Lyndy M. Keeley, husband
and wife as joint
tenants
To: City of Las Vegas
For: Portion SW-1/4, Sec. 24,
T19S, R60E
Leon St. Dedication
(G-24) (8/30/77)

AGENDA

City of Las Vegas

April 5, 1978
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BOARD OF CITY COMMISSIONERS

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CITY COMMISSION - REGULAR MEETING - MINUTES - PG 60 Commission Action

Department Action

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

See Page 24

See Page 24

*E. RIGHT OF WAY ITEMS (Continued)

2. Grant Deed

From: Sproul Homes of Nevada,
a Nevada Corporation
To: City of Las Vegas
For: Portion N-1/2, Sec. 34,
T20S, R60E
Dedication. Westcliff
(L-34) (3/8/78)

3. Grant Deed

From: J. Emmett Sullivan and
Becky Sullivan, husband
and wife as joint ten-
ants as to 1/2 interest;
Jack W. Hanson, Trustee
as to 1/2 interest
To: City of Las Vegas
For: Portion Government Lot
47, SW-1/4, Sec. 36,
T20S, R60E
Cory Place and unknown
Street
(3/17/78) (L-36)
VAC-6-72

4. Grant Deed

From: J. Emmett Sullivan and
Becky Patricia Sullivan,
husband and wife as
joint tenants as to 1/2
interest; Jack W. Hanson
Trustee as to an un-
divided 1/2 interest
To: City of Las Vegas
For: Portion Government Lot
48, Sec. 36, T20S,
R60E
VAC-6-72
(3/17/78) (L-36)

AGENDA

City of Las Vegas

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BOARD OF CITY COMMISSIONERS

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CITY COMMISSION - REGULAR MEETING - MINUTES - PG 61 Commission Action

Department Action

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

See Page 24

See Page 24

*E. RIGHT OF WAY ITEMS (Continued)

5. Grant Deed

From: Joseph E. Sullivan
To: City of Las Vegas
For: Portion Government Lot
50, Sec. 36, T20S,
R60E
VAC-6-72
(3/17/78) (L-36)

6. Grant Deed

From: Charles R. Kinder and
Rae C. Kinder, husband
and wife
To: City of Las Vegas
For: Portion N-1/2, Govern-
ment Lot 2, Sec. 2,
T20S, R60E
Sweikert Lane
(L-22) (3/15/78)

7. Grant Deed

From: Arthur Blair Duffey, Sr.
To: City of Las Vegas
For: Portion NW-1/4, Sec. 35,
T19S, R60E
Lorenzi Blvd.
(G-35) (2/9/78)

8. Grant Deed

From: Charles Salton and
Adele Salton (now
known as Adele Flora
Baratz)
To: City of Las Vegas
For: Portion E-1/2, Sec. 34,
T19S, R60E
Lorenzi Blvd.
(G-34) (2/24/78)

AGENDA

City of Las Vegas

April 5, 1978

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CITY COMMISSION - REGULAR MEETING - MINUTES - PG 62

Commission Action

Department Action

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

See Page 24

See Page 24

*E. RIGHT OF WAY ITEMS (Continued)

9. Grant Deed

From: J. L. Cottam and Althea L. Cottam, husband and wife in joint tenancy
To: City of Las Vegas
For: Portion W-1/2, Sec. 35, T19S, R60E
Lorenzi Blvd.
(G-35) (3/14/78)

10. Grant Deed

From: Northwest View Estates, Inc., a Nevada Corp.
To: City of Las Vegas
For: Portion SW-1/4, Sec. 35, T19S, R60E
Rosada (G-35) (3/14/78)

11. Grant Deed

From: Charles Wilson Brinker and Linda L. Brinker, husband and wife as joint tenants
To: City of Las Vegas
For: Portion N-1/2, Sec. 2, T20S, R60E
Dedication. Mustang and Sweikert Lane
(L-22) (3/14/78)

12. Grant Bargain Sale Deed

From: Kenneth F. Johann and Alice E. Johann, husband and wife as joint tenants, and David Bliss and Rita Bliss, husband and wife as joint tenants
To: City of Las Vegas
For: Portion Lot 4 and 5, Block 1, Biltmore Addition Annex Number 3
Las Vegas Blvd. No. Dedication. Bldg. Permit (M-27_ (3/17/78)

AGENDA

City of Las Vegas

April 5, 1978
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BOARD OF CITY COMMISSIONERS

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CITY COMMISSION - REGULAR MEETING - MINUTES - PG 63 Commission Action

Department Action

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

See Page 24

See Page 24

*E. RIGHT OF WAY ITEMS (Continued)

13. Grant Deed

From: First Western Savings
Association, a Nevada
Corporation
To: City of Las Vegas
For: Portion SE-1/4, Sec. 32,
T20S, R62E
Arlington Street
(N-32) (3/20/78)

14. Right of Way Grant

From: First Western Savings
Association, a Nevada
Corporation
To: City of Las Vegas
For: Portion SE-1/4, Sec. 32,
T20S, R62E
Sewer easement for
Stewart Place 6A
(N-32) (3/20/78)

15. Grant Deed

From: Thayer E. Coon and
Kathryn Coon, husband
and wife as joint
tenants
To: City of Las Vegas
For: Portion Lot 12, Block 2,
Boulder Addition to City
of Las Vegas
Main Street
(R-3) (3/20/78)

16. Grant Deed

From: Lester L. Holmes and
Kathleen Holmes, hus-
band and wife as joint
tenants
To: City of Las Vegas
For: Portion Government Lot
2, Sec. 2, T20S, R60E
Mustang and Sweikert
Lane
(L-22) (3/14/78)

AGENDA

City of Las Vegas

April 5, 1978

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BOARD OF CITY COMMISSIONERS

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CITY COMMISSION - REGULAR MEETING - MINUTES - PG 64

Commission Action

Department Action

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

See Page 24

See Page 24

*E. RIGHT OF WAY ITEMS (Continued)

17. Grant Deed

From: Morton N. Algase, a
married man as his sep-
arate property
To: City of Las Vegas
For: Portion NW-1/4, Sec. 35,
T19S, R60E
Lorenzi Blvd. Dedication
(G-35-2) (3/14/78)

18. Grant Deed

From: Gary Davis and Patricia
Davis, husband and wife
as joint tenants
To: City of Las Vegas
For: Portion NW-1/4, Sec. 32,
T20S, R62E
Diamond Head
Dedication
(N-32) (3/24/78)
Recorded as Instrument
No. 822527 in Official
Record Book 863 in the
office of the Clark
County Recorder on
March 24, 1978.

19. Quit Claim Deed

From: State of Nevada
To: City of Las Vegas
For: Portion NE-1/4, Sec. 27,
T20S, R61E
Washington Ave.
Building Permit
(2/28/78)
Recorded as Instrument
No. 816865 in Official
Record Book 857 in the
office of the Clark
County Recorder on
March 10, 1978

AGENDA

City of Las Vegas

April 5, 1978

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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PHONE 386-6011

CITY COMMISSION - REGULAR MEETING - MINUTES - PG 47 Commission Action

Department Action

IV (a) ADMINISTRATIVE AGENDA - RUSSELL W. DORN, CITY MANAGER		
A. CONSIDERATION OF A PROFESSIONAL SERVICES CONTRACT FOR THE REVIEW AND EVALUATION OF THE 208 PLAN (ADVANCED WASTEWATER TREATMENT) Abeyance from 3/28/78	Approved as recommended Lurie - unanimous	Staff authorized to proceed
B. REPORT RE: SECURITY SERVICES FOR VARIOUS CITY PARKS	Approved Security Services as presented Lurie - unanimous	Same as above
C. CITY SPIRIT COALITION, LAS VEGAS CIVIC SYMPHONY CONTRIBUTIONS - INFORMATION ONLY	Info only	
D. CONSIDERATION FOR THE INTERIM USE OF THE LAS VEGAS SPEEDROME	Approved recommendation submitted by City Manager Lurie - unanimous	Same as above
E. REQUEST SUBMITTED BY TOM LOUGHLIN, JR. FOR USE OF THE LAS VEGAS SPEEDROME FOR THE "WHEELS OF FORTUNE CLASSIC" NATIONAL CHAMPIONSHIP MOTORCYCLE RACE - OCTOBER 21 and 22, 1978	*Tabled Lurie - unanimous	C/M to proceed
F. REQUEST BY THE MINT HOTEL FOR USE OF THE LAS VEGAS SPEEDROME FOR THE "DESERT 400"	Approved as requested Leavitt - unanimous	Same as above
G. 208 WASTE WATER QUALITY PLAN - STAFF AVAILABLE TO DISCUSS AND ANSWER ANY QUESTIONS ON THE 208 PLAN	Discussion only	
H. MAYOR AND COMMISSIONERS INPUT ON 1978-1979 TENTATIVE BUDGET	Continued	4/10/78 Agenda (Spec. Meeting)
I. MAYOR AND COMMISSIONERS COMMENTS ON FEDERAL REVENUE SHARING ALLOCATION PLAN	Continued	4/10/78 Agenda (Spec. Meeting)
J. CONSIDERATION OF CITY MANAGER'S ORGANIZATION PLAN	Approved as presented Lurie - unanimous	Staff to proceed

*Commissioner Lurie moved that the dates of October 21 and 22, 1978 be held open for further investigation of Mr. Loughlin's background

AGENDA

City of Las Vegas

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE
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4/5/78

CITY COMMISSION - REGULAR MEETING - MINUTES - Pg 48 Commission Action

Department Action

IV. (c) DEPARTMENT OF PERSONNEL & EMPLOYEE
RELATIONS

BOB MCPHERSON, AEP, DIRECTOR

AUTHORIZATION TO FILL POSITIONS

A. FEDERALLY FUNDED

<u>Dept/Class</u>	<u>Monthly Salary</u>	<u>Justification</u>
(1) PS/Streets Maintenance Aide I Two positions Until 9/30/78 (fill vacancy)	\$592	To remove trash from alleys and assist in concrete work.
(2) PS/Streets Maintenance Aide II Until 9/30/78 (fill vacancy)	622	To function as a member of a crew in street repair work.
(3) PS/Animal Control Kennel Attendant Until 9/30/78 (fill vacancy)	721	Responsible for cleaning and disinfecting cage areas and feeding and general care of animals.
(4) PS/Quality Control Jr. Office Assistant Until 9/30/78 (fill vacancy)	622	To provide clerical assistance in the Permit - Subdivision Section.

