

# MINUTES

## City of Las Vegas

BOARD OF COMMISSIONERS

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

DATE: April 19, 1978

TIME: 9:45 A.M.

INVOCATION: Rev. Joel Rivers, Vegas Valley Christian Church

PLEDGE OF ALLEGIANCE:

BOARD OF CITY COMMISSIONERS

PRESENT ABSENT EXCUSED

MAYOR BILL BRIARE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> to attend C.of C. building dedication ceremonies Arrived approx. 10:55 A.M.
COMM PAUL J. CHRISTENSEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMM. RON LURIE MAYOR PRO-TEM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> to attend annual Conf. of Nat'l League of Cities, Was D.C. Excused at approx 11:05 A.M.
COMM. MYRON E. LEAVITT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMM. ROY WOOFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CITY ATTORNEY

MIKE SLOAN

APPROVED BY REFERENCE

August 2, 19 78

ATTEST:

*Edmund D. Owen*

*William H. Briare*

M I N U T E S

April 19, 1978

A Regular Meeting of the Board of City Commissioners of the City of Las Vegas, Nevada, held this 19th day of April, 1978, was called to order by His Honor, Mayor Pro Tem Ron Lurie, at the hour of 9:45 AM.

AGENDA POSTED (and ADEENDUM No. 1 thereto) April 14, 1978  
(See Page 3 of these Minutes)

AGENDA MAILED April 13, 1978  
ADDENDUM No. 1 MAILED April 13, 1978  
(See Pages 4 and 5 of these Minutes)

STAFF  
ATTENDANCE

City Manager, Russell W. Dorn  
City Clerk, Edwina M. Cole  
Director, Dept. of Business Activity, Ila M. Britt  
Director, Dept. of Community Planning  
and Development, Donald J. Saylor  
Director, Dept. of Financial Management, Marvin A. Leavitt  
Director, Dept. of Funds Coordination, Ronald Jack  
Director, Dept. of Municipal Services, J. C. Cathcart  
Director, Dept. of Personnel & Employee Relations, J. Robert McPherson  
Director, Dept. of Public Services, William Purvis

AFFIDAVIT OF POSTING

(Posting required under the provisions of Nevada Revised Statute 241)

State of Nevada )  
County of Clark ) ss.  
City of Las Vegas )

CARL D. PETERSON, an employee of the City of Las Vegas, Nevada, being first duly sworn, deposes and says that on the 14th day of APRIL, 1978, at the hour of 8:10 A. M. there were posted copies of an AGENDA (NOTICE), the attached of which is a true and correct copy of a REGULAR Meeting of the Board of City Commissioners to be held at the hour of 9:45 A.M. M. on April 19, 1978, in the Commission Chambers, City Hall, 400 E. Stedart Ave., Las Vegas, Nevada; on Public Bulletin Boards at the following locations:

*1978 ADDENDUM No. 1 NEVADA*

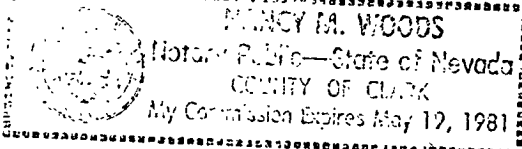
1. In the United States Post Office (Downtown), 301 Stewart Avenue
2. In the Federal Building, 300 Las Vegas Blvd., South
3. In the Clark County Courthouse, 200 E. Carson Avenue.
4. On the Public Bulletin Board at the Plaza Level of City Hall, 400 E. Stewart Avenue (near the entrance to the Court Clerk's Office)
5. On the Special Public Bulletin Board at the Plaza Level of City Hall, 400 E. Stewart Avenue (near entrance to City Commission Chambers.

*C. D. Peterson*  
C.D. PETERSON, OFFICE ENGINEER

PUBLIC SERVICES - Quality Control  
(Department or Division)

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

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

My Commission expires:  
  
NANCY M. WOODS  
Notary Public - State of Nevada  
COUNTY OF CLARK  
My Commission Expires May 12, 1981

RECORDED  
MAY 13 10 41 AM '78  
CITY CLERK

AFFIDAVIT OF MAILING  
(Mailing required under the provisions of NRS CHAPTER 241)


STATE OF NEVADA )  
                          ) ss.  
COUNTY OF CLARK )

DORIS M. KARSNOK, an employee of the City of Las Vegas, Nevada, being first duly sworn, deposes and says that on the 13th day of April, 1978, a copy of an Agenda (NOTICE), the attached of which is a true and correct copy, of a Regular Meeting of the BOARD OF CITY COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, to be held on the 19th day of April, 1978, was deposited in the United States Mail, postage prepaid, first class mail, to each person and/or organization whose name appears in the Agenda Register maintained in the Office of the City Clerk as having requested, in writing, a copy of said Agenda (NOTICE).

*Doris M. Karsnok*  
\_\_\_\_\_  
(name - an employee in the Office of the City Clerk)

Subscribed and sworn to before me  
this 13th day of April, 1978

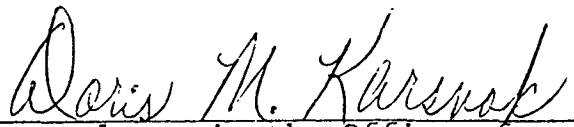
*Edwina M. Cole*  
\_\_\_\_\_  
Notary Public in and for said County and State

 EDWINA M. COLE  
Notary Public—State of Nevada  
COUNTY OF CLARK  
My Commission Expires Apr. 7, 1981

AFFIDAVIT OF MAILING  
(Mailing required under the provisions of NRS Chapter 241)


STATE OF NEVADA     )  
                              )     ss.  
COUNTY OF CLARK    )

DORIS M. KARSNOK, an employee of the City of Las Vegas, Nevada, being first duly sworn, deposes and says: That on the 13th day of April, 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 19th 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).

  
(An employee in the Office of  
the City Clerk)

SUBSCRIBED AND SWORN TO before me  
this 13th day of April, 1978

  
Notary Public in and for said County and State

 EDWINA M. COLE  
Notary Public—State of Nevada  
COUNTY OF CLARK  
My Commission Expires Apr. 7, 1981

Mayor Pro Tem Lurie: I will call this Meeting to order. If everyone will rise we will have the Invocation this morning by Joel Rivers of the Vegas Valley Christian Church. Please remain standing for the Pledge of Allegiance.

Rev. Joel Winters: Our Father, we do thank You for the many Blessings that You have shown upon us, and as we come to this meeting to witness these, our Leaders, as they conduct the business of our community, we would Pray, Father, for them - the courage of their convictions - we would Pray that You would give them Wisdom to know the will of the people and then, Father, the satisfaction of knowing they have done their best. We ask this for them in Jesus' name. Amen.

Pledge of Allegiance

Mayor Pro Tem Lurie: Before we get started on the day's agenda, I would like to welcome this morning the Student Council from Garside Jr. High School with their Counselor, Lynda Cotton - also their President and Vice President and eighteen students. We are very happy to have you here this morning and hope that you learn quite a bit about City Government.

The first item on the agenda this morning will be that of the Department of Business Activity.

See Pages 7 thru 17 of these Minutes (Annotated Agenda)

Item E - Page 18:

LIQUOR - CHANGE OF BUSINESS NAME

From: Beef and Brew

To: POPEYE'S  
3889 W. Charleston Blvd.  
SUPPER CLUB

Beef & Brew, Inc., James A. Perkins, 100%

Mayor Pro Tem Lurie: I would like to move that this item be held until our meeting of May 3, 1978 because there is still investigation taking place under this particular application.

Is the applicant present?

Response: Yes.

Mayor Pro Tem Lurie: We are holding this item over to our May 3rd meeting.

Question: Why are you holding it?

Mayor Pro Tem Lurie: There is further investigation going on by our Investigation Department - that's why we are holding it for our May 3rd meeting.

See Pages 18 thru 21 of these Minutes (Annotated Agenda)

# AGENDA

## City of Las Vegas

Page 7

April 19, 1978

BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE  
PHONE 386-6011

Page 1

ITEM

Commission Action

Department Action

I. 9:45 A.M.

A. COMMUNITY RELATIONS

Attendance of Student Council from Garside High School (18 students) recognized by Mayor Pro Tem Lurie at the opening of this Meeting and again later by Mayor Briare upon his return from Chamber of Commerce new building dedication ceremonies.

B. SPECIAL EVENTS

N  
o  
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e

II. A. INVOCATION: Rev. Joel Rivers  
Vegas Valley Christian Church

B. PLEDGE OF ALLEGIANCE

# AGENDA

## City of Las Vegas

Page 8

April 19, 1978

BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE  
PHONE 386-6011

Page 2

ITEM

Commission Action

Department Action

### III. DEPARTMENT OF BUSINESS ACTIVITY

ILA M. BRITT, DIRECTOR

#### \*CONSENT AGENDA

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

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

1. ANIMAL RESCUE FOUNDATION -- tickets to a luncheon/fashion show; raffle tickets
2. DISCIPLE RESIDENTIAL CENTERS, INC. -- general solicitations
3. LINKS, INC. -- a carnival
4. SOUTHERN NEVADA LANDCRUISERS, INC. -- painting house numbers on rooftops
5. UNITED CAMPUS MINISTRY -- tickets to a dinner
6. ALPHA KAPPA PSI -- raffle tickets
7. AMERICAN ASSOCIATION OF MEDICAL ASSISTANTS -- tickets to a luau
8. AMERICAN CANCER SOCIETY -- house to house drive; a bike-a-thon; Celebrity Night; a golf tournament; general solicitations

Items 1 thru 39  
Approved  
as submitted  
Woofter - unanimous

Director  
authorized  
to proceed

# AGENDA

## City of Las Vegas

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April 19, 1978

BOARD OF CITY COMMISSIONERS

Page 3

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

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

See Page 2

See Page 2

9. AMERICAN LEGION AUXILIARY  
UNIT # 8 -- poppy sales; a  
rummage sale
10. B'NAI BRITH WOMEN CHAPTER 415 --  
tickets to a Gin Rummy Tourna-  
ment
11. BOY SCOUTS OF AMERICA, TROOP  
777 -- operate a food concession
12. CALVARY LUTHERAN CHURCH,  
WOMEN'S GROUP -- a bake sale
13. CLARK COUNTY COMMITTEE FOR THE  
AGING, INC. -- tickets to the  
fourth annual "Take a Senior  
To Lunch" program
14. CLUB SOCIAL MEXICANO -- a  
Mexican bazaar
15. ECKANKAR SATSANG SOCIETY --  
a bake sale
16. FIRST CONGREGATIONAL CHURCH --  
a rummage sale
17. FIRST GOOD SHEPHERD LUTHERAN  
CHURCH -- a rummage sale
18. FRATERNAL ORDER OF EAGLES  
# 1213 -- tickets to a luau
19. FRIENDS OF THE VISUALLY HANDI-  
CAPPED -- a spring carnival;  
raffle tickets