Items 1 thru 13
Approved
as recommended
Lurie - unanimous

Director
authorized
to proceed

AGENDA

City of Las Vegas

April 5, 1978
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BOARD OF CITY COMMISSIONERS

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CITY COMMISSION - REGULAR MEETING - MINUTES - PG 67

Commission Action

Department Action

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

F. REPORTS

1. Approval of State Highway Department plan for Washington Avenue underpass construction.

Approved
as presented
Lurie - unanimous

Director
authorized
to proceed

2. Request of Allen I. Chandler, 6780 W. Oakey to hook into city sewer system from outside city limits.

Items 2 and 3
Approved
as requested
Christensen -
unanimous

Same as above

3. Request of Terry Hess (Ensign Development Corp.) to hook into city sewer system from outside city limits at 1685 Westwind.

4. Request of Thomas E. and Lillian F. Harkenrider to install fence in City right of way adjacent to property at 2009 Juana Vista Street.

Approved
as recommended
Lurie - unanimous

Same as above

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

PUBLIC HEARINGS
SPECIAL
IMPROVEMENT
DISTRICT
NO. 408.
Held in
Abeyance

Mayor Briare: This is the time set for the public hearings. The first one is the Special Improvement District from Pecos to Nellis Blvd.

Mr. Dorn: Mr. Gist will present the improvement district.

Mr. Gist: This is for the installation of parking lanes, street lights, curbs and gutter on the South side of Owens Avenue from Pecos to Nellis Blvd. In cooperation with Regional Streets and Highways we are putting in four travel lanes, and median. On the North side of the street just last month they agreed to start an improvement district for the North side. With the same improvements. The cost on this project totally 1.9 million dollars. Regional Streets and Highways is putting in some 63 percent of the project. The City of Las Vegas, their cost of traffic signals and manholes is \$209,000.00, or 11 percent. The City improvement district \$248,000.00 or 13 percent. Clark County is about the same thing. Cost of the property owners on this is about \$26.30 per front foot. We have some 40 property owners involved. Just last week I invited all 40 property owners to to an informational meeting, which we held here. To inspect the plans, discuss the costs, and to answer any questions they had. There were 10 property owners in attendance at this meeting. So far I have two written protests. One propertyowner has two parcels. He gave no reasoning. The other owns a 10 acre parcel. He made a written protest. He had several objections, which I called him and talked to him and his wife. They seemed to be reasonably happy with it. They indicated that they wanted to sell the property. I don't know if there are any other property owners that want to be heard?

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

Mr. R. G. Tobalco: I live at 1500 North Lamb. I have the Desert Mobile Home Park on the corner of Lamb and Owens. I have a question that hasn't been answered yet. I was at the meeting Wednesday night, and I have a problem with flooding on my property. This flooding is caused by a drainage channel which runs across the Northeast corner, and under a corner of the adjoining property on the East of me. Where this drainage channel goes under this adjoining property there has been a 30 inch pipe approximately 100 feet long installed in this channel under the corner of this other property. Which has a block wall over the channel, or over this pipe. It comes into my property from the North side that exceeds the volume that that 30 inch pipe will pass, and it backs up into my property and floods. Now this pipe was installed at the same time that this property was developed. The City crews have been

SPECIAL
IMPROVEMENT
DISTRICT
No. 408
Continued

out on several occasions through my request, and they have done all they could, but there is nothing that relieves this condition. We have the pipe approximately 2/3 full of sediment now. They have tried to clean this pipe out and they can't do it. Now we have had this property approximately 9 years, and in that 9 years it has flooded four times. Each time it floods I have a problem of undermining trailers, and cleaning up the streets. I would like to go on record as objecting to this, and request that the flow of water be stopped in the process of the Owens development. Stop at the North edge of my property from coming into my property. There is nothing we can do to rectify this pipe that has been installed at the corner of this property adjacent to me.

Mr. Purvis: I wasn't aware of this situation. We will look into this. Let us look at it and see what we can do.

Mayor Briare: Is there anyone else? (No response). This public hearing will be closed now. Oh excuse me.

Cody Berk: I live at 4879 East Owens. I have three lots on that side of Owens that will involve approximately 10 thousand dollars out of my pocket. I didn't get to make the informal hearing, but there was supposed to be a bunch of people here today evidently they didn't get off work to be here. I would like to ask for an extension of 10 days from the formal letter of disapproval.

Mayor Briare: We have certain procedures that we have to follow on these things. Mr. Sloan?

Mr. Sloan: If you want to move ahead on these comments then let me take a look here and see and let me check the statute.

Mr. Berk: I think the curb, and the street lights, and the parking lanes shouldn't be put in unless they were used, and the area was developed. Like the gentlemen with 10 acres. If he wasn't planning on developing the land, then that would be quite a chunk out of his pocket.

Mayor Briare: Are you planning on using the area?

Mr. Berk: Well I came in for a zone change in all three of them in about 1975. I got the approval on one, and I more than likely already signed for the one. I have not started anything on the other two. This is going to be a good location on the street, and it would be at our advantage at a later date to handle more traffic than we can build more units per acre.

Mayor Briare: How many years do they have to pay out on this district?

Mr. Berk: The interest on \$10,000.00 for three years at 7% is a pretty good chunk. Plus the \$10,000.00.

SPECIAL
IMPROVEMENT
DISTRICT
No. 408
Continued

Mayor Briare: What kind of zoning did you get on your property in 1974?

Mr. Berk: I have R-2, and I have a fourplex, and a four bedroom home.

Commissioner Leavitt: Won't we have to have another public hearing on this?

Mr. Gist: There won't be one before the project is authorized to proceed. The other public hearing is when we have the final assessment roll.

Mayor Briare: As of today do we have any information as to what the written protests are?

Mr. Gist: There are three.

Mr. Berk: I just wonder out of the whole bunch how many has already signed?

VACATION
VAC-1-78 HENRY
SOBEL
continued

Mayor Briare: We will try to have an answer for you in the next 15 minutes or so. We will continue this public hearing. We will now open up the public hearing for a vacation by Henry Sobel. Was there any opposition to this? Is there anyone in the audience that wishes to be heard on this vacation? (No response).

Commissioner Woofter: Move to approve.

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.

STREET NAME
CHANGE
REQUEST
Approved
as
requested

Mayor Briare: The next public hearing is for a street name change request. To Naco Court from Orgaz Court. Is there anyone in the audience that wishes to be heard in opposition to this request? (No response).

Commissioner Christensen: 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.

APPEAL FILED
BY VERNA W.
HOLT
V-4-78
Appeal
approved

Mayor Briare: Next is an appeal filed by Verna W. Holt. A request to allow a covered patio within 10 feet of the property, where 15 feet is required.

Verna Holt: I could not see the reason why they denied this, cause I was asking to go within 5 feet of the wall. Five more feet, which would bring me 10 feet to the wall rather than 15. There is an alley at the back of my home.

Mayor Briare: You don't have any protests from the neighbors?

Mrs. Holt: No, as a matter of fact I have a petition with all of them here.

Commissioner Christensen: What you want to do is extend the back of the house close to your back wall. How wide is the alley?

Mr. Saylor: 20 feet.

Commissioner Woofter: What is the reasoning that the board gave Mr. Saylor for denial.

Mr. Saylor: First of all there is nothing unusual about this. It is a regular standard size property. We amended the ordinance recently to allow people to build within 15 feet of the rear lot. They felt that they made that amendment, and now they are starting to want to cut it down further. They felt that the line should be held at 15.

Mayor Briare: What was their comments in relation to the alley there?

Mr. Saylor: I don't believe they took that into consideration.

Mayor Briare: Is there anyone in the audience who wishes to protest the granting of this variance? (No response). What is the pleasure of the Commission?

Commissioner Lurie: I would move for approval, and grant the variance.

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.

APPEAL FILED BY
RUTH V. BROWN
V-6-78
Appeal approved,
Variance granted

Mayor Briare: The next item is an appeal filed by Ruth V. Brown to allow a carport to within 10 feet of the front property line where 20 feet is required on property located at 429 N. 10th Street.

Mrs. Brown: The street is 24 feet from the end of the proposed car port. The City added on 14 feet to my yard about 37 years ago. It has been part of my yard since. It now has the street curbs and pole lights 24 feet from where the car port would be.

Mr. Saylor: This is somewhat of a unique situation. The curb line is actually 14 feet away from her property line, so for all practical appearances from the front where she wants the car port, it would be 24 feet out to the curb. Generally speaking we don't have that much distance.

Mayor Briare: Visually speaking there won't be any hardship?

Mr. Saylor: No.

Commissioner Lurie: Why didn't the BZA take that into consideration?

Mr. Saylor: There is a set back line established along there, and I think they felt that it should conform to that.

Commissioner Lurie: How many members were present?

Mr. Saylor: I don't know. We haven't got the minutes of the meeting yet.

Commissioner Christensen: Does the City plan to utilize the right of way there?

Mr. Saylor: It is conceivable. It is one of those things Commissioner. Further to the North and to the South I believe we do have a wider paving. Immediately to the East of this property is the Housing Authority Development.

Commissioner Christensen: If we have got right of way wider than we would ever need, then why don't we vacate it?

Mr. Saylor: We wait until the property owner initiates that type of action. There is no reason why the City couldn't initiate it.

Commissioner Christensen: Well it seems like we have been a little grabby.

Mr. Saylor: Well this situation that she is in doesn't occur any more, and hasn't for quite a few years. All of our new subdivisions are constructed from property line to property line.

APPEAL FILED
BY RUTH V.
BROWN
V-6-78
Continued

Mayor Briare: Is there any opposition to this matter?
(No response). We will close the public hearing now.

Commissioner Woofter: Because of the mitigating circumstances
I make a motion to approve. Move to approve the appeal, and
to grant the variance.

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.

Commissioner Lurie: I want the minutes of these meetings
of the BZA and the Planning Commission, of how they voted.
I want those minutes of those meetings to see what the
comments were that were made. You might find out why we
are not getting those minutes.

Mayor Briare: Mr. Sloan do you have a comment now?

S.I.D. 408
Continued

Mr. Sloan: There is nothing in the statute that I can see
that would preclude you from continuing this hearing until
the next meeting.

Mr. Birk: I would like to request a 10 day extension from
the letter of denial. For the curb and street lights, and
parking lanes on East Owens.

Mayor Briare: Would the Commission object to an extension
of 10 days?

Mr. Birk: That would give us 7 more days.

Commissioner Christensen: Well he wants 10 days to get the
protests, which if you consider the post marked date you can't
go much beyond 10 days. If you do you won't be able to get
the letters back in time.

Mayor Briare: Well I am saying to go ahead and continue this
until the 19th.

Commissioner Lurie: Well what is the reason for this.

Mr. Birk: Well I had about four property owners call me last
night that didn't have a letter of protest in. I want to
give us a chance to get together, which I haven't had time to
do.

Mayor Briare: Well we are doing this in fairness to you.
If there is no objection by the Commission to postpone this
until the afternoon of the 19th, then we will consider it.

AGENDA

City of Las Vegas

April 5, 1978

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

CITY COMMISSION - REGULAR MEETING - MINUTES - PG 74 Commission Action

Department Action

X. 2:00 P.M. - PUBLIC HEARINGS

A. SPECIAL IMPROVEMENT DISTRICT No. 408 - STREET LIGHTS, CURB & GUTTER, PARKING LANE - SOUTH SIDE OF OWENS AVE., FROM PECOS STREET TO NELLIS BLVD.

2 written protests
1 oral protest
Abeyance

4/19/78 Agenda

B. VACATION - VAC-1-78 - HENRY SOBEL

Request to vacate a 33 ft. patent reservation generally located east of Jones Blvd., 140 ft. north of Del Rey Ave. extended, subject to the following conditions:

Approved
Subject to conditions
Woofter - unanimous
(no protests)

C/A to prepare Order

Clerk to notify

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.

C. STREET NAME CHANGE REQUEST

Request of John Midby for a street name change to NACO COURT from ORGAZ COURT in Rancho Sereno Unit No. 1.

Approved
as requested
Christensen - unanimous
(no protests)

Staff to proceed

D. APPEAL FILED BY VERNA W. HOLT - V-4-78

to action of the Board of Zoning Adjustment in DENYING her request for a VARIANCE to allow a covered patio (existing) and a room addition (proposed) to within 10 ft. 3 in. of the rear property line where 15 ft. is required, on property located at 700 S. Jones Blvd. Zoning District R-1.

Motion to approve the Appeal and grant the Variance
Lurie - unanimous

Staff to proceed

Clerk to notify

E. APPEAL FILED BY RUTH V. BROWN - V-6-78

to action of the Board of Zoning Adjustment in DENYING her request for a VARIANCE to allow a carport to within 10 ft. of the front property line where 20 ft. is required, on property located at 429 N. 10th St. Zoning District R-2.

Motion to approve the Appeal and grant the Variance
Woofter - unanimous

Staff to proceed

Clerk to notify

COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT

DON J. SAYLOR, AIP, DIRECTOR

See Pages 78 thru 81 of these minutes - Annotated Agenda

Z-13-78
Withdrawn

Mr. Saylor: Item A has been withdrawn.

Mayor Briare: Is there anyone present in the audience today to discuss this item? (No response). If there is no objection from the Commissioners then this item will be withdrawn.

MASTER PLAN OF
STREETS AND
HIGHWAYS - EAST
LEG OF THE
FREEWAY,
MARYLAND
PARKWAY
EXCHANGE
Abeyance

Mr. Saylor: Item B is relative to the Master Plan. This is relating to the East Leg of the Freeway, and the matter of the Maryland Parkway interchange. You will remember that a short time ago you reiterated your decision that there should be an interchange at Maryland Parkway. This has been discussed with the State Highway Department. They have taken a position that there are problems involved, and have asked to be here today to present their side of it sort of speak.

Mr. Bill Nagle: I represent the Highway Department, and we are gravely concerned with the Maryland Parkway interchange proposal because it does present some problems. It is acknowledged that this interchange had been on the plans for sometime. However, only recently have we been able to investigate some of the problems that are involved in trying to implement this interchange. However the first things that we are concerned with, it does not meet our interstate system interchange spacing requirements. These require an average of a two mile spacing. Now between the Las Vegas Boulevard, and the Boulder Highway that is a distance of five miles. Initially we had six interchanges proposed within that five miles. What we are proposing now is four interchanges in this section. One located at Las Vegas Boulevard, Charleston, Eastern, and the Boulder Highway. This provides an interchange spacing of a mile and a quarter to a mile and a half. This in our opinion will provide safety on the freeway, plus a very good access to the City. Now we have made this model up to explain what this involves. You can see here (referring to the model) that this is Las Vegas Boulevard. I point out now that this will build a wall down through here.

Mayor Briare: Whose proposal is this?

Mr. Bill Nagle: This was the State Highway Departments proposal. To overcome the problem with the distance between Las Vegas Boulevard and Maryland Parkway.

Commissioner Christensen: Since we want an interchange at Maryland Parkway, there is two ways to do it. This is the only way you can build that interchange, but if you

EAST LEG
OF FREEWAY
Continued

build it this way you will cut off all those streets.

Commissioner Lurie: How many streets are we talking about?

Mr. Nagle: Seven streets on each side. Another thing this does is that completely alters the premise on which we predicated the environmental impact statement. That was predicated on the fact that there would be a viaduct which will change it totally, so we will have to go back and redo that.

Commissioner Woofter: I went down to talk to the State Highway Department. I was sort of sold on the situation that Bill has presented here. My big concern is for Cashman Field. When that is developed there will be thousands of people utilizing that, and whether it will be an advantage to have that interchange.

Mr. Saylor: We have given this a lot of consideration. We are not satisfied with this. If you do go to a braided interchange that is going to create a barrier wall for that distance. It is our opinion that this interchange will be more and more necessary as the City grows. To try and go back and get an interchange after the freeway is built would be impossible.

Mr. Nagle: I have been involved in these expressways ever since the initial concept of them, and I was one of the members of the team that went back to Washington D.C. One of the things that we told them was that we didn't have any controversy on this. It took us three years to prepare that Environmental Impact Study, and if we don't change this we are going to have to go back, and it is going to take another two to three years to make another study. It isn't anything that you speed up, because it is a process that you have to go through. I think you people should be aware that there is a very definite hazard involved in this. We are going to have to complete the Environmental process before 1982, or we will lose the facility. That is a matter of law. So there is going to be a delay of anything we do of a minimum of two years. I think everybody should understand that. We very frankly do not believe that it is necessary to have that interchange in there. It will satisfactory take care of the traffic in that area, and we do feel that it is detrimental to the operation of the freeway itself. If it is your desire that you want that interchange at Maryland Parkway then we will proceed. We will make a submission to the federal government. But I want it to be fully understood where that responsibility would fall. We feel that the proposal that you have at the present time is the best proposal in the general public interest. There is one other factor that I neglected to mention, and that is the signing problem too. This would involve three quick off ramps, and the problems involved in signing those could create indecision on the part of the motorist.

EAST LEG OF
FREEWAY
Continued

Mayor Briare: Is two weeks going to hurt you a lot if we hold this? (Negative response). Would you let us use those models for a couple of weeks? (Affirmative response). Mr. Dorn would you arrange to have those things brought up to our offices, and perhaps Mr. Saylor and Mr. Purvis and ourselves could talk this out. Is that O.K. Mr. Nagle?

Mr. Nagle: That is fine.

Mayor Briare: Again realizing that this is a bit of a change, and it took two years to get to this point, and now in a short time you want to change it. We have to have some time.

Mr. Nagle: Well it is a critical decision.

Mayor Briare: We will bring this up again on the 19th of April, in the meantime Mr. Dorn will have these in his office.