# AGENDA

## City of Las Vegas

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April 19, 1978

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

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

See Page 2

See Page 2

20. FRONTIER GIRL SCOUTS, CADETTE TROOP 117 -- a candy sale; a car wash
21. F. F. GARSIDE JR. HIGH SCHOOL -- a cheese and sausage sale
22. GERMAN AMERICAN SOCIAL CLUB OF NEVADA -- tickets to the annual Mayfest celebration
23. GORMAN HIGH SCHOOL, PRECISION-AIRES -- raffle tickets
24. EDGAR HAMMOND TERRACE, ROBERT GORDON PLAZA SENIOR CITIZEN CLUB -- a bake sale; raffle tickets
25. KNIGHTS OF COLUMBUS, COUNCIL # 5693 -- raffle tickets
26. LAS VEGAS MOTHERS OF TWINS -- a bake sale; raffle tickets
27. LAS VEGAS RESTAURANT AND TAVERN OWNERS ASSOCIATION -- tickets to a dinner/dance
28. LAS VEGAS SUN SUMMER CAMP FUND -- a mailing
29. LEAGUE OF WOMEN VOTERS, LAS VEGAS VALLEY -- a mailing
30. MUSCULAR DYSTROPHY ASSOCIATION, INC. -- sale of shamrock pins; rocking chair marathons; dance marathons; a bowl-a-thon; placement of canisters in business establishments

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

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

See Page 2

See Page 2

31. NEVADA ASSOCIATION OF HUMANE STUDIES -- lectures and classes
32. REGINA HALL AUXILIARY -- tickets to the fourth annual bingo benefit
33. ST. JOHN'S CHURCH OF GOD IN CHRIST -- tickets to a dinner; sale of hot tamales
34. THEATRE ARTS SOCIETY, INC. -- tickets to "West Side Story"
35. VANGUARD AUXILIARY OF OPPORTUNITY VILLAGE -- tickets to a fashion show
36. ROSE WARREN P.T.A. -- a school carnival
37. WOMEN'S AMERICAN ORT -- tickets to "Nite at the Races"
38. WOMEN'S ASSOCIATION OF ALLIED BEVERAGE INDUSTRIES -- tickets to a dinner/dance
39. Y.M.C.A. OF LAS VEGAS -- tickets to a Portuguese Auction

# AGENDA

## City of Las Vegas

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April 19, 1978

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

A. CHARITABLE SOLICITATIONS PERMITS  
(cont'd)

Westland Mall Garage Sale

1. ACTIVE REPUBLICAN WOMEN'S CLUB
2. ALL SAINTS CHURCH OF MYSTIC SCIENCE
3. AMERICAN ASSOCIATION OF MEDICAL ASSISTANTS
4. BETA SIGMA PHI, XI PI CHAPTER
5. BETA SIGMA PHI, ALPHA OMEGA
6. BETA SIGMA PHI, ALPHA ETA
7. BOY SCOUTS OF AMERICA, TROOP # 777
8. BOY SCOUTS OF AMERICA, EXPLORER POST # 477
9. CHURCH OF GOD OF LAS VEGAS
10. CLIPPED WINGS, UNITED AIRLINES STEWARDESS ALUMNAE, INC.
11. CRESTWOOD P.T.A.
12. ECKANKAR
13. FEDERALLY EMPLOYED WOMEN, INC., SOUTHERN NEVADA CHAPTER
14. FIRST UNITED METHODIST CHURCH
15. FRIENDS FOR THE VISUALLY HANDICAPPED

Items 1 thru 39  
Approved  
as submitted  
Woofter - unanimous

Director  
authorized  
to proceed

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)\*A. CHARITABLE SOLICITATIONS PERMITS  
(cont'd)

See Page 6

See Page 6

Westland Mall Garage Sale -- cont'd

16. FRONTIER GIRL SCOUTS, SENIORS
17. FRONTIER GIRL SCOUTS, TROOP  
# 145
18. INSURANCE WOMEN OF LAS VEGAS
19. JOB'S DAUGHTERS, BETHEL # 3
20. LAS VEGAS CAT CLUB
21. LAS VEGAS CHINA PAINTERS
22. LAS VEGAS CHRISTIAN CENTER,  
WOMEN'S GUILD
23. LAS VEGAS GRANDMOTHERS # 798
24. LEAGUE OF WOMEN VOTERS
25. RAINBOW GIRLS, OASIS # 19
26. RAINBOW GIRLS, DAYLITE  
ASSEMBLY # 22
27. RAINBOW GIRLS, MOTHERS' CLUB  
# 9
28. RAINBOW GIRLS, NELLIS  
ASSEMBLY # 25
29. RAINBOW GIRLS, NELLIS  
ASSEMBLY MOTHERS' CLUB
30. REORGANIZED L.D.S. CHURCH,  
WOMEN'S DEPARTMENT

# AGENDA

## City of Las Vegas

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BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

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

See Page 6

See Page 6

Westland Mall Garage Sale - cont'd

31. TRANSCENDENTAL MEDITATION SOCIETY
32. V.F.W., REDROCK POST # 8774
33. SOUTHERN NEVADA OSTOMY ASSN.
34. ST. JOHN'S CHURCH OF GOD IN CHRIST
35. UNION PACIFIC OLD TIMERS CLUB 23
36. UNITED COMMERCIAL TRAVELERS
37. WEST OAKLEY BAPTIST CHURCH
38. WESTMINSTER UNITED PRESBYTERIAN CHURCH
39. WOMEN'S ASSOCIATION OF ALLIED BEVERAGE INDUSTRIES

\*B. GAMING -- Additional

1. MINI PRICE MOTOR INN CASINO, INC.

Bingo Palace Casino  
2540 South Rancho Road  
6 "21" tables  
1 Big Six

Items 1 thru 13  
Approved  
as requested  
Woofter - unanimous

Director  
authorized  
to proceed

# AGENDA

## City of Las Vegas

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April 19, 1978

BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

\*B. GAMING -- Additional - cont'd

See Page 8

See Page 8

2. EXBER, INC.

El Cortez Hotel  
600 Fremont Street  
1 Poker Table

3. GOLDEN NUGGET, INC.

Golden Nugget  
129 Fremont  
60 slots

4. HORSESHOE CLUB OPERATING CO.

Horseshoe Club  
128 Fremont Street  
9 Poker Tables

5. GSY, INC.

The Jolly Trolley Casino  
2440 Las Vegas Blvd South  
103 slots

6. DOMMERMUTH ENTERPRISES, INC.

Orbit Inn Hotel & Casino  
707 E. Fremont Street  
1 "21" table

7. SCOTT PLAZA, INC.

Union Plaza Hotel & Casino  
# 1 Main Street  
12 slots

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

\*B. GAMING -- Additional - cont'd

See Page 8

See Page 8

8. ALSTATE COIN MACHINE CO., INC.

Bruce's Liquor  
2027 North "H" Street  
3 slots

El Rio Club  
1905 North "H" Street  
9 slots

The Pub  
1000 Torrey Pines Blvd  
2 slots

Safeway Store # 333  
1100 E. Charleston Blvd  
2 slots

9. BALLY DISTRIBUTING CO.

Foxy's Firehouse Casino  
2423 Las Vegas Blvd South  
2 slots

Orbit Inn  
707 Fremont Street  
2 slots

10. J & H VENDING

Boston Pizza  
1601 Las Vegas Blvd South  
2 slots

Wally's Coffee Shop  
3999 W. Charleston Blvd  
2 slots

Kitchen Cafe  
526 South Highland  
2 slots

# AGENDA

## City of Las Vegas

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April 19, 1978

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BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

\*B. GAMING -- Additional - cont'd

11. J. J. PARKER/OPERATOR

Golden Gate Casino  
1 Fremont Street  
15 slots

12. J. J. PARKER CO.

City Liquors  
416 Las Vegas Blvd North  
2 slots

Desert Inn Liquors  
1503 Las Vegas Blvd South  
2 slots

13. UNITED COIN MACHINE CO.

Odyssey 2001  
1930 E. Fremont  
1 slot

\*C. RETAIL TOBACCO -- Additional

1. AMERICAN VENDING

Fong's Gardens  
1930 E. Fremont Street

2. C. C. VENDING

Clinic Pharmacy  
901 Rancho Lane

See Page 8

See Page 8

Items 1 and 2  
Approved  
as requested  
Lurie - unanimous

Director  
authorized  
to proceed

ITEM Commission Action Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
 (cont'd)

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

1. From: Perrino's Pizza Roma #2  
 Vito R. Pileggi, 100%

TO: \*PIZZA CHICAGO STYLE  
 4960 W. Charleston Blvd  
 Restaurant Beverage

Salco, Inc. --  
 Soloman Feldman, Pres,  
 10% stockholder  
 Rebecca Wolfe, V.P.,  
 90% stockholder

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

Approved  
 subject  
 to conditions  
 Woofter - unanimous

Director  
 authorized  
 to proceed

E. LIQUOR -- Change of Business Name

1. From: Beef and Brew

TO: POPEYE'S  
 3889 West Charleston Blvd  
 Supper Club

Beef & Brew, Inc. --  
 James A. Perkins,  
 100%

Abeyance  
 (for completion  
 of investigation)  
 Lurie - unanimous

5/3/78 Agenda

F. LIQUOR -- Additional

1. GOLDEN NUGGET  
 129 Fremont  
 Package Liquor License

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

Approved  
 Woofter - unanimous

Director  
 authorized  
 to proceed

# AGENDA

## City of Las Vegas

Page 19

April 19, 1978

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

G. LIQUOR & RETAIL TOBACCO -- Approval  
of Additional Corporate Officer

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

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

HOAGY'S CORNER  
30 W. Wyoming  
Beverage Off-Sale

National Fast Foods, Inc. --

Addl Corporate Officer:  
Kenton Kirkpatrick, V.P.

Approved  
Wofter - unanimous

Director  
authorized  
to proceed

H. LIQUOR & RETAIL TOBACCO -- Approval  
of Manager

1. HARD HAT COCKTAIL LOUNGE  
1675 Industrial Road  
Tavern License

El Toreador, Inc. --

Manager: Reba C. Cox

Approved  
Wofter - unanimous

Same as above

I. RETAIL TOBACCO -- New

1. AL'S DELI & COFFEE SHOP  
320 E. Carson Street

Alphonse R. Defelice, 100%

Approved  
Wofter - unanimous

Same as above

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
 (cont'd)

J. SECONDHAND LICENSE -- New

1. \*A1A USED FURNITURE  
 828 South Main Street

Samuel D. McIntosh, 100%

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

Approved  
 subject to  
 conditions  
 Woofter - unanimous

Director  
 authorized  
 to proceed

K. LIQUOR -- Request for Extension of  
 Inactive Status

1. CLOONEY'S TAVERN  
 113 Casino Center Blvd South  
 Tavern License

Clooney's, Inc. --  
 Robert M. Tuttle, Pres, 100%

(Closed 1/3/78. Extension for  
 period 3/4/78 thru 5/2/78 approved  
 3/1/78. Request for extension  
 of inactive status for period  
 5/3/78 thru 7/1/78.)

Approved  
 as requested  
 Woofter - unanimous

Same as above

L. SPECIAL EVENT LIQUOR LICENSE

1. NEVADA ASSOCIATION OF LATIN  
 AMERICANS

Location: 25th & Stewart Streets

Date: May 5th, 1978

Responsible Licensee:  
 William Bailey

Items 1 and 2  
 Approved  
 as requested  
 Woofter - unanimous

Same as above

**AGENDA***City of Las Vegas*April 19, 1978  
Page 15BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)L. SPECIAL EVENT LIQUOR LICENSE  
(cont'd)

## 2. LAS VEGAS ART MUSEUM

Location: Lorenzi Park

Date: April 28th, 1978

Responsible Licensee:  
Bill Pappas

See Page 14

See Page 14

Mayor Pro Tem Lurie: That concludes the portion of the agenda as it relates to the Department of Business Activity.

The next items for consideration are those under the Administrative Agenda for the City Manager.

"208" WATER  
QUALITY  
MANAGEMENT  
PLAN  
Resolution  
Adopted

City Manager, Russell W. Dorn: Item A is a Resolution of the "208" Water Quality Management Plan as you have requested, Commissioner Christensen and the other Commissioners and at this time I would like to turn that over to you.

Mayor Pro Tem Lurie: Thank you. Commissioner Christensen and I did request a Resolution to be adopted this morning concerning the "208" Board make-up. I would like to read the Resolution and have discussion on it. We will then ask for a motion to adopt it.

See Pages 23 and 24 of these Minutes (Resolution)

Motion

Mayor Pro Tem Lurie: I would move that this Resolution be adopted and at this time would like to have any comments from the Commissioners.

Commissioner Christensen: I would like to make a few comments. First I would refer to the morning SUN of this morning - Page 8 - and correct an error. In here (referring to clipping in hand) the 3rd paragraph of the article reads "The municipal authorities all agreed county commissioners and staff should be awarded strict authority to enforce the 208 plan."

See Page 25 of these Minutes (SUN article of 4/19/78)

That is an error. North Las Vegas and Henderson both indicated yesterday they were against that. The City of Las Vegas, by this Resolution, and as indicated verbally many times prior to that, is against that. I have a copy of a letter sent to Chairman Broadbent of the "208" Advisory Commission recommending a Plan almost exactly the same as is reflected in this Resolution. It was recommended by Assemblyman Jim Schofield at that meeting, at which APAC meeting I requested a transcript of those proceedings . . . at that meeting it was indicated that it was the unanimous opinion that everybody there that an extension should be granted. They did not like the Management Plan the way it was and needed an extension to study it. I think it should be made clear that the newspaper article was incorrect.

I have another comment about something I think should be brought out at this time, but it is a little different than this so I think we should go ahead and vote on the Resolution before I make my further comments regarding the "208" Plan.

Mayor Pro Tem Lurie: We will now proceed to vote on the Resolution.

Motion carried by the following vote: Commissioners Christensen, Leavitt, Woofter and Mayor Pro Tem Lurie voting aye; noes, none. Mayor Briare did not vote - excused.

Mayor Pro Tem Lurie: I do have a comment that I would like to make and that is that the City Manager be instructed to send this Resolution to the other cities; also send a copy to the Clark County Commission so that it

R E S O L U T I O N

WHEREAS, Section 208 of the Federal Water Pollution Control Act (Public Law 92-500) requires that the Governor of the State of Nevada designate a management agency to implement the areawide waste treatment plan prepared pursuant to said Section 208; and

WHEREAS, the implementation of the 208 Plan will have a substantial effect upon whether the cities in Clark County will grow and expand and if so, when and in what manner they will develop; and

WHEREAS, the implementation of the 208 Plan will have a substantial effect upon the location and maintenance of the streets and storm drainage facilities in the various cities in Clark County; and

WHEREAS, the implementation of the 208 Plan will have a substantial effect upon the sewage services provided by the cities and their costs; and

WHEREAS, the success of the 208 Plan depends upon and requires the cooperation of each political entity involved; and

WHEREAS, it is necessary in order to ensure to the citizens of each city their right of self government and some semblance of home rule that representatives of their governing bodies serve on the management agency that implements the 208 Plan in order to have an effective voice as to its implementation; and

WHEREAS, the various cities recognize the need for cooperation and coordination with each other and the County of Clark in order that our environment and the water quality of the Colorado River be protected; and

WHEREAS, it is recognized that a water quality implementing agency made up of representatives from the cities and Clark County could also efficiently act for environmental management of air quality, solid waste, flood control and noise;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Las Vegas, Nevada as follows:

1. That a regional board of environmental management be established by an interlocal agreement as provided in N.R.S. 277, consisting of representatives from Boulder City,

Henderson, North Las Vegas, Las Vegas and Clark County;

2. Each political entity is to be entitled to at least one representative on the board. Any entity having a population of 150,000 shall be entitled to two (2) representatives and an additional representative for each 75,000 increase in population over 150,000. Population is to be determined on the most current and accurate population estimates available. The population count for Clark County is to be determined only from the unincorporated area of Clark County;

3. That it is hereby recommended to the Governor that the Regional Board of Environmental Management be designated as the management agency to implement the Plan proposed pursuant to Section 208 of the Federal Water Pollution Control Act;

4. That when appropriate, the Regional Board of Environmental Management also be designated as the management agency for the area wide air quality, solid waste management, flood and noise control.

DATED this 19th day of April, 1978.

APPROVED:



RON LURIE, MAYOR PRO-TEM

ATTEST:



EDWINA M. COLE, CITY CLERK

## Seek Say In Water Management 4-19-78

# X City Dads Attack '208' Plan

By TRICIA WHITE  
SUN Staff Writer

Conclusions of the federally-funded water study known as "208" were criticized Tuesday by municipal government officials and local homebuilders during a public hearing before Clark County commissioners.

Elected officials from Henderson, North Las Vegas and the city of Las Vegas all attacked different recommendations included in the water management plan.

The municipal authorities all agreed county commissioners and staff should be awarded strict authority to enforce the 208 plan.

County commissioners cut the public hearing short after listening to approximately a dozen speakers, and voted to review recommendations before rescheduling a special meeting later in the month on adoption of the 208 plan.

Henderson City Councilman Phil Stout referred to a written statement from Henderson officials, which noted local cities would be placed in "a position of subservience" to county commissioners under the water management plan.

Stout and three other councilmen urged the county commission to push back the federally-mandated June deadline for 208 adoption and give city governments more of a voice in the plan's enforcement.

Las Vegas City Commissioners Ron Lurie and Paul Chris-

tensen presented graphic and slide illustrations of water quality and wastewater management facilities now under government jurisdiction.

Both Las Vegas officials criticized the county's \$53 million advanced wastewater treatment plant, on which construction was started before completion of the 208 plan.

Both Lurie and Christensen, along with Mayor Bill Briare and other city commissioners, have been outspoken critics of the county-supervised federal study.

"Time and time again we told the local entities, 'You'd better get involved in 208,'" Commissioner Robert Broadbent answered to charges the cities needed more time to review the plan.

The plan was the product of a two-year, federally-funded study of local water management and wastewater treatment.

Its recommendations range from future water uses to land use, energy and environmental policies.

County commissioners are scheduled to adopt the plan by May 2, so it can be submitted to the Nevada Environmental Commission and the governor for certification before federal approval.

Officials of the Environmental Protection Agency already have denied one request from the county for a 120-day extension of the June deadline for final 208 approval.

Officials of the Southern Nevada Association of Homebuilders told commissioners they had been "overwhelmed" by the lengthy 208 reports, and questioned the land use policies recommended for flood control and water management.

Glade Koch, chairman of the Las Vegas Wash Development committee, and a representative of the Sierra Club both urged commissioners to adopt the 208 plan and commended its environmental provisions.

"208"  
Plan  
(cont'd)

will be on file prior to their deadline of April 27th - to have our request to change the make-up of the "208" Board. Also, I think it is in order now to make a few comments on the Public Hearing that was held yesterday.

Commissioner Christensen: I would also recommend that we send copies of that Resolution to the State, Federal and Regional Environmental Protection Agencies because it has come to my attention that they do not always get the things they are supposed to get - that in Advisory Committee meetings those things are conveniently not sent. I think Mr. Dorn should see that they get this information because they have not been getting it from the proper sources.

Mr. Dorn: Mayor and Commissioners, would you also like this information sent to our Congretional Delegation?

Commissioner Christensen: Definitely!

I have another comment to make: Regarding the Public Hearing we had yesterday I think we showed there are a lot of holes in that Plan, as presented - a lot of them were not able to refute - there were some mis-statements made by the County people. We discovered several things that should have been brought out in this "208" Plan that weren't. I would like to refer to a couple of them right now and make a recommendation and ask for two ordinances.

During our study of this "208" planning process it has come to my attention that two important ordinances should have been enacted some time ago. If both ordinances had been passed, County-wide, some time ago we may not have been required to built a multi-million dollar AWT Plant. I have therefore, asked the City Attorney to draft these two ordinances to bring before us at our next Commission meeting. No. 1 would limit and eventually eliminate garbage disposals in the City of Las Vegas and No. 2 would limit and eventually prohibit the sale and use of phosphate-type detergents. In our study of the "208" Plan it was determined that this could result in a saving us almost Five Million Dollars in maintenance costs, per year, in the operation of our Secondary and AWT Plants if all the entities will follow our leadership in that and adopt these ordinances.

Commissioner Leavitt: Commissioner, I would like to point out that when I was a County Commissioner we introduced an ordinance to prohibit the sale of phosphate detergents. It was passed by the County but never passed by any other entity. If you are going to make this ordinance conditioned upon passage by other entities, I would just point out my experience in this. It was in 1972 and I think the City of Las Vegas was one that refused to pass such an ordinance. In other words, it would have to be conditioned upon all of the entities passing such an ordinance. There are such ordinances available in Florida. I am just pointing out to Mr. Sloan that there was one drafted when I was a County Commissioner which should be available for you to use as a guide.

Insofar as the Garbage disposals are concerned, I know that the Health Department now is in the process of eliminating garbage disposals in Strip Hotels and in other food establishments throughout the area. I agree that an ordinance would be effective as far as the City of Las Vegas is concerned.

Mayor Pro Tem Lurie: The Homebuilders have said they would be willing to not install garbage disposals in new construction of homes providing it was the subject of an ordinance that was passed by the City and the County. The cities are all in agreement with our Resolution and they are also in agreement with the ordinance to limit the sale of detergents and also the garbage dispoals.