AMENDMENT TO
THE MASTER
PLAN OF
STREETS &
HIGHWAYS
DESERT INN RD
Motion to
follow
recommendation
of
Planning
Commission

Mr. Saylor: This is an amendment to the Master Plan of Streets and Highways to allow Desert Inn Road 80 feet in width in lieu of the 100 foot width. We would ask that the Master Plan be amended to require the same.

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

Mayor Briare: Cast your votes. Motion is approved.

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

REVIEW OF
CONDITION
Z-5-66
TRI-STATE
DEVELOPMENT
Withdrawn

Mr. Saylor: Item D. has been withdrawn. The applicant agreed to put in the landscaping.

AGENDA

City of Las Vegas

April 5, 1978

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BOARD OF CITY COMMISSIONERS

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CITY COMMISSION - REGULAR MEETING -MINUTES - PG 78 Commission Action

Department Action

XI COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT
DON J. SAYLOR, AIP, DIRECTOR

The items listed below, where appropriate, have been reviewed by the various City departments including sanitary sewer, storm drainage, Traffic Engineering, Public Services, Fire and Building, and their comments and/or recommendations and requirements incorporated into the action.

A. WITHDRAWN ITEM - ZONE CHANGE - Z-13-78 - AND TENTATIVE MAP - CENTURY PARK

Property located on the west side of Lamb Boulevard between Stewart Avenue and Manor Green Lane from R-1 to R-PD 6.

Planning Commission recommends APPROVAL.
Protests: 34
THIS ITEM HAS BEEN WITHDRAWN.

Item withdrawn

B. MASTER PLAN OF STREETS & HIGHWAYS - EAST LEG OF THE FREEWAY, MARYLAND PARKWAY INTERCHANGE.

Abeyanca

4/19/78 Agenda

C. AMENDMENT TO THE MASTER PLAN OF STREETS & HIGHWAYS - DESERT INN ROAD.

Amendment to allow Desert Inn Road 80 ft. in width in lieu of the 100 ft. width.

Planning Commission unanimously recommends APPROVAL.

Motion to follow recommendation of Planning Commission
Lurie - unanimous

Staff to proceed

D. ABEYANCE ITEM - REVIEW OF CONDITION - Z-5-66 TRI-STATE DEVELOPMENT

Review of Condition to allow a change in the required landscaping on property located at 4704 West Charleston Boulevard, ROI to P-R.

Planning Commission unanimously recommends DENIAL.

Item withdrawn

AGENDA

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BOARD OF CITY COMMISSIONERS

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CITY COMMISSION - REGULAR MEETING - MINUTES - PG. 79

Commission Action Department Action

XI COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT CONTINUED

E. TENTATIVE MAP - GREENTREE

Property generally located at the southwest corner of Holly Lane and Simmons Street, R-1 zone.

Owner/Subdivider: Business Development, Inc.
23.5+ acres - 105 lots.

Planning Commission unanimously recommends
APPROVAL subject to the following conditions:

1. Approval of the tentative map shall be for no more than twelve (12) months. If a final map is not recorded on all or a portion of the area embraced by the tentative map within twelve months of approval of the tentative map, a new tentative map must be filed. If a final map is recorded within twelve months of the approval of the tentative map for only a portion of the area embraced by the tentative map, the Planning Commission may require that a new tentative map be filed and approved prior to any further final maps being approved.
2. Street names to be provided in accord with the City's Street Name Policy.
3. Subject to all conditions of City departments and State Subdivision Statutes.

F. TENTATIVE MAP - CHARLESTON HEIGHTS #55

Property generally located at the southwest corner of Cheyenne Avenue and Michael Way, R-1 and R-PD 18 zone.

Owner/Subdivider: Becker and Sons
38.8 acres - 114 lots.

Planning Commission unanimously recommends
APPROVAL subject to the following conditions:

1. Approval of the tentative map shall be for no more than twelve (12) months. If a final map is not recorded on all or a portion of the area embraced by the tentative map within twelve months of approval

Approved as recommended by Planning Commission
Woofter - unanimous

Clerk to notify
Staff to proceed

Approved as recommended by the Planning Commission
Lurie - unanimous

Clerk to notify
Staff to proceed

AGENDA

City of Las Vegas

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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CITY COMMISSION - REGULAR MEETING - MINUTES - PG 80

Commission Action

Department Action

XI COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT CONTINUED

Item "F" continued . . .

of the tentative map, a new tentative map must be filed. If a final map is recorded within twelve months of the approval of the tentative map for only a portion of the area embraced by the tentative map, the Planning Commission may require that a new tentative map be filed and approved prior to any further final maps being approved.

2. Conformance to conditions of zoning cases Z-135-77 and Z-4-78.
3. Street names shall be provided in accord with the City's Street Name Policy.
4. Subject to all conditions of City departments and State Subdivision Statutes.

See Page 41

See Page 41

G. TENTATIVE MAP - CHARLESTON RAINBOW #25

Property generally located on the east side of Buffalo Drive, between Westcliff Avenue and Raincloud Drive, R-1 zone.

Owner/Subdivider: Sproul Homes of Nevada
Acres: 16.98 Lots: 53

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

1. Approval of the tentative map shall be for no more than twelve (12) months. If a final map is not recorded on all or a portion of the area embraced by the tentative map within twelve months of approval of the tentative map, a new tentative map must be filed. If a final map is recorded within twelve months of the approval of the tentative map for only a portion of the area embraced by the tentative map, the Planning Commission may require that a new tentative map be filed and approved prior to any further final maps being approved.

Items G and H
Approved as
recommended by
Planning
Commission
Woofter - unanimous

Clerk to notify
Staff to proceed

AGENDA

City of Las Vegas

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BOARD OF CITY COMMISSIONERS

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CITY COMMISSION - REGULAR MEETING - MINUTES - PG 81

Commission Action

Department Action

XI COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT CONTINUED

2. There shall be no vehicular access to Buffalo Drive and Westcliff Avenue from the abutting lots.
3. If a wall is constructed on an exterior boundary street, the CC&R's shall contain wording to the effect that each property owner of a lot backing up to said wall shall be responsible for the continued maintenance of the exterior side of the wall and the ground area at the exterior base of the wall.
4. Street names to be provided in accord with the City's Street Name Policy.
5. Subject to all conditions of City departments and State Subdivision Statutes.

See Page 42

See Page 42

H. FINAL MAP - CHARLESTON RAINBOW #25

Property generally located on the east side of Buffalo Drive, between Westcliff Avenue and Raincloud Drive, R-1 zone.

Owner/Subdivider: Sproul Homes of Nevada
Acres: 16.729 Lots: 52

Planning Commission unanimously recommends APPROVAL subject to the following condition:

1. Approval of the tentative map.

See Page 42

See Page 42

I. WAIVER - LEWIS HOMES-SMOKE RANCH ESTATES #5

Request to allow a reduction on property width requirement of 70 ft. to 67.54 ft. on Lots 57 and 65, Block B, R-1 zone, located in Lewis Homes Smoke Ranch Estates #5.

Planning Commission unanimously recommends APPROVAL.

Approved as recommended by Planning Commission Christensen - unanimous

Clerk to notify Staff to proceed

WAIVER
CHARLESTON
RAINBOW #25
Denied as
Recommended
by Planning
Commission

Mr. Saylor: Both staff in the Planning Department and Public Services recommends that they put in the normal sidewalk requirement.

Mr. Charlie Johnson: I am representing Sproul Homes the developer. The reason for this request is between Rainbow and Buffalo is about 3/4 of a mile. Westcliff is a major street in which the City was going to participate in the paving on and it goes to Buffalo now. We are not going to pave the middle section. When Larry Hampton was the City Engineer....

Mr. Saylor: Well we are not going to pave the middle section because it is extra wide though, but because it was the request of the property owners in the area that had no other access out, and the City agreed to put in paving in there.

Mr. Charlie Johnson: Well it is a 100 foot wide street. Now there is a block wall on West Cliff, and it will just be 3/4 of a mile of a solid sidewalk there. It will just be for things like skateboards and such. There are very few people who would ever use it now, and especially the next few years. They have a material called Chat which is rolled for use with driveways. It can be treated so there will be no growth.

Commissioner Christensen: Yes, but you can't stabilize it. I had it for a number of years. I recommend 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, Leavitt, Christensen
and Mayor Briare voting aye; Commissioner
Woofter voting no.

AGENDA

City of Las Vegas

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BOARD OF CITY COMMISSIONERS
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CITY COMMISSION - REGULAR MEETING - MINUTES - PG 83 Commission Action

Department Action

XI COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT CONTINUED

J. WAIVER - CHARLESTON RAINBOW #25 -

Request for a waiver of concrete sidewalk on Westcliff Drive (allow the installation of chat).

Planning Commission unanimously recommends DENIAL.

Denied as recommended by Planning Commission Christensen Commissioner Woofter voted "no"

Clerk to notify
Staff to proceed

K. WAIVER - TORREY PINES PARK 3-A and 3-B

Request to allow 65 ft. wide lots in lieu of 70 ft. lots for Lots 1, 3, 14 and 17, Block 8 in Torrey Pines Park 3-A and 3-B.

Planning Commission unanimously recommends APPROVAL.

Approved as recommended by Planning Commission Christensen - unanimous

Clerk to notify
Staff to proceed

L. WAIVER - LANDSCAPING REQUIREMENTS (V-97-76)

Request by CHARLES A. WENDELBOE for a waiver of landscaping requirements on property located at the northeast corner of Stewart Avenue and 23rd Street, R-3 zone.