"208"  
Plan  
(cont'd)

The other items that I think are very important that were stated at yesterday's "208" Hearing - the fact that there were a lot of alternatives that were suggested to the County Commission that could be taken without building an AWT Plant. The AWT Plant is not going to solve the problem at the Las Vegas Wash, the Northshore Road and the Las Vegas Basin. The problem we have is with the AWT Plant. We are looking at Sixty or Seventy Million Dollars to build the Plant and we're looking at a cost to the taxpayers of the City of Las Vegas of Ten Million Dollars to maintain the maintenance of that Plant each year and there has not been one successful AWT Plant built in the United States to meet the water quality standards to make the water crystal clear as it is supposed to be.

You are going to take the water in one end, dirty and you are going to dump it right back into the dirty water and at the final discharge you are going to have dirty water. So I think the problem we have with AWT are serious problems and it is going to end up costing the taxpayers millions of dollars before this Project is complete.

One problem that was addressed - that we addressed yesterday - but I made a statement that the County should realize that at the present time the Las Vegas bay there is no ammonia problem in the Las Vegas bay. With the AWT Plant, by running the water through the AWT around and dumping it into the Northshore Road, you are going to put that water - that ammonia back into the Las Vegas Basin where it is going to do three things: It's going to kill the fish; it's going to give the algae a fertilizer to grow and take the oxygen out of the water. At the present time you do not have that problem because you have the marsh that treats this water and takes that ammonia out before it gets down to the Las Vegas Basin. So we pointed out what we felt were many things omitted in the "208" Report.

I think that the problem we have here is that we have a person on the County Commission that is addressing this problem that the people he say he represents aren't going to be tagged with the cost of it. I feel that as long as I'm representing the people of the City of Las Vegas and I have to answer to the taxpayers why this money is being spent - why are we spending more money - that we're going to have to have some representation on that Board, No. 1. No. 2, it has been proven that the AWT is not going to work and my feeling is that the AWT should be stopped now before we pour any more money into it, until those other alternatives are tried.

These were comments made before the County Commission and I hope they accept these comments and take them seriously and give us an opportunity to show them where the Report is wrong and that the AWT is not going to solve the problem.

Are there any further comments by the Commission on the "208" Plan that we can send out to the County Commission for their Public Hearing on the 27th?

(No response)

Mayor Pro Tem Lurie: Then these items will be forwarded along with our comments.

The next item to come before us is the City Manager's request for

CITY  
MANAGER  
APPOINTMENTS  
Ratified

ratification of appointments.

City Manager, Russell W. Dorn: Honorable Mayor and City Commissioners, at this time I would like to express my appreciation to you for your support for the organizational planning in the office of the City Manager. As I promised from the first day I was here that in approximately ninety days, or three months time - which expired last Saturday - that I would provide you with an organizational structure of our City government and evaluate our department directors and implement new programs.

At this time I would like to recommend those persons who I feel are necessary to implement the Organizational Plan as approved by you last week. My primary consideration has been to select those individuals who I feel will be able to provide leadership within the organization in our efforts to improve the services to the residents of the City of Las Vegas and improve their quality of life.

I therefore recommend Don Saylor as Deputy City Manager for Community Services; Ron Jack as Deputy City Manager for Supportive Services; John Bramble as Director of the Office of Budget and Budget Analysis. These individuals will be placed in salary ranges previously approved by you.

I am also recommending the appointment of William Purvis as the permanent Director of Public Services, and Richard Blue as the Acting Director of the Department of Funds & Coordination.

I appreciate your support in this matter and respectfully request that these appointments be made effective this date.

Mayor Pro Tem Lurie: Are there any comments from the Board?

(No response)

Motion Commissioner Woofter: I would move to ratify.

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

Commissioner Christensen: I would like to make one comment on these appointments: I find a couple of things that I really like about these appointments. No. 1, the appointments were made within the City from personnel already here. I think this is important because they know the problems and they have demonstrated their abilities in the past.

I also think it is important to note that we've made one appointment which creates a milestone in the City of Las Vegas. I think we have just appointed the first black department head in the City of Las Vegas and in doing that, in case many of you didn't know that, he was appointed because of his qualifications, recommendations, etc., and I think we have reached a milestone and I think the public should know about it.

Mayor Pro Tem Lurie: Thank you, and I, too, would like to congratulate

APPOINTMENTS  
(cont'd)

all of the persons named here and assure them that they have our continued support in their jobs - some of those not "Acting" any more, but permanent.

City Manager, Russell W. Dorn: I would like to thank the City Commission for its approval and I would like to congratulate these people and I feel they have done a fine job for the City, along with other division heads and other department heads that are truly dedicated City employees to provide better services for our citizens.

CITY HALL  
PLAZA  
Use  
Approved

Mayor Pro Tem Lurie: The next item is a request by the Nevada Humanities Committee for use of the City Hall Plaza, April 25, 1978 at 12:00 Noon for a Public Theater Event.

City Manager, Russell W. Dorn: Your Honor, this will involve the use of the Plaza area for approximately thirty minutes at Noon on April 25th. It is a program that will deal with the problem of the increased violence with emphasis on the issues of rape. It will be a theatrical presentation consisting of about ten people.

At this time I would recommend to you that the City Hall Plaza be permitted to be used for this theatrical production.

Motion

Mayor Pro Tem Lurie: I would recommend that we follow the recommendation of the City Manager. Are there any comments from the Board?

(No response)

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

MINUTES  
Approved  
by  
Reference

See Page 30 of these Minutes - Annotated Agenda

DEPARTMENT OF FINANCIAL MANAGEMENT

See Page 31 of these Minutes - Annotated Agenda

DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS

See Page 32 of these Minutes - Annotated Agenda

DEPARTMENT OF FUNDS, COORDINATION & PROJECTS

See Page 33 of these Minutes - Annotated Agenda

DEPARTMENT OF RECREATION & LEISURE ACTIVITIES

See Page 33 of these Minutes - Annotated Agenda

# AGENDA

## City of Las Vegas

Page 30

April 19, 1978

Page 16

BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

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

A. RESOLUTION RE: 208 WATER QUALITY  
MANAGEMENT PLAN

Adopted  
Lurie - unanimous

\*

B. RATIFICATION OF APPOINTMENTS

Ratified as  
recommended  
Woofter - unanimous

City Manager  
to proceed

C. REQUEST BY THE NEVADA HUMANITIES  
COMMITTEE FOR USE OF THE CITY HALL  
PLAZA, APRIL 25, 1978 AT 12:00 NOON  
FOR A PUBLIC THEATER EVENT.

Approved  
as requested  
Lurie - unanimous

Staff  
to proceed

(b) MINUTES - Regular meeting of  
March 1, 1978 and March 15, 1978.

Approved  
by Reference  
Woofter - unanimous

Mayor and  
Clerk  
authorized  
to sign

\*Copy of Resolution to be forwarded to Federal, State and Regional Agencies; to the Nevada Congressional Delegation and to the Clark County Commission prior to deadline of April 27, 1978.

City Attorney to draft two Bills, requested by Mayor Pro Tem Lurie (1) re garbage disposal units and (2) prohibiting sale of phosphate-type detergents.

ITEM

Commission 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. 106687 to 107097, J407914, D114523 to D114525, D409786, D510253, D510258 to D510298, D510300 to D510301, D510306 to D510388, D510397 to D510612, inclusive

In the amount of \$2,190,186.97

\*B. PAYROLL WARRANTS

Nos. 105337 to 106686, inclusive

For Pay Period Ending 4/1/78

In the amount of \$471,362.99

Items A and B  
Approved  
as presented  
Woofter - unanimous

Director  
authorized  
to issue

ITEM

Commission Action

Department Action

IV. (c) DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS

BOB MCPHERSON, AEP, DIRECTOR

AUTHORIZATION TO FILL POSITIONS

A. CITY FUNDED - FULL TIME

<u>Dept/Class</u>	<u>Monthly Salary</u>	<u>Justification</u>
(1) Fire Services Fire Alarm. Operator (fill budgeted vacancy)	\$886	To receive and transmit signal, telephone and radio fire alarms.
(2) Business Activity Office Assistant Two positions (fill budgeted vacancy)	721	To provide clerical support to the License & Revenue Division.
(3) City Manager Administrative Secretary II (fill budgeted vacancy)	960	To assist in secretarial and administrative duties for the City Manager's staff.

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

Director  
 authorized  
 to proceed

# AGENDA

## City of Las Vegas

BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE  
PHONE 386-6011

Page 19  
April 19, 1978  
Department Action

ITEM

Commission Action

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

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

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ITEM

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 DIVISION

\*A. PERMISSION TO RECEIVE BIDS

1. Portable Lighting System (Recreation and Leisure Activities)
2. Reflective Sheeting and Roll Sign Materials (Public Services - Traffic Division)
3. 140 Sets of Combat Clothing - Replacement (Fire Services)
4. 510,000 Pre-Printed Envelopes (Municipal Services - Purchasing and Contracts Staff)

Items 1 thru 4  
 Approved  
 as requested  
 Woofter - unanimous

Director  
 authorized  
 to proceed

\*B. AWARD OF BIDS

1. Bid #78.29 - Furnish and Install Forty (40) Double Tier Steel Lockers With Benches (Recreation and Leisure Activities - Recreation Division)
2. Bid #78.63 - Four-Year Lease 14-Station Collator (Municipal Services - Reprographics Services)
3. Bid #78.65 - 100 Each Concrete Litter Receptacles (Public Services - Traffic Division)

Items 1 thru 10  
 Approved  
 as recommended  
 Woofter - unanimous

Same as above

ITEM Commission Action Department Action

IV (f) DEPARTMENT OF MUNICIPAL SERVICES, CONTD.

\*B. AWARD OF BIDS, CONTD.

See Page 20

See Page 20

4. Bid #78.68 - Racing Lanes, Reels, and Starting Blocks (Recreation and Leisure Activities - Recreation Division)
5. Bid #78.71 - Sixteen (16) Each Street Light Standards - Replacements for Knockdowns (Public Services - Electrical Division)
6. Bid #78.72 - One (1) Each Three-Phase Controller and Cabinet - Replacement for Knockdown - St. Louis and Paradise Road (Public Services - Traffic Division)
7. Bid #78.73 - Herbicides and Insecticides (Recreation and Leisure Activities - Parks and Cemetary Division and Golf Course Division)
8. Bid #78.75 - Twenty (20) Each Luminaires Complete (Public Services - Traffic Division)
9. Bid #78.76 - Fifty-Eight (58) Each Traffic Signal Poles - Replacement (Public Services - Traffic Division)
10. Bid #78.77 - Sprinkler Repair Parts (Recreation and Leisure Activities - Parks Division)

C. PURCHASE ORDER APPROVAL

Approved as presented  
 Woofter - unanimous

Staff authorized to proceed

1. Request Purchase Order approval to 3M Co., Traffic Control Products Division, St. Paul, MN, in the amount of \$9,636.00, for equipment to reinstall opticom at five points east. Sole Source. (Public Services-Traffic Division)

DEPARTMENT OF MUNICIPAL SERVICESPURCHASING AND CONTRACTS DIVISION

See Pages 34, 35 and 36 of these Minutes - Annotated Agenda

Bid No. 77.123 Additions to City Hall Parking Garage - Base Bid only. Federal funded.  
Contract Local Public Works Capital Development and Investment Program Round II  
Modification (Public Services)  
Approved

City Manager, Russell W. Dorn: Before the City Commission votes on Item "D" under Bid No. 77.123, I would like before the vote is cast for our Director of Municipal Services to explain the reason for the 30-day delay and, Mr. Purvis, if you have any further technical information, before you cast your votes.