Planning Commission unanimously recommends DENIAL.

Approved
Woofter - unanimous

Staff to proceed

M. PETITION OF ANNEXATION - A-3-78 - SPROUL HOMES

Petition of Annexation for property generally located at the southwest corner of Westcliff Drive and Buffalo Drive containing approximately 41 acres of land.

Planning Commission unanimously recommends APPROVAL.

Approved as recommended by Planning Commission Luurie - unanimous

Staff to proceed

N. ZONE CHANGE - Z-15-78 - HORST SCHMIDT, ET AL

Property located on the north side of West Charleston Boulevard between Campbell Drive and Shetland Drive.

From: R-A (Ranch Acres) and
C-D (Designed Commercial)
To: C-1 (Limited Commercial)

Denied as recommended by Planning Commission Lurie - unanimous

Clerk to notify
Staff to proceed

WAIVER
LANDSCAPING
REQUIREMENTS
(V-97-76)
Approved

Mr. Saylor: This was before you before. This is a request by Charles A. Wendelboe for a waiver of landscaping requirements on property located at the northeast corner of Stewart Avenue and 23rd Street, R-3 zone. The new owners have submitted the request again. There is some landscaping along the side of the building, and in between the two buildings. They have put white rock there. For a temporary sidewalk.

Commissioner Christensen: What do you mean temporary sidewalk.

Mr. Saylor: It is not a standard sidewalk. I think it is anticipated that there will be an assessment district.

Commissioner Woofter: I drove by there and I think it is attractive.

Commissioner Christensen: Well I am a little hesitant to require all this greenery growing because it just creates more of a water problem, more of a run off problem.

Commissioner Woofter: Well I feel that the applicant should be present to answer some questions. I would like to see this continued so the applicant could be present.

Mayor Briare: Any objection of this being held? (No response). There being no objection then it will be held.

A-3-78
SPROUL HOMES
Approved as
Recommended
by Planning
Commission

Mr. Saylor: This is the continuation of the Rainbow Development.

Commissioner Lurie: I 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.

Z-15-78
HORST SCHMIDT
ET AL
Denied as
Recommended
by Planning
Commission

Mr. Saylor: This involves the property on West Charleston. It has been before you on previous occasions. It is my understanding that the applicant is not proposing any specific development at this time. He is simply requesting a zone change to C-1 commercial.

Mr. Horst Schmidt: I am the applicant, and this is Mr. O'Brien he is representing myself. I would like to state that only 700 feet from our property is C-1 zoning. That was not previously designated to be commercial. I simply work on the assumption that if there is going to be any C-1 zoning in the area, ours is a possibility that should have it. I feel that this leaves me no other alternative than to ask for C-1 zoning.

Mayor Briare: We have before us a comment from staff relative to the application before us. Mr. Schmidt has not submitted

Z-15-78
Continued

any development plans. Do you have anything different to offer in the form of an application when you first applied? Is there anything you feel that you have to cause the commission to change its mind since last time, other than the fact that the piece of property was zoned for C-1, or C-D?

Mr. Schmidt: Well I am talking about Rancho Boulevard. The C-1 zoning that was granted by this board on Rancho Boulevard.

Mayor Briare: So your purpose here today is to suggest that because zoning was aloud down on Rancho that...

Mr. Schmidt: I came in with a plan for a shopping center previously. It met higher design specifications under a C-1 zone on Rancho. Rancho never had been commercial and West Charleston is. I was denied a commercial application on West Charleston under the circumstances with specifications that were of higher standard than those on Rancho. I think the whole situation has been to the point that if I can't succeed in getting a development under C-D zoning, that I will have to ask for C-1 zoning based on the situation that the City has exercised bad judgement with regards to West Charleston Boulevard. I have no alternative but to ask for C-1 zoning.

Mayor Briare: You could ask for industrial zoning. There is all kinds of zoning, but because your requests were not approved by this Board....

Mr. Schmidt: Well Mayor you must not forget that I have acted only in good faith in regards to West Charleston Boulevard. I don't think there could be any problem about that. My application for C-1 zoning is based upon two items, and those are, one; that C-1 zoning was granted in an area just around the corner, which is not master planned for commercial, which never has been commercial. Where as West Charleston Boulevard has been designed to be commercial. I feel that I have a legitimate cause and right to ask for zoning for C-1. Moreso than anybody on Rancho Boulevard.

Mayor Briare: Mr. Saylor why is it that every applicant that I can ever recall while I have been sitting on this commission will submit plans, and Mr. Schmidt for one reason or another will not?

Mr. Saylor: We do not have an ordinance that requires that you must submit plans, however, the applicant is advised that more than likely the Commission will not consider an application without proposed development plans. At the time Mr. Schmidt submitted this application I was under the impression that he was submitting the same development plans that he had submitted previously.

Z-15-78
Continued

Commissioner Leavitt: What is the zoning now?

Mr. Saylor: It is R-E, and a small portion is C-D.

Commissioner Leavitt: How deep is the parcel to the West?

Mr. Saylor: I think it is 250 feet.

Commissioner Leavitt: If we should grant C-D zoning to the depth of that parcel to the West, won't it be necessary to come back for a plot plan review, so we would have to have a plan at that point?

Mr. Saylor: Yes. He would have to submit plans, and it would have to come back for review.

Mr. O'Brien: There was a case in which the City of Las Vegas brought against Cragin Industries which was resolved in January 1970. It was a condemnation case, and in that case the district court found that the highest use for the property was C-1, so I just point that out for the commissioners information.

Commissioner Christensen: I wish you would clarify that just a little bit. A condemnation suit determined that C-1 was the highest and best use? I believe that the C-1 was based on the value of the property, that the City had to buy it on a C-1 basis.

Mr. Schmidt: At the time before the C-D zoning became effective, the land and the zoning in conjunction with C-1 zoning was part and parcel of the deal made by the property owner with the City of Las Vegas. I was involved in this, and all of West Charleston was C-1 at that time. We managed to successfully prove in the court that it was intended C-1 property. I should point out that it was at that time that I started to back paddle and accomplish something for West Charleston. Which was better than C-1. I helped to create the C-D ordinance. The C-D ordinance was particularly at that time applicable to the section from Rancho to Valley View. At that time also there were two parcels that were to be zoned upon application, it was agreed on with the City that there were going to go 660 feet in depth. One of them was Mrs. Cragin's property. The court attached the price and the zoning to the whole parcel of land.

Commissioner Leavitt: Well that is just for the purpose of compensation for the land. The court is not saying that it should be zoned that way. That is not binding on us. What was the previous application? The one before, wasn't that for C-D.

Mr. Saylor: Yes.

Z-15-78
Continued

Commissioner Leavitt: That design was rejected.

Mr. Saylor: Yes, that covered the entire property, and it had on it a super market, and a drug store and so on.

Commissioner Leavitt: So you are saying now that your only opportunity is C-1, and because we rejected it before....

Commissioner Lurie: Well we also turned down the request for the high rise trailer park.

Mayor Briare: Well Mr. Schmidt doesn't feel that he should follow the procedures that other applicants follow. I have not seen one that hasn't submitted something. Now you don't recall what it is that you want to do.

Mr. Schmidt: Just for the record I really resent the Mayors remarks.

Mayor Briare: I am heart broken. Are you through with your presentation? (Affirmative response). Is there anyone else who wishes to be heard.

Mr. Chuck Santleman: I believe you received a few letters of protest on this matter. I would also like to inform the Commission that we who live in the area, that there are approximately 40 people who are opposed to this rezoning of the property. We don't feel there is a need for this, and again he has not submitted any plans for us to consider, and look at.

Mayor Briare: Comments by the Commission? (No response).
What is the pleasure of the Commission?

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

Mayor Briare: Cast your votes. Motion is approved.

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

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Department Action

XI COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT CONTINUED

Item "N" continued

See Page 44

See Page 44

Planning Commission unanimously recommends DENIAL because they did not feel the proposed C-1 zoning would be compatible.

PROTESTS: 13

O. ZONE CHANGE - Z-16-78 - ROBERT L. MENDENHALL

Denied as recommended by Planning Commission.
Lurie - unanimous

Clerk to notify
Staff to proceed

Property located at 2918 West Washington Avenue on the northeast corner of Washington Avenue and Artesia Way.

From: R-1 (Single Family Residence)
To: P-R (Professional Offices & Parking)
Proposed Use: Office.

Planning Commission unanimously recommends DENIAL because they felt the proposed P-R zoning would not be compatible in this area.

PROTESTS: 5

P. ZONE CHANGE - Z-17-78 - JAMES N. LEWIS

Approved as recommended by Planning Commission.
Lurie - unanimous

Clerk to notify
Staff to proceed

Property located on the north side of Stewart Avenue between Nellis Boulevard and Page Street.

From: R-E (Residence Estates)
To: R-1 (Single Family Residence)
R-3 (Limited Multiple Residence)

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

1. Application to be amended to R-1 zoning only.
2. Dedication of any necessary rights-of-way within 60 days after approval of the zoning.
3. Conformance to the site plan as amended to eliminate the R-3 zoning.

PROTESTS: 1

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Department Action

XI COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT CONTINUED

Q. PLOT PLAN REVIEW - Z-145-77 - PARK SAHARA ASSOC

Request to allow the conversion of a landscaped area to parking on property located at the northwest corner of Sahara Avenue and Burnham Avenue, ROI to C-1.