Mayor Pro Tem Lurie: I would also like to mention that the Mayor asked that this be held until he could get here to this meeting. I think Mr. Purvis has answered his question but I would like the record to show that the Mayor will be here at about eleven o'clock. He is at the opening of the new Chamber of Commerce building.

Director of Public Services, Wm. J. Purvis: Commissioners, the reason for the delay - and it has not delayed the building whatsoever - this is in Phase I of the Project - we had a problem with it - when we ended up we discovered also that the Architect had not provided for gas service. We gave the contractor a Stop Order to out the gas service in and then put the paving down. As a result we didn't have to cut the paving. Their contract ended on March 11th, I believe it was and the Second Phase of the contract went to work on March 13th, so the work has phased right in together and has caused no delay whatsoever.

Mayor Pro Tem Lurie: It was at our request that the Project should be stopped in order to put the gas in -

City Manager, Russell W. Dorn: I just want to emphasize that the new Library is on schedule on March 15th and that there will not be any delay foreseeable at this moment on the building of the Charleston Heights Library.

Commissioner Woofter: I have a question back on Item D-1 - an explanation for the extra amount needed.

Mr. Purvis: This contract modification has still to do with the foundation and one thing and another. As you will notice, we had to widen the foundations under the building. This is where this comes in. The investigation - the original investigation by the Architect - we thought we could get by with a different footing, but when they opened them up we had to make a larger footing out of it. It has been approved by both the Structural Engineer and it has been reviewed by us and we believe it is deemed necessary.

City Manager, Russell W. Dorn: Commissioners, if it would be your pleasure, Mr. Purvis could give us an up-date on the repair job and the status of it.

Bid No. 77.123 Modification (cont'd) Mr. Purvis: The repair job now is essentially complete. We do have a little more cosmetic work to do. We are actually to a point where we are about ready to test-load the structure to make sure that remedial work was sufficient. We are supposed to place concrete for the second half of that Plaza level tomorrow.

Mayor Pro Tem Lurie: Are there any other comments on Contract Modifications Nos. 1, 2 and 3?

(No response)

Motion Mayor Pro Tem Lurie: Since there are no questions, I move for the approval of the three Contract Modifications.

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

See Page 38 of these Minutes - Annotated Agenda

DEPARTMENT OF PUBLIC SERVICES

See Pages 39 thru 45 of these Minutes - Annotated Agenda

REPORTS

E. Charleston Widening - Main St. to 25th St. Approved Mr. Purvis: This item was announced at the Public Hearing held two weeks ago - three weeks ago - that there would be a City Commission decision made at this meeting as to the widening. I don't think I have to say anything further - the people have heard the discussions pro and con. We feel sure that something has to be done to East Charleston in this area. We also feel sure that if we went to four lanes and did it as it exists, the Regional Streets and Highways would not participate and it would cost the City a considerable amount of money - probably over a Million and a Half Dollars, which we don't have. Under those construction practices it would be closed down for almost the same length of time as it would be under the six lanes that are proposed.

At this point in time I would hope that the City Commission would see fit to proceed to directing us to start the design - or finish the design - and get going on the widening of East Charleston, Phase I from Main to 10th Street; the second Phase to follow from 10th Street to Eastern Avenue.

Mayor Pro Tem Lurie: Is there anyone in the audience who would like to speak on this matter before the City Commission takes action?

(No response)

Motion Mayor Pro Tem Lurie: Let the record show there is no one present who wishes to speak. At this time I would like to move for approval of the widening of East Charleston Blvd.; the First Phase to be from Main Street to 10th Street and the Second Phase from 10th Street to Eastern.

Motion carried by the following vote: Commissioners Christensen, Woofter and Mayor Pro Tem Lurie voting

ITEM

Commission Action

Department Action

IV (f) DEPARTMENT OF MUNICIPAL SERVICES, CONTD.

D. CONTRACT MODIFICATION

1. 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 #3 to Sletten Construction Co., Las Vegas, NV, in the amount of \$8,137.47. Also request an eleven (11) day no cost time extension for completion of this work. This work is necessary due to engineering design changes in the footings and the addition of C.C.T.V. conduit.

2. Bid #77.118 - Offsite Improvements for Charleston Heights Library and Arts Center - Federal Funded Local Public Works Capital Development and Investment Program Round II (Public Services)

Request approval of Contract Modification #3 to M.M.C., Inc., Las Vegas, NV, for a thirty (30) day no cost time extension. This extension is necessitated due to inclement weather and interfering work by utility companies.

3. Bid #76.93 - Valley View Boulevard - Alta Drive - Bid Group II (Public Services)

Recommend approval of Contract Modification #2, to Wells Cargo, Inc., Las Vegas, NV, in the amount of \$35,006.80. This work is necessary due to a requested design change for additional curb, gutter, and pavement on Alta to Campbell. The City shall be responsible for \$3,948.00, and Regional Streets and Highways Commission shall be responsible for the balance. (See attached City of Las Vegas Attorney's opinion.)

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

Staff  
authorized  
to proceed

ITEM

Commission Action

Department Action

IV (g). DEPARTMENT OF PUBLIC SERVICESWILLIAM J. PURVIS, P.E., ACTING DIRECTOR\*CONSENT AGENDA

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

\*A. APPROVAL OF SUBDIVISION PLATS

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

1. Charleston Heights No. 51-E.  
(Becker and Sons)
2. Charleston Heights No. 51-H.  
(Becker and Sons)
3. Charleston Heights No. 53-B.  
(Becker and Sons)
4. Charleston Heights No. 54-C.  
(Becker and Sons)
5. Homestead Estates Unit No. 2.  
(Charles L. Ruthe, an Individual)
6. An amended map of a portion of Park Sahara. (Park Sahara Company)
7. Hillview Subdivision. (Lied Motor Car Company, E. F. Lied, President)
8. Washington Square No. 5. (Robert Shaw Construction Co.)
9. Resubdivision map of a Portion of Parkchester House. (Bernard V. Provenzano, et al)

Items 1 thru 9  
Approved  
as submitted  
Woofter - unanimous

Director  
authorized  
to proceed

ITEM

Commission Action

Department Action

IV (g). DEPARTMENT OF PUBLIC SERVICES (Continued)\*B. RIGHT OF WAY ITEMS

## 1. Grant Deed

From: Charles M. Brown and Carma Brown, husband and wife  
To: City of Las Vegas  
For: Portion NE-1/4, Sec. 27, T20S, R60E Washington Ave. and Carmen Ave. (L-27) (4/10/78)  
Dedication. Rezoning

## 2. Grant Deed

From: Rex A. Jarrett and Pauline Jarrett, husband and wife as joint tenants  
To: City of Las Vegas  
For: Portion NE-1/4, Sec. 24, T19S, R60E Decatur, Dorrell, Thom, Jarrett Ave. & Deer Spring (G-24) (4/10/78)  
Dedication

## 3. Grant Deed

From: Thomas Rex Jarrett  
To: City of Las Vegas  
For: Portion NE-1/4, Sec. 24, T19S, R60E Thom Blvd. (G-24) (3/22/78)  
Dedication

## 4. Grant Deed

From: Roberta Lynn Jarrett Rose, a married woman, as her sole and separate property  
To: City of Las Vegas  
For: Portion NE-1/4, Sec. 24, T19S, R60E Thom and Deer Spring (G-24) (3/14/78)  
Dedication

Items 1 thru 22  
Approved  
as submitted  
Lurie - unanimous

Director  
authorized  
to proceed

ITEM

Commission Action

Department Action

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

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**\*B. RIGHT OF WAY ITEMS (Continued)**

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See Page 24

See Page 24

5. Grant Deed  
From: Rex A. Jarrett, Jr.  
To: City of Las Vegas  
For: Portion NE-1/4, Sec. 24,  
T19S, R60E  
Unicorn (G-24) (3/20/78)  
Dedication
6. Grant Deed  
From: Roberta Lynn Jarrett Rose,  
who acquired title as  
Roberta Lynn Jarrett  
To: City of Las Vegas  
For: Portion NE-1/4, Sec. 24,  
T19S, R60E  
Unicorn (G-24) (3/14/78)  
Dedication
7. Grant Deed  
From: James Oliveri, a married  
man, and John Larsen, a  
married man, each as to an  
undivided 1/2 interest  
To: City of Las Vegas  
For: Portion Government Lot 22,  
Sec. 36, T20S, R60E  
Cory Place S.I.D. 425  
(L-36) (4/4/78)  
Dedication
8. Grant Deed  
From: Edith W. Starker, a widow  
To: City of Las Vegas  
For: Portion of Lot 10, Block 1,  
Moss Tract No. 3  
Radius corner. Ogden and  
Eastern (M-35) (4/5/78)
9. Grant Deed  
From: Brown & Co., a Nevada  
Partnership  
To: City of Las Vegas  
For: Portion Government Lot 23,  
Sec. 36, T20S, R60E  
Cory Place S.I.D. 425  
(L-36-7) (4/4/78)  
Dedication

**AGENDA***City of Las Vegas*

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

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

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

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See Page 24

10. Dedication  
 From: City of Las Vegas  
 To: Public  
 For: Portion Government Lot 36,  
 Sec. 36, T20S, R60E  
 Cory Place (L-36)
11. Dedication  
 From: City of Las Vegas  
 To: Public  
 For: Portion Government Lot 27,  
 Sec. 36, T20S, R60E  
 Cory Place
12. Grant Deed  
 From: Simn J. Labbe and Nola  
 Labbe, husband and wife  
 as joint tenants  
 To: City of Las Vegas  
 For: Portion Government Lot 46,  
 Sec. 36, T20S, R60E.  
 Cory Place S.I.D. 425  
 (L-36) (4/5/78)  
 Dedication
13. Quit Claim Deed  
 From: Baker & Hazard, Inc.  
 To: City of Las Vegas  
 For: Portion Lot 1, Block 2,  
 Tonopah Terrace  
 Alexander Rd. Alexander/  
 Jones Project
14. Quit Claim Deed  
 From: Baker & Hazard, Inc.  
 To: City of Las Vegas  
 For: Portion Lot 15, Block 2  
 Tonopah Terrace  
 Alexander Rd. Alexander/  
 Jones Project

# AGENDA

# City of Las Vegas

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IV (g). DEPARTMENT OF PUBLIC SERVICES

\*B. RIGHT OF WAY ITEMS (Continued)

See Page 24

See Page 24

15. Grant Deed

From: Edwin L. Hartwell and Rose  
M. Hartwell, husband and  
wife as joint tenants  
To: City of Las Vegas  
For: Portion Government Lot 40,  
Sec. 36, T20S, R60E  
Cory Place S.I.D. 425  
(L-36) (4/4/78)  
Dedication

16. Grant Deed

From: Ivan C. Carson and Eileen  
Carson, husband and wife as  
joint tenants  
To: City of Las Vegas  
For: Portion Government Lot 41,  
Sec. 36, T20S, R60E  
Cory Place S.I.D. 425  
(L-36) (4/4/78)  
Dedication

17. Grant Deed

From: Roger P. Flaherty and Joan  
M. Flaherty, husband and  
wife as joint tenants  
To: City of Las Vegas  
For: Portion SW-1/4, Sec. 24,  
T19S, R60E  
(G-24) (3/29/78)  
Dedication

18. Grant Deed

From: Perry D. Dickerson  
To: City of Las Vegas  
For: Portion NW-1/4, Sec. 35,  
T19S, R60E  
Lorenzi Blvd. and Hammer Lne  
(G-35) (4/4/78)  
Dedication

ITEM

Commission Action

Department Action

IV (g). DEPARTMENT OF PUBLIC SERVICES (Continued)\*B. RIGHT OF WAY ITEMS (Continued)

See Page 24

See Page 24

## 19. Grant Deed

From: Gerhard B. Selle and Gloria J. Selle, husband and wife as joint tenants as to 1/4 interest; Grant A. Selle, a single man, as to 1/4 interest; Roy L. Shelton, Jr. and Gayle S. Shelton, husband and wife as joint tenants, as to 1/4 interest; and Matthew J. Blodgett and Geraldine R. Blodgett, husband and wife as joint tenants, as to 1/4 interest

To: City of Las Vegas

For: Portion W-1/2, Sec. 35, T19S, R60E  
Rebecca (G-35) (3/31/78)  
Dedication

## 20. Grant Deed

From: Gerhard B. Selle and Gloria J. Selle, husband and wife as joint tenants as to 1/4 interest; Grant A. Selle, a single man, as to 1/4 interest; Roy L. Shelton, Jr., and Gayle S. Shelton, husband and wife as joint tenants, as to 1/4 interest; and Matthew J. Blodgett and Geraldine R. Blodgett, husband and wife as joint tenants, as to 1/4 interest

To: City of Las Vegas

For: Portion W-1/2, Sec. 35, T19S, R60E  
Rosada (G-35) (3/31/78)  
Dedication

ITEM

Commission Action

Department Action

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

\*B. RIGHT OF WAY ITEMS (Continued)

See Page 24

See Page 24

21. Grant Deed  
From: J. E. Kenney, Jr., also known as John E. Kenney, Jr. a married man  
To: City of Las Vegas  
For: Portion NW-1/4, Sec. 31, T20S, R62E Pecos St. and Radius (3/29/78) (N-31) Dedication

22. Grant Deed  
From: Auto Flite Oil Co., a Nevada Corporation  
To: City of Las Vegas  
For: Portion NW-1/4, Sec. 8, T21S, R61E Radius Tamrich & Sahara (R-8) (3/27/78) Dedication

C. REPORTS

1. East Charleston - Main to 25th St. widening.

\*Approved  
Lurie - unanimous

Director authorized to proceed

2. Request of Gregg Nussle and Frank Smith to hook into city sewer system from outside city limits at 5201 Smoke Ranch.

Approved  
as requested  
Luire - unanimous\*\*

Same as above

3. Request of Buttrum Construction Co. to hook into city sewer system from outside city limits.

Approved  
Woofter - unanimous\*\*

Same as above

4. Request of Charles Nur Fernald and Aquiles David Garcia to install fence in city right of way at 602 So. 10th St.

Approved  
Woofter - unanimous\*\*

Same as above

\*D. TRAFFIC AND PARKING ITEMS

1. Request of W. H. Sastaunik, 327 North 16th Street, for a joint driveway. Traffic and Parking Commission recommends approval.

Approved  
as recommended  
Woofter - unanimous\*\*

Same as above

\*Phase I and Phase II approved as presented (Commissioner Leavitt abstained)

\*\* Commissioner Christensen did not vote on these items - temporarily absent

E. Charleston  
Widening  
(con'd)

aye; noes, none. Commissioner Leavitt abstained.  
Mayor Briare, excused.

Commissioner Leavitt: Mayor Pro Tem, I would like to indicate that I am ABSTAINING from voting on this matter. I have discussed this with the Deputy City Attorney, Jan Stewart, and I'm the owner of property on the corner of 10th Street and Charleston and in view of the fact that is right in the middle of the area to be widened, I have been advised that I should abstain from voting on this matter. Therefore I have abstained in this voting.

Sewer  
Hook-up  
Approved

Request of BUTTRUM CONSTRUCTION CO. to hook into City Sewer System from outside City Limits.

Mr. Purvis: Buttrum Construction Co. is now in the process of having this area annexed to the City. It comprises about thirty (30) acres and will consist of approximately 120 R-1 lots. It is between Jade Park of which the western border is Torrey Pines and the Rainbow Expressway. Sewer is not available immediately adjacent. The County sewer service is not available. As I understand it, we do now have an opinion that we can proceed with annexation. We will probably have the annexation process completed before people want to hook up. We did make this request because we had one opinion to the effect we would have to wait until after the General Election for annexation.

Mayor Pro Tem Lurie: How far out does the County sewer line run in that area? Is that going to prevent the County from extending its sewer services to that area?

Mr. Purvis: In this particular area there is no County sewer within miles, Commissioner. The farthest north the sewer comes is south of Sahara . . . there was a Report written prior to the time I came with the City done by Montgomery Engineers which kind of shows the border between the County and City sewer systems. It's not hard and fast - not a real black line, but it shows the area where they could economically serve and where we could economically serve.

Motion

Commissioner Woofter: I move to approve.

Motion approved by the following vote: Commissioners Leavitt, Woofter and Mayor Pro Tem voting aye; noes, none. Commissioner Christensen temporarily absent. Mayor Briare excused.

NEW BILLS

See Pages 47 and 48 of these Minutes - Annotated Agenda

VACANCIES -  
BOARDS &  
COMMISSIONS

See Page 49 of these Minutes - Annotated Agenda

REPORTS FROM  
RECOMMENDING  
COMMITTEES

See Page 50 of these Minutes - Annotated Agenda

Mayor Briare arrived at the Meeting at approximately 10:55 A.M. and presided over the balance of the meeting.

ITEM Commission Action Department Action

<p>VI. NEW BILLS TO BE REFERRED TO A STUDY COMMITTEE OR RECOMMENDING COMMITTEE</p>		
<p>A. Bill No. 78-23 to amend Title X, Chapter 17, Section 7 of the Municipal Code to provide parking for persons displaying a special handicapped permit or handicapped license plate on their vehicles.</p>	<p>1st Reading and Referred                  Commissioners Lurie and Leavitt</p>	<p>Clerk to proceed with 1st Publication                  5/3/78 Agenda</p>
<p>B. Bill No. 78-24 to amend Title V, Chapter 22, Sections 14 and 24 of the Municipal Code to provide for the widening of trailer park driveways and for guest parking on or near driveways adjacent to or abutting trailer park sites.</p>	<p>1st Reading and Referred                  Commissioners Woofter and Christensen</p>	<p>Same as above</p>
<p>C. Bill No. 78-25 to amend Title V, Chapter 3 of the Municipal Code to revise the licensing regulations pertaining to private detectives to bring such regulations into greater conformity with State law and to make it unlawful for private patrolmen to use unapproved badges, uniforms, and vehicles.</p>	<p>1st Reading and Referred                  Commissioners Leavitt and Christensen</p>	<p>Same as above</p>
<p>D. Bill No. 78-26 to repeal Chapter 7 of Title V of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, entitled "Photography", and to provide other matters properly relating thereto.</p>	<p>1st Reading and Referred                  Commissioners Lurie and Leavitt</p>	<p>Same as above</p>
<p>E. Bill No. 78-27 to repeal Chapter 5 of Title V of the Municipal Code of the City of Las Vegas, 1960 Edition, entitled "Barber Shops"; and to provide other matters properly relating thereto.</p>	<p>1st Reading and Referred                  Commissioners Lurie and Woofter</p>	<p>Same as above</p>

ITEM

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

F. Bill No. 78-28 to amend Title V, Chapter 2 to revise and up-date the procedures relating to the collection of room taxes and gaming taxes remitted to the Convention Authority and to provide for the audit of room tax records and for the maintenance of adequate room records.

1st Reading  
and Referred  
Commissioners  
Christensen and  
Woofter

Clerk to proceed  
with 1st  
Publication  
5/3/78 Agenda

BY ADDENDUM No. 1:

BILL No. 78-29 - AMENDING ORDINANCE No. 1917 TO REQUIRE PARKING FOR ALL APARTMENT DEVELOPMENTS ON A ONE (1) SPACE PER UNIT BASIS, EXCEPT IN THE DOWNTOWN AREA AND THE FULL LENGTH OF FREMONT STREET

1st Reading  
and Referred  
Commissioners  
Leavitt and  
Lurie

Same as above

# AGENDA

## City of Las Vegas

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BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE  
PHONE 386-6011