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

1. Conformance to the plot plan.
2. All previous conditions of approval are applicable.
3. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Approved as recommended by Planning Commission
Leavitt - unanimous

Clerk to notify
Staff to proceed

R. PLOT PLAN REVIEW - Z-100-64 (105) - MARTIN STERN, JR. AIA, ARCHITECT & ASSOCIATES

Request to allow a two-story office building on property located at 506 South 4th Street, ROI to C-2.

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

1. 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 system shall be cause for revocation of a business license.
2. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.

Approved as recommended by Planning Commission
Lurie - unanimous

Clerk to notify
Staff to proceed

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Department Action

XI COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT CONTINUED

Item "R" continued . . .

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See Page 46

3. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
4. Conformance to the plot plan.
5. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

S. PLOT PLAN REVIEW - Z-29-76 - UNITED OUTDOOR ADVERTISING COMPANY

Request to allow an off-premise sign on property located at 2001 West Bonanza Road, C-M and C-2 zone.

Approved as recommended by Planning Commission Leavitt - unanimous

Clerk to notify Staff to proceed

Planning Commission recommends APPROVAL (4-yes, 2-no) subject to the following conditions:

1. Conformance to the plot plan.
2. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.
3. Receiving a sign permit from the State.

T. EXTENSION OF TIME - JACK MATTHEWS & COMPANY for MR. & MRS. KATSUMI KAZAMA - Z-13-76

Request for a six-month extension of time for property located on the south side of Sahara Avenue between Richfield and Teddy Drive, (ROI to C-1).

Original Approval: 3-17-76
6-mo. ext. granted: 4-6-77

Approved as recommended by Planning Commission Lurie - unanimous

Clerk to notify Staff to proceed

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

1. All other conditions of approval to be applicable.

Z-51-75
COLEBRUK
Construction
Company
Approved
Condition #2
amended to
allow
husband/wife
occupancy of no
more than
2 of the
rooms in each
unit.
Condition #7
denied
as
recommended
by Planning
Commission

Mr. Saylor: This involves the apartment development on Valley View, South of Sahara. It was the dormitory type, or the single rooms with a shared kitchen. It was to be a senior citizens project. The approval had two conditions. There could only be one person in each room because that was what was represented to us. Also that it be for senior citizens only which was what was represented. At that time FHA or HUD had no objections to those conditions, but now that the project is in its final stages they have raised an objection. The request is that those two conditions be waived. The Planning Commission recommended a denial.

Mr. John Neeson: I am an officer in the corporation. The initiation of this application was at the behest of HUD, they had no objection in the beginning. As we came to final closing of the project a few weeks ago the Deputy Director of HUD raised the question that in the event of foreclosure. In the event that the project should fall back to them that they would like relief from these two conditions. One of them was favorable to us, and that being or permitting husbands and wives to occupy a unit.

Commissioner Lurie: This will still be for senior citizens?

Mr. Neeson: Yes, it would still be a senior citizens project. I think that when we heard by the Planning Commission the objection was that Mr. Eckert, who is one of the regional owners, who had appeared before that body and sought concessions which were granted. I don't think anybody felt that there was going to be a steady stream of concessions being sought. Now we could live very nicely with the senior citizens.

Mr. Saylor: Well the situation here Mayor is when the plan was presented it was to be four senior room occupancys with a common area. If you feel that you might give them relief from that condition you might qualify it by saying that no more than two of the units, that two of the rooms in each unit be allowed a man and wife. That would control the density.

Mr. Neeson: We could accept any compromise situation. We do have couples that we are turning away.

Commissioner Leavitt: Well I like that proposal and I so move.

Mayor Briare: Comments? (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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Commission Action

Department Action

XI COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT CONTINUED

Item "T" continued . . .

2. All requirements imposed by ordinances adopted subsequent to the initial approval of this application shall be adhered to.
3. Extension of time to be granted for a time period of six months.

U. REVIEW OF CONDITIONS - Z-51-75 - COLEBRUK CONSTRUCTION COMPANY

Review of condition #2 and #7 for property located at the southeast corner of Valley View and El Conlon (Senior Citizen Apartment Project) ROI to R-3.

Planning Commission unanimously recommends DENIAL.

V. STREET NAME CHANGE

Street name change requested by the property owners on Cobb Lane to change Cobb Lane to LDS LANE.

Planning Commission recommends DENIAL (5-yes, 1-no).

SET DATE FOR PUBLIC HEARING

W. SET DATE FOR PUBLIC HEARING ON ANY APPEALS FILED FROM THE BOARD OF ZONING ADJUSTMENT MEETING HELD MARCH 23, 1978.

V-21-78 - Appeal filed by John Balason

V-16-78 - Appeal filed by E.T. Legg & Co.

XII. CITIZEN PARTICIPATION

- A. Determination on whether to rehear the application of Lighthouse, Inc. (Rosemary King) for 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 zone (U-88-77).

See Page 47

See Page 47

Approved
Condition #2 amended to allow husband/wife occupancy of no more than 2 of the rooms in each unit.
Condition #7 denied as recommended by Planning Commission
Leavitt - unanimous

Staff to proceed

(Commissioner Christensen did not vote - temporarily absent)

Set Public Hearing for 2:00 P.M.
May 3, 1978

C/A to prepare Notice

Clerk to proceed

5/3/78 Agenda

Set Public Hearings for 2:00 P.M.
May 3, 1978

Clerk to proceed

5/3/78 Agenda

Abeysance

Clerk to notify

4/19/Agenda

MEETING ADJOURNED - 5:30 P.M.

CITY ATTORNEY

MIKE SLOAN

Mr. Sloan: Item D your Honor is an item I put on since the Commission had sought an opportunity to discuss together the letter which you received from Judge Foley. We have been trying to work with the County in trying to develop the necessary legal defense. Our office will provide you with a written opinion at the next meeting in response to the request for guidance on the constitutionality of the metro police in light of the decision by the Supreme Court on the fire merger.

Commissioner Lurie: What is happening through your office to try to get our police department back?

Mr. Sloan: We are researching that, and we hope to have a written opinion by the next meeting.

Mayor Briare: Let me make one comment. It was the advise of your office that I not comment or respond to the letter at the time I first received it. I was wondering why it was addressed to me as the Mayor, and quite frankly I am not any more knowledgeable than anyone else in what is going on. I am not sure what Judge Foley would like the Mayor the City Commission to do in regards to this letter.

Mr. Sloan: The way I read it is that Judge Foley states clearly that he would prefer that the entities with the responsibility provide jail facilities in Clark County to make a decision and go ahead and go ahead and implement that decision as promptly as possible. He states that he is prepared to take whatever steps are necessary. The officials of the City of Las Vegas are being held accountable for conditions in the Clark County Jail, over which you have no control. He wants to have a jail which will meet the standards, and he is saying to you he thinks you should get on with that task. It is unfortunate that the City has to get involved with the Clark County Jail, but that is something that the Nevada Legislature did.

Commissioner Woofter: Let the federal government build a jail.

Commissioner Leavitt: Well I think the paragraph I read sets forth what he thinks.

Mayor Briare: Well I believe that the Metropolitan Police Commission approved a motion some 4 or 5 months ago to hire an architect. Do the members of the police commission have a report for the City Commission as to what has taken place to go ahead to continue this work?

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CITY COMMISSION - REGULAR MEETING - MINUTES - PG 95 Commission Action

Department Action

V. MIKE SLOAN - CITY ATTORNEY		
<p>A. Salinity Control Cost Agreement Sharing between the Clark County Sanitation District No. 1, City of Las Vegas, the City of North Las Vegas and the City of Henderson.</p>	<p>Approved as submitted Lurie - unanimous</p>	<p>Mayor & Clerk authorized to sign</p>
<p>B. Resolution making a provisional order to the effect that the work of improvement of certain streets and parts thereof within the proposed Las Vegas, Nevada, Special Improvement District No. 425 shall be done ("SMALL TRACT AREA" - north of Charleston between Decatur and Jones)</p>	<p>Items B and C Approved Lurie - unanimous</p>	<p>Staff to proceed</p>
<p>C. Notice of hearing on the improvement of certain streets and parts thereof and proposed assessments within the proposed Las Vegas, Nevada, Special Improvement District No. 425. (Location same as above)</p>		
<p>D. Discussion of letter from the Honorable Roger Foley, Federal District Judge, to Mayor Briare and County Commission Chairman Thalia Dondero, regarding the county jail.</p>	<p>Discussion</p>	<p>4/19/78 Agenda for C/A's Opinion</p>
<p>E. Proposed interim policy governing alcoholic beverages in City parks pending adoption of new ordinance.</p>	<p>Approved as recommended Lurie - unanimous (Mayor Briare did not vote - temporarily absent)</p>	<p>Staff to proceed</p>

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

BILL No. 78-16
1st Reading
Referred
Commissioners
Leavitt and
Woofter

A Bill entitled, "AN ORDINANCE TO AMEND TITLE V, CHAPTER 1, SECTION 16(C) OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY PROVIDING THAT BUSINESS LICENSES MAY BE SUSPENDED, CANCELLED, OR REVOKED FOR THE COMMISSION OF, OR PERMITTING OR CAUSING THE COMMISSION OF, ANY ACT IN THE BUSINESS WHICH VIOLATES LOCAL, STATE OR FEDERAL LAW; TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH." Read by Mike Sloan, City Attorney.

Mayor Briare: Referred to a Recommending Committee consisting of Commissioners Leavitt and Woofter.