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ITEM

Commission Action

Department Action

VII. VACANCIES - BOARDS & COMMISSIONS

NONE

ITEM	Commission Action	Department Action
<p>VIII. <u>REPORTS FROM RECOMMENDING COMMITTEES</u></p>		
<p>A. BILL No. 78-16 - TO PROVIDE AN ADDITIONAL GROUND FOR THE SUSPENSION AND REVOCATION OF BUSINESS LICENSES <u>Committee: Commissioners Leavitt and Woofter</u> 1st Publication - Review-Journal 4/11/78</p>	<p>2nd Reading and Adopted Leavitt - unanimous (Mayor Briare did not vote - temporarily absent)</p>	<p>Clerk to proceed with 2nd Publication</p>
<p>B. BILL No. 78-17 - EXTENDING THE CORPORATE LIMITS OF THE CITY OF LAS VEGAS - ANNEXATION A-5-77 - SE CORNER OF DECATUR BLVD. AND PENNWOOD AVE. <u>Committee: Commissioners Christensen and Lurie</u> 1st Publication - Review-Journal 4/11/78</p>	<p>2nd Reading and Adopted Christensen Commissioner Lurie voted "no" - (Mayor Briare did not vote - temporarily absent)</p>	<p>Same as above</p>
<p>C. BILL No. 78-18 - TO PROVIDE FOR THE NUMBERING OF STREETS AND BUILDINGS IN THE CITY OF LAS VEGAS <u>Committee: Commissioners Lurie and Leavitt</u> 1st Publication - Review-Journal 4/11/78</p>	<p>2nd Reading and Adopted Lurie - unanimous (Mayor Briare and Commissioner Christensen did not vote - temporarily absent)</p>	<p>Same as above</p>
<p>D. BILL No. 78-19 - 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 <u>Committee: Commissioners Lurie and Woofter</u> 1st Publication - Review-Journal 4/11/78</p>	<p>2nd Reading and Adopted Lurie - unanimous (Commissioner Christensen did not vote - temporarily absent)</p>	<p>Same as above</p>
<p>E. BILL No. 78-20 - TO PROVIDE A DEFINITION OF "OPEN SALES LOTS" AND ITS USES THEREOF, AND "TRANSIENT SALES LOTS" AND ITS USES THEREOF. <u>Committee: Commissioners Lurie and Woofter</u> 1st Publication - Review-Journal 4/11/78</p>	<p>2nd Reading and Adopted Lurie - unanimous</p>	<p>Same as above C/M to send copy to County and urge adoption of a like ordinance</p>
<p>F. BILL No. 78-21 - TO REPEAL THE REQUIREMENT THAT AN APPLICANT FOR A LIQUOR LICENSE BE A CITIZEN OF THE U.S. <u>Committee: Commissioners Woofter and Christensen</u> 1st Publication - Review-Journal 4/11/78</p>	<p>Abeyance</p>	<p>5/3/78 Agenda</p>

Mayor Briare: I would like to inform the Commission and those ladies and gentlemen who are present that the Chamber of Commerce was duly opened today in their new environment, which is very nice. They had the Western Hi School Band there and played lovely for the occasion - there were a lot of nice things said of which mine, on behalf of the Commission - I mentioned that you were here taking care of the City's business. I indicated to them that a first class city, such as the City of Las Vegas, certainly had to have a first class building to house its Chamber of Commerce. It is, indeed, very nice.

Commissioner Lurie has indicated to me that the Student Council from Garside Jr. High School is here today. I am certainly pleased to see you, and if you get a chance, go down and see the new Chamber of Commerce building. I'm sure you would enjoy it.

BILL  
No. 78-20

TO PROVIDE A DEFINITION OF "OPEN SALES LOTS" AND ITS USES THEREOF AND "TRANSIENT SALES LOTS" AND ITS USES THEREOF.

Commissioner Leavitt: I would just like to comment on this ordinance. I think it has been long needed. We have a situation in the City of Las Vegas where we have merchandise displayed in open lots and I feel it is a disadvantage to merchants who have to pay rent. I know we have a situation in the County with this kind of activity existing. I just hope that by adopting this ordinance we just don't chase everybody out into the County.

I would recommend that our City Attorney send copies of this ordinance to the County Commission so that each member of the County Commission will be aware of the fact that we have passed such an ordinance. Perhaps they would see fit to pass one also.

Commissioner Lurie: I have requested already that the County Commission adopt a similar ordinance because they are the ones who have the problem that caused this ordinance to be drafted. We didn't have one and the complaints I was receiving were coming from the County business people. So we thought we would take the first step and I have requested the City Manager to send copies, after we adopted it, to the County for their consideration and, hopefully, adoption.

BILL  
No. 78-21

TO REPEAL THE REQUIREMENT THAT AN APPLICANT FOR A LIQUOR LICENSE BE A CITIZEN OF THE UNITED STATES.

Commissioner Woofter: I did note that at our Committee meeting there was a request, before moving it out, for consideration of amendment. It was recommended that the responsibility of the applicant, if he is alien, that he be responsible for a full investigative fees. I am wondering if the City Attorney has a recommendation for the Committee.

City Attorney, Mike Sloan: Commissioner, we did not have that at the time of the meeting - the responsibility would have to apply to citizens and non-citizens - if you will hold this ordinance until this afternoon we will have that amendment in time for you to consider it.

Mayor Briare: If there is no objection, we will hold this -

JAIL

Mayor Briare: While we are on this particular part of the agenda, I would simply like to make a request that the City Manager and Attorney draft an ordinance that perhaps the Commission could have for review on our next agenda. In view of our Commission having been joined in the Federal matter before the Courts right now relative to the construction of a new Jail, it would seem quite obvious that the City is going to be forced to spend great sums of money for the purpose of building a Jail, which, since we have a Federal Court Order, we don't have much say.

Consequently I would like to ask that an ordinance be drawn to be presented to this Commission that would case a Bond Question to be placed on the November ballot and, gentlemen of the Commission, I would like to stress that if we are mandated by the Court, it would be a matter of going to the public for permission - getting a "yes" or "no" that they would like to finance it by means of a General Bond Obligation issue which is the least expensive and most desirable way to finance any type of capital improvements.

Commissioner Leavitt: I was just going to ask the City Attorney - is this ordinance the first step? I thought we had to appear before the General Obligation Bond Commission to get their permission -

City Attorney, Mike Sloan: There has to be concurrence of the General Obligation Bond Commission - I think a Resolution can set the thing in motion -

Mayor Briare: Whatever would be the proper procedure, I would request that you proceed -

Commissioner Leavitt: The only thing is - whatever procedure is necessary to put that matter on the agenda. I think that you might want to consider between now and then, the amount of money we want to put on the General Bond Obligation issue - if we go before the people - not to exceed "X" number of Dollars. I think you can take a lesson from the School District - when they pass a Bond Issue they pass an amount they need for future years - and you have indicated that it not exceed a certain dollar figure. I believe before we put this on the Bond Election - it came up in previous discussions regarding the financing of the new Jail - won't it be necessary, Mr. Sloan, to get the permission of the County Commission? Won't they have to join in this request if it goes before the people? Will it be only City people who vote on it or will it be the cities of Henderson and North Las Vegas and Boulder City?

City Attorney, Mike Sloan: The City's one-half - the people of the City can determine how they are going to raise that one-half - it does not have to be concurrent with the County Election -

Commissioner Leavitt: I understand - it will be at the County wide election, but only in the Las Vegas Precincts -

Commissioner Christensen: That will bring a cost to the City of Las Vegas - to put it on the ballot - they are going to make a charge for that I'm sure.

Commissioner Leavitt: The County has already set aside 3.5 Million Dollars of Revenue Sharing money for their share of the construction of the new Jail.

JAIL  
(Discussion  
continued)

The question that comes to my mind if they join us that then means that the cities of North Las Vegas, Henderson and Boulder City would be allowed to vote.

Mayor Briare: Nothing would thrill me more than to have these General Obligation Bonds over the whole County, but I would venture to say that you wouldn't get much favorable attention from Boulder City, Henderson or North Las Vegas because as it stands now, they ride free. They sure aren't going to vote to incur a debt. Maybe it would be a way to indicate to them that this is a County-wide responsibility, not just the responsibility of the taxpayers of the City of Las Vegas.

Commissioner Leavitt: If the Question would relate only to residents of the City of Las Vegas, I see no problem.

Mayor Briare: We all truly feel that we are going to be mandated to do something, and in this way we are preparing ourselves to handle it in an economical manner.

Commissioner Leavitt: I have one other question: You indicated that you wanted to place this on the November ballot. Is there any objection to its being on the September ballot?

Commissioner Christensen: Speaking as a member of the Bond Commission, we have a meeting scheduled and I don't think it can get on that agenda. However, the Bond Commission schedules meetings whenever there is anything to be considered, so we could conceivably schedule a meeting a week after the meeting that is scheduled now. I don't think there is really a time problem. I think the gist of what you are trying to do - and I wholeheartedly concur with you - and I think what we have to do is to have the City Attorney find out when they can get it on. The Election Department may want to have all the Questions on the Primary ballot. That is something I think could be determined at staff level. Insofar as what you are asking for is a very reasonable request and I would support it. Just have the staff go ahead and look into it. Maybe we should proceed posthaste and get it on as soon as we can.

Mayor Briare: We will leave it to the City Manager to proceed on this matter.

Commissioner Lurie: For the record, I will not be at the afternoon session of this meeting. I am going to a National League of Cities Meeting in Washington, D. C..

At the hour of 11:05 A.M. the meeting was recessed to the hour of 1:30 P.M.

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Meeting reconvened at the hour of 1:30 P.M..

Present:	Mayor	William H. Briare
	Commissioner	Paul J. Christensen
	Commissioner	Myron E. Leavitt
	Commissioner	Roy A. Woofter
Absent (excused)	Commissioner	Ron Lurie

STAFF PRESENT	City Manager	Russell W. Dorn
	City Attorney	Mike Sloan
	Dir., Dept of Community Planning & Development	Donald J. Saylor
	Dir., Dept. of Public Services	William J. Purvis

FEDERAL  
REVENUE  
SHARING  
FUNDS

Abeyance

City Manager, Russell W. Dorn: Your Honor, I would like your Honor and the City Commissioners to consider the use of Revenue Sharing funds for the reconditioning of Doolittle Pool.

Mayor Briare: The Commission will be in recess until two o'clock.

2:00 P.M.

Mayor Briare: Ladies and gentlemen, this is a continuation of the regular meeting of the Las Vegas City Commission. At 1:30 today we had an item scheduled in these Chambers relative and just in case anyone has shown up since then who did not hear it at 1:30, will you, Mr. Dorn, repeat as to how the Commission will proceed on the matter of Revenue Sharing?

Mr. Dorn: Yes, I will, Mayor. I have two (2) recommendations. I would like now to address the first one and that is - as you are all well aware, Doolittle Pool is in need of repair - it is one of our top priority projects or the Pool will not be able to open by June for the Recreation Program unless we repair it immediately. The City has approximately \$95,000.00 in Revenue Sharing Funds available from last year which have not been allocated to any project. These funds, reserved as a local contingency, were not programmed last year. Under Federal guidelines these funds are available. It is my recommendation that you allocate \$80,000.00 for the Doolittle Pool repair from these funds in order to allow the City to operate this Pool this summer on the opening date of June 1st.

Mayor Briare: Are there any comments by the Commissioners?

(No response)

Motion

Commissioner Woofter: I so move.

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

REVENUE  
SHARING -  
DOOLITTLE  
POOL

Mayor Briare: The motion is approved and your recommendation is accepted, Mr. Dorn.