BILL No. 78-17
1st Reading
Referred
Commissioners
Christensen and
Lurie

A Bill entitled, "AN ORDINANCE EXTING THE CORPORATE LIMITS OF THE CITY OF LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES AND REGULATIONS IN FORCE IN SAID CITY; OFFERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK; STATE OF NEVADA; AND TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; AND TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH." Read by Mike Sloan, City Attorney.

Mayor Briare: Referred to a recommending committee consisting of Commissioners Christensen and Lurie.

BILL No. 78-18
1st Reading
referred
Commissioners
Leavitt and Lurie

A Bill entitled, AN ORDINANCE TO AMEND TITLE IX OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY REPEALING THEREFORM CHAPTER 2 AND ADDING A NEW CHAPTER 2 TO BE SUBSTITUTED THEREIN TO PROVIDE FOR THE NUMBERING OF STREETS AND BUILDINGS. TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; AND TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE PENALTIIES FOR THE VIOLATION THEREOF." Read by Mike Sloan City Attorney.

Mayor Briare: Referred to a recommending committee consisting of Commissioner Lurie and Leavitt.

BILL NO. 78-19
1st Reading
and
Referred
Commissioners
Lurie and
Woofter

A Bill entitled, "AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, SECTION 17. B(D) BY ADDING A NEW SUBSECTION 12; SECTION 19(C) BY ADDING A NEW SUBSECTION 3; AND SECTION 20(A)11 BY ADDING A NEW SUBSECTION (i), OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, TO PROHIBIT TRANSIENT AND OPEN SALES LOTS IN C-D AND C-1 COMMERCIAL ZONES; AND TO PERMIT TRANSIENT AND OPEN SALES LOTS IN C-2 COMMERCIAL ZONES BY MEANS OF A SPECIAL USE PERMIT; TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; AND TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH." Read by Mike Sloan, City Attorney.

Mayor Briare: Referred to a recommending committee consisting of Commissioners Lurie and Woofter.

BILL NO. 78-20
1st Reading
and
Referred
Commissioners
Lurie and
Woofter

A Bill entitled, "AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, SECTION 3(B) OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS NEVADA, 1960 EDITION BY ADDING DEFINITIONS OF "TRANSIENT SALES LOTS" AND "OPEN SALES LOTS"; 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: Referred to a recommending committee consisting of Commissioners Lurie and Woofter.

BILL NO. 78-21
1st Reading
and
Referred
Commissioners
Woofter
and
Christensen

A Bill entitled, "AN ORDINANCE TO AMEND TITLE V, CHAPTER 18, SECTIONS 4 AND 7 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY REPEALING THE REQUIREMENT THAT APPLICANTS FOR LIQUOR LICENSES BE CITIZENS OF THE UNITED STATES; AND 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: Referred to a recommending committee consisting of Commissioners Woofter, and Christensen.

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VI. NEW BILLS TO BE REFERRED TO A STUDY COMMITTEE OR RECOMMENDING COMMITTEE		
<p>A. Bill No. 78-12 an Ordinance to adopt Chapter 5(A) of Title VIII to establish a schedule of rates to collect revenue from users of the City Sewer System to pay for the City's share of the debt service on securities issued to finance construction of the new Advanced Wastewater Treatment Plant.</p>	<p>Referred to Study Committee Commissioners Christensen and Lurie</p>	
<p>B. Bill No. 78-16 an Ordinance to amend Title V, Chapter 1, Section 16(C) to add an additional ground for the suspension and revocation of business licenses, i.e., that they may be suspended or revoked for the commission or causing or permitting the commission of any act which violates local, state or federal law.</p>	<p>1st Reading and Referred Commissioners Leavitt and Woofter</p>	<p>Clerk to proceed with 1st Publication 4/19/78 Agenda</p>
<p>C. Bill No. 78-17 an Ordinance extending the corporate limits of the City of Las Vegas, Nevada which satisfies the requirements of the Nevada Revised Statutes for annexation. (Annexation A-6-77). SE corner of Decatur Blvd. and Pennwood Ave.</p>	<p>1st Reading and Referred Commissioners Christensen and Lurie</p>	<p>Same as above</p>
<p>D. Bill No. 78-18 an Ordinance to amend Title IX to add a new chapter 2 which will provide for the numbering of streets and buildings in the City of Las Vegas.</p>	<p>1st Reading and Referred Commissioners Lurie and Leavitt</p>	<p>Same as above</p>
<p>E. Bill No. 78-19 to amend Title XI, Chapter 1, Section 17 B(D) to prohibit the operation of transient and open sales lots in C-D and C-1 commercial zones and will permit the operation of transient and open sales lots in C-2 commercial zones by means of a special use permit.</p>	<p>1st Reading and Referred Commissioners Lurie and Woofter</p>	<p>Same as above</p>

BILL NO.
78-12

Referred to
Study
Committee
of
Commissioners
Christensen
and Lurie

Mr. Schofield: Mayor and Commissioners this Bill initially was in a study committee, and there were some amendments that were made on the Bill. I would like to take a few minutes of your time to explain the impact on this if that would be appropriate at this time. In relation to this, just a short brief background. R.W. Beck did a rate study for Clark County in 1977. It was completed in August of 1977 concerning the Debt Service Retirement, and the establishment of rates. They came up with a particular unit at 7500 gallons per month per family residence. Which classified this as a residential unit. So in this process Clark County hired Montgomery Engineers to do a fixture count survey of all the fixtures in single family residence within the Clark County area. Las Vegas, North Las Vegas, in order to establish a means of measure to charge back the Debt Service Retirement to the various entities. Then in December 1977 Clark County passed an ordinance whereby each of these entities that were using the facilities, and would be using the facilities of the AWT Plant, in order to retire the interim, and ongoing construction for these, established this residential unit and here on out I will refer to it as ERU. They established that each ERU would be a \$5.00 ERU charge. In doing the interim construction, which is the Debt Service Retirement annually is a minimum of \$225,000.00, it puts the City in the position that; and Clark County Sanitation District, North Las Vegas, that they must pass ordinances in order to collect this debt service from the sewer user. The part that comes in as far as the City is concerned is that we would be participating at 38.6 percent of that particular cost annually of \$225,000.00. On this chart that I have prepared I made a comparison in this group, and as far as the Clark County is concerned the charges are actually \$29,052.00. The point that I am trying to make is that that debt service retirement is retroactive, charges to the City and other entities, in order to retire this it would be shown in column two for the City of Las Vegas, and column two for Clark County. That debt service retirement would be at this particular time \$9,050.00. There is a different figure for the City, and the reason for that is that the City is not charged for swimming pools. If you will recall the City went before the County Commissioners when they were passing this ordinance and requested that they consider not charging the swimming pools in this area. I don't believe there is any information coming back from them concerning that particular situation.

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VI. NEW BILLS TO BE REFERRED TO A STUDY COMMITTEE OR RECOMMENDING COMMITTEE CONTINUED		
F. Bill No. 78-20 an Ordinance to amend Title XI, Chapter 1, Section 3(B) to provide a definition of "open sales lots" and its uses thereof and "transient sales lots" and its uses thereof.	1st Reading and Referred Commissioners Lurie and Woofter	Clerk to proceed with 1st Publication 4/19/78 Agenda
G. Bill No. 78-21 an Ordinance to amend Title V, Chapter 18, Section 7 to repeal the requirement that an applicant for a liquor license be a citizen of the United States.	1st Reading and Referred Commissioners Woofter and Christensen	Same as above
H. Bill No. 78-22 an Ordinance to amend Title V, Chapter 1, Section 10 by repealing the "double fee" penalty which is charged all businesses when an audit of their gross sales indicates they have been under reporting such sales. It would also establish reasonable penalties in lieu of the "double fee" for under reporting.	Referred to Study Committee Commissioners Christensen and Leavitt	

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VII. VACANCIES - BOARDS & COMMISSIONS

A. LAS VEGAS METROPOLITAN BEAUTIFICATION
COMMITTEE - 3-year Term

Mrs. H. P. Fitzgerald - Term expires
5/3/78

Reappointed
Mrs. H. P. Fitzgerald

Clerk to notify
Staff to proceed

B. L.V. HOUSING AUTHORITY BOARD -
4-year Term

Robert Gordon - Term expires 6/6/78

Reappointed
Robert Gordon

Clerk to notify
Staff to proceed

C. BOARD OF ASTROLOGY EXAMINERS -
2-year Term

Honey Ann Pyes - Term expires 6/27/78

Reappointed
Honey Ann Pyes

Clerk to notify
Staff to proceed

BILL NO. 78-13
2nd Reading
Bill was
Defeated

A Bill entitled, "AN ORDINANCE TO AMEND TITLE V, CHAPTER 18, SECTION 7(A) OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY PROVIDING THAT IN THE EVENT AN APPLICANT FOR A LIQUOR LICENSE SHALL BE A CORPORATION OR ASSOCIATION, EVERY SHAREHOLDER OR MEMBER, AS WELL AS MANAGING AGENT THEREOF, MUST BE A CITIZEN OF THE UNITED STATES AND A PERSON OF GOOD MORAL CHARACTER: TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF." Read by City Attorney Mike Sloan.

Commissioner Christensen: I move for adoption.

Mayor Briare: Cast your votes. Motion fails, Bill No. 78-13 is defeated.

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

BILL NO.
78-11
2nd Reading
and
Adopted as
Amended
Ord. 1918

A Bill entitled, AN ORDINANCE TO AMEND TITLE XI OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY ADDING THERETO A NEW CHAPTER 5 PROHIBITING THE ESTABLISHMENT OF "SEXUALLY ORIENTED BUSINESSES," AS DEFINED HEREIN, IN CERTAIN AREAS OF THE CITY OF LAS VEGAS; TO PROVIDE OTHER MATTERS PROPERLY RELATING THERETO; AND TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF." Read by City Attorney Mike Sloan.

Commissioner Lurie: I would move for the adoption as amended.

Mayor Briare: Cast your votes. Motion is approved.

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

BILL NO.
78-15
Ord No. 1917
2nd Reading
and
Adopted

A Bill entitled, "AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, SECTION 20 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY ADDING SUBSECTION (D) TO AMEND THE C-2 ZONE TO REQUIRE PARKING FOR ALL APARTMENT DEVELOPMENTS ON A ONE (1) SPACE PER UNIT RATE IN ALL AREAS OF THE CITY EXCEPT THE DOWNTOWN AREA, WHERE A ONE THIRD (1/3) SPACE PER ONE BEDROOM OR EFFICIENCY UNIT RATE IS REQUIRED; TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith." Read by City Attorney Mike Sloan.

Commissioner Lurie: I will move for the adoption of the ordinance as amended.

Mayor Briare: Cast your votes. Motion is approved.

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

BILL NO.
78-14
2nd Reading
and
Adopted
Ord No. 1919

A Bill entitled, "AN ORDINANCE TO AMEND TITLE V, CHAPTER 1(A) SECTION 1, SUBSECTION (B) OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION BY DEFINING THE GROSS SALES OF BUSINESSES NOT HAVING FIXED PLACES OF BUSINESS IN THE CITY OF LAS VEGAS AS THOSE SALES, BY SUCH BUSINESSES, OF ALL GOODS DELIVERED TO LOCATIONS WITHIN THE CORPORATE LIMITS OF THE CITY OF LAS VEGAS; TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF." Read by City Attorney Mike Sloan.

Commissioner Christensen: Move for adoption.

Mayor Briare: Cast your votes. Motion is approved.

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

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Commission Action

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VIII. REPORTS FROM RECOMMENDING COMMITTEES

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|--|--|--|
| <p>A. BILL No. 78-13 - IN THE EVENT AN APPLICATION FOR A LIQUOR LICENSE IS A CORPORATION OR ASSOCIATION, EVERY MEMBER OR STOCKHOLDER OF SAID CORPORATION OR ASSOCIATION, AS WELL AS MANAGING AGENT THEREOF, MUST BE A CITIZEN OF THE UNITED STATES AND OF GOOD MORAL CHARACTER. Abeyance from 3/15/78.</p> | <p>2nd Reading
Commissioner Christensen moved for adoption</p> | <p>Bill defeated</p> |
| <p>Committee: Commissioners Christensen and Woofter
1st Publication: L.V. Review-Journal 3/7/78</p> | <p>Commissioner Christensen and Mayor Briare voted "aye"</p> | |
| <p>B. BILL No. 78-11 - TO PREVENT THE BLIGHTING AND DETERIORATION OF AREAS ADJACENT TO CERTAIN TYPES OF SEXUALLY-ORIENTED FACILITIES. Abeyance from 3/15/78.</p> | <p>2nd Reading and Adopted as Amended
Lurie - unanimous</p> | <p>Clerk to proceed with 2nd Publication</p> |
| <p>Committee: Full Board
1st Publication: L.V. Review-Journal 3/7/78</p> | | |
| <p>C. BILL No. 78-15 - TO REQUIRE PARKING FOR ALL APARTMENT DEVELOPMENT ON A ONE (1) SPACE PER UNIT RATE IN ALL AREAS OF THE CITY, INCLUDING THE DOWNTOWN AREA. Abeyance from 3/15/78.</p> | <p>2nd Reading and Adopted as Amended
Lurie</p> | <p>Same as above</p> |
| <p>Committee: Commissioners Lurie and Christensen
1st Publication: L.V. Review-Journal 3/7/78</p> | <p>Mayor Briare voted "no"</p> | |
| <p>D. BILL No. 78-14 - FOR LICENSE TAX PURPOSES, TO DEFINE "GROSS SALES" OF BUSINESSES NOT HAVING FIXED PLACES OF BUSINESS IN THE CITY OF LAS VEGAS, AS THOSE SALES OF GOODS DELIVERED BY THE SELLER, OR HIS AGENT, TO LOCATIONS WITHIN THE BOUNDARIES OF THE CITY OF LAS VEGAS.</p> | <p>2nd Reading and Adopted
Christensen - unanimous</p> | <p>Same as above</p> |
| <p>Committee: Commissioners Christensen and Lurie
1st Publication: L.V. Review-Journal 3/24/78</p> | | |

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IX. REPORTS FROM STUDY COMMITTEES

- A. REQUEST TO ALLOW EXPANSION OF THE VILLAGE SHOPPING CENTER INTO THE EAST END OF ROTARY PARK - OFFER TO PURCHASE.

Committee: Commissioners Christensen and Lurie

Referred at Regular Meeting of 3/15/78

Stricken from
Agenda

V-97-76
Continued

Commissioner Christensen: We have another item that we held until the applicant could be present.

Mr. Norman Mott: I am here as a representative.

Commissioner Christensen: This is one that we held until we could get a representative here.

Commissioner Woofter: This is where they didn't want to put any plant life in, but rather white rocks.

Mr. Mott: We really don't intend to preclude all of the landscaping. (Referring to the plot plan). All of this is landscaped. We wanted to eliminate the landscaping of this 3 foot area between asphalt and the 10 feet that we are required to give to the City for the widening of Stewart.

Commissioner Woofter: I make a motion to allow the appeal.

Mayor Briare: Cast your votes. Motion is approved.

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

ACTORS WORKSHOP
Continued

Mayor Briare: Now we are back to the appeal on the business license.

Commissioner Lurie: I think the counselor finished his comments, and we finished our comments, and we were going to take this under advisement and come back today with a decision.

Commissioner Woofter: We asked for counsel for both sides to get together and see if they could reach an agreement.

Commissioner Lurie: That was the final comment, that the two would get together. Have you some comment?

Mr. Carelli: Unfortunately it is back in your laps. We were not able to reach a meeting of the minds. The two groups who got together were not able to work out an agreement. You will just have to take some action one way or another.

Commissioner Woofter: My concern is that if we allow this appeal, and we put Mr. Leake in business, and we find out that our inner feelings, and the feelings that were brought out here before this Commission are confirmed, then we will have to haul you back and have an order to show cause and go through that procedure.

ACTORS WORKSHOP
Continued

Mr. Carelli: I have represented to you that in no way is this operation going to be connected with Mr. Boulet.

Commissioner Woofter: We don't have to be concerned that this is going to be another adult book store type operation?

Mr. Carelli: No.

Commissioner Woofter: On that basis I would like to make the motion to allow the appeal.

Commissioner Christensen: Could you explain to me why those statements you just made are true, and you couldn't come up with an agreement that differed in these areas that we are concerned with. Our agreement stresses that you will advertise only as a Theatre Drama Workshop, and yours deletes the word only. You say there is only going to be an admission charge, and you won't agree, that our agreement makes Mr. Leake responsible for the conduct of the performers, yours says he will be responsible for the supervision only.

Mr. Carelli: We agreed to all of the requests in regards to advertising. We didn't change anything which seemed to be a major concern of the licensing people. As far as the sign in is concerned, you know females, they would not want to disclose their ages. We agreed to the names, and we also felt that as long as the sign in sheets were there that we could furnish them when a request was made, as long as we had sufficient time to provide them.

Commissioner Leavitt: Mr. Sloan I wonder if it wouldn't be proper to introduce those agreements into the record? I have certain questions that I want to ask Mr. Carelli.

Commissioner Woofter: I would like to withdraw the motion.

Commissioner Lurie: Do you have any objections to enter these into the record?

Mr. Carelli: I don't think the negotiations for settlement should go before the court.

Commissioner Leavitt: Why don't you agree to these certain things? We have had trouble at that location with the businesses of libraries, and talk shops. They are all in the same pattern.

Mr. Carelli: I would like for the Commission to make a determination to accept or reject.

Commissioner Leavitt: I realize that you have your avenues opened to you, but the problem we have here, is that we have had these types of businesses and they have turned out to be rip offs. We have to try to limit that to make sure that it doesn't reoccur.

ACTORS WORKSHOP
Continued

Mr. Carelli: I submit that what this body has to decide upon is upon the evidence that was submitted, and not the negotiations between myself and the Department of Licensing.

Commissioner Leavitt: What I am concerned with is the method of operation. Is it going to be a rip off? Is it going to be a legitimate business?

Mr. Carelli: I think we submitted during Mr. Leakes testimony that it wasn't going to be a rip off, and we stand on that testimony.

Commissioner Leavitt: Well we had the same thing happen to us on a library. Once it gets open it is a lot tougher to close it down.

Commissioner Christensen: Based on the fact on the testimony that Mr. Leake has applied for a license for Lincoln County for a brothel, and based on the fact of their unwillingness to agree on an agreement drawn up by the Licensing Department, as far as the method of operation. I would move for denial of the application.

Commissioner Lurie: You have heard the motion. Cast your votes. Motion is approved.

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

There being no further business to come before the Board, at the hour of 5:30 P.M., Commissioner Lurie declared this Regular Meeting of the Board of City Commissioners
A D J O U R N E D.