City Manager, Russell W. Dorn: Thank you, Mayor and City Commissioners. Item 2 on Revenue Sharing, due to the concern of the Mayor and City Commissioners and the success of our Citizens Participation Program of City Government meeting the people to get their input, we have had a heavy demand, through the mail, on the return of our questionnaires. I feel if an individual, through the Town Hall Meetings door-to-door or through the questionnaire, has taken the time to fill this out, we should consider their input into the results of the appropriation of Revenue Sharing dollars into the budget process.

Because of these projects coming in and the need to put those results into the other results we have received, I would like to recommend for your consideration to delay the final decision on Revenue Sharing funds until the May 3rd meeting for a time at 2:00 P.M., because I think it will agree with your philosophy of bringing this close to the people - it does mean a lot to the people and we should allocate these funds to wherever these people want them.

Mayor Briare: Would that then require the posting of a Notice?

Mr. Dorn: Yes, and I will so post -

Commissioner Woofter: The Public Hearings, however, have been concluded - is that not right?

Mr. Dorn: Well, the Public Hearings - we have gone through that phase - they have been delayed - we will have another Public Hearing, but not with the Commissioners. That Public Hearing will be an actual Use Hearing which is a technical word of the Federal Government.

Mayor Briare: That will be on May 3rd?

Mr. Dorn: The way we have it scheduled right now, the adoption date will be May 3rd -

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

Commissioner Leavitt: Yes - Mr. Dorn, I notice that prior to your request for a continuance that we did appropriate money for the Doolittle Pool - are there any other Projects like that that might be urgent - that they need the money to complete for the Summer Recreation Program?

Mr. Dorn: No, Commissioner Leavitt.

Commissioner Leavitt: So there will be no hindering of any other project by means of this?

Mr. Dorn: No, there will no hindering of any project -

Mayor Briare: Are there any objections to this procedure.

(No response)

REVENUE  
SHARING  
(cont'd)

Mayor Briare: There being no objections, Mr. Dorn, go ahead and proceed. So anyone who didn't hear the announcement at 1:30, the Commission is going to hold off on the Revenue Sharing discussion until 2:00 P.M. on May 3rd.

V-7-78

Mayor Briare: The next Public Hearing is on an appeal filed by Rudolph Beitner - V-7-78, to the action of the Board of Zoning Adjustment in denying his application for a Variance to allow a second dwelling where only one is permitted. on property located at 1717 Pacific Street.

Director, Dept. of Community Planning & Development, Donald J. Saylor: The property is located in an R-1 Zone as you can see on the screen. The sleeping room came about through a chain of circumstances. As far as we have been able to reconstruct, he got a Permit to build a hobby room at one time, which is permitted, but then gradually over a period of time it has been used as a sleeping room. It recently came to our attention and, of course, we had to take action in terms of it being a violation, which precipitated the application for the Variance, which was denied by the Board of Zoning Adjustment. There were protests primarily from the property owner immediately to the rear and the prospective purchaser of that property, and one other property owner in the area.

Mayor Briare: Are you Mr. Beitner?

Response: Yes - this man's witness that gave damaging evidence against me, does not live in the district and the day before we had the hearing before Justice Legakes on August the 23rd of last year - her boy friend was visiting me - this is Joe Crawford we're talking about - I heard a commotion outside and I went outside to see about it - and I opened the door and before I could get the door closed, she hit me over the head and knocked me unconscious. I was out for about five seconds - she walked right into that house with a claw hammer - her boy friend was in the back room - and she made a hole about eight by ten inches in my bathroom door. It took me about five minutes to get to myself - I said what do you want - what's the matter with you? She said: I want my keys to her freezer. So he gave her the keys and she left. I pressed the charges against her -

Mayor Briare: Was she your tenant?

Mr. Beitner: Yes -

Mayor Briare: There has been a complaint over the fact you have no sanitary facilities in your rental.

Mr. Beitner: No - they use the bathroom because there is only the two of us - me and two other guys live at my property - three people and I've been trying to find the sewer outlet - and I got a letter yesterday from the Telephone Company about digging.

I have been asthmatic since 1966. I am under the care of two doctors -

Mayor Briare: Do you live at these premises yourself?

Mr. Beitner: Yes, I have lived there since 1954.

V-7-78  
Continued

Mayor Briare: Mr. Saylor are there any other rental units in this neighborhood on the same property as the single family homes?

Mr. Saylor: Not that we are aware of.

Mayor Briare: Do you have anything else Mr. Beitner?

Mr. Beitner: The reason I am doing this is on account of my asthmatic expenses. I get \$270.00 a month. My expenses are \$374.80 a month. I am in the red \$24.80 if I have just one tenant. That is why I would like to have this. Maybe rezoning this to R-2.

Mayor Briare: If you are going to talk about rezoning the property then you have got a whole other set of rules and regulations that you have to go through. I don't know whether this Commission could even allow you this variance. I am not sure what occurred at the zoning meeting. Other than what we have in our records here, and what Mr. Saylor has just outlined. I don't know how; you probably couldn't pass the health investigation by the Health Department for a facility such as you have here. This is something that is very difficult to approach, because there are certain regulations that we can't go beyond. The question that could be answered here in a more definite way, is if your facility there was a complete rental facility. If it was in accordance with Health Department regulations, and in accordance with everything except possibly the zoning. Because those things on occasion have happened, but I don't know if this Board would be in a position. I can even ask the City Attorney if we have any authority to allow the use of the building that couldn't pass these building codes, and requirements by the Health Department. While you are looking at that Mr. Sloan I will ask if there is anyone in the audience who wishes to be heard on this matter other than Mr. Beitner? (No response).

Commissioner Woofter: Mr. Saylor I note that there are several objections to this request of Mr. Beitner's, and most of them were located on Euclid Avenue. Where is that in relationship to Mr. Beitner's property?

Mr. Saylor: (Looking at the plot plan). That is the next block over.

Mr. Sloan: The Code sets very stringent guidelines under what circumstances we are empowered to grant a variance. Those things basically are unrelated to the argument which has been advanced by the applicant. It would be my judgement that should you grant a variance on grounds, no matter how appealing, or sympathetic you might be to his concerns, they are not in accordance with those set forth in the code, then your action would be improper. You could not grant a variance which would be in violation of sanitation requirements, but in addition your own regulations say that there has to be exceptional and extraordinary circumstances where he would be

V-7-78  
Continued

discriminated against in the sense if you did this for other people in the neighborhood, but not for him, then perhaps a variance would be in order. I just think that the problems that he has articulated are not problems that can be cured by variance.

Mayor Briare: How far away is this unit from your house?

Mr. Beitner: It starts at two foot.

Mayor Briare: There is no way that you can incorporate this addition on to your house, as opposed to a separate unit?

Mr. Beitner: It would be pretty hard to do.

Mayor Briare: Well even though we sympathize with you on your ailment, and also the conditions that you layed out they are not grounds that we can consider in the discussion of your variance appeal. Perhaps the Board of Zoning Adjustment might have also considered your hardship here, but unfortunately the regulations and laws are against you. I don't know if the Commission has any choice in the matter. If there is no one else to be heard on this, then we will declare the public hearing close, and ask what the pleasure of the Commission would be on this?

Commissioner Woofter: Based on the representations you have made, and I certainly concur with Mr. Beitner's plight, but I don't think we have any other recourse other than to make a motion to deny Mr. Beitner's appeal.

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

Mr. Beitner you will kind of have to go back to the Planning Department and work out something that is in accordance with the regulations of the City and the Health Department.

Motion carried by the following vote:

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

S.I.D.  
No. 408  
Approved  
as  
Presented

Mr. Purvis: This was held over from the April 5 Commission meeting giving Mr. Bird extra time to see if there was enough protests to kill the district. Right now we have 29½ % after the two week delay, which is not sufficient. We would recommend that the district be formed.

Mayor Briare: Is there anyone in the audience to speak in opposition to the allowing of this improvement district? (No response). We have a number of letters which the Commission has before them for accepting this improvement district. Have you had an opportunity to tally those?

Mr. Purvis: Yes there is 29½ percent.



ITEM

Commission Action

Department Action

X. 1:30 P.M. - PUBLIC HEARINGS

FEDERAL REVENUE SHARING FUNDS

(By action of the Board of City Commissioners at a Special Meeting held April 10, 1978)

\*Abeyance

5/3/78

2:00 P.M. - PUBLIC HEARINGS

A. APPEAL FILED BY RUDOLPH F. BEITNER - V-7-78

to the action of the Board of Zoning Adjustment in DENYING his application for a VARIANCE to allow a second dwelling where only one is permitted on property located at 1717 Pacific St. in Zoning Dist. R-1 (Single Family Res.)

Denied appeal (upholding action of BZA)  
 Woofter  
 Commissioner Leavitt voted "no"

Clerk to notify

Planning to proceed

B. SPECIAL IMPROVEMENT DISTRICT No. 408 - STREET LIGHTS, CURB & GUTTER, PARKING LANE - SOUTH SIDE OF OWENS AVE., FROM PECOS STREET TO NELLIS BLVD. (Continued from Regular Meeting of April 5, 1978)

Approved as presented  
 Leavitt - unanimous

Staff to proceed

No oral protests  
 11 written protests  
 1 oral approval

\*Except that top priority was approved for repair of Doolittle Pool. \$80,000.00 authorized from previous year's Revenue Sharing funds)

Approved  
 Woofter - unanimous

Staff to proceed

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COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT

DON J. SAYLOR, AIP, DIRECTOR

MASTER PLAN  
OF STREETS  
AND HIGHWAYS  
Approved

Mr. Saylor: You will remember at the last meeting. This is the matter of the interchange at Maryland Parkway. The State provided to you a model which is represented as such as being Maryland Parkway and Las Vegas Boulevard. This is known as a braided interchange, which would have provided the interchange at Maryland Parkway, and the access at Las Vegas Boulevard, but would have negated any possibility of any North South traffic flow between those two streets. It was strongly implied that this section would be built on dirt rather than columns. We felt that this was not a desirable design, because it did cut off those streets. We asked that this be held in abeyance so that we could come up with some alternatives, which we have done. As far as we can see as far as within the recommended standards. This design would provide the on and off ramp at the boulevard, it would provide a total interchange facility for 13th street East, right in this immediate area here. This would leave completely open the traffic flow, and would allow the construction on Collins. This does not bring this design much further East than their design did. We have evaluated this in terms of the Eastern Avenue interchange, and the Las Vegas Boulevard, and we have not found any conflict with any standards that we know of.

Mayor Briare: Have you gentlemen had a chance to see this?

Mr. Don Crosby: I am the Deputy State Highway Engineer from Carson City. I have with me Mr. Garth Dull who is our design engineer for the State. We just had a brief look at this proposal when we came into the chambers. However, Mr. Dull advises me that this type of interchange has been considered for Maryland Parkway. I will let him explain the shortcomings on this.

Mr. Garth Dull: As Mr. Crosby has stated, we have analyzed exactly this type interchange. As Mr. Saylor says it does allow a little bit more multi-use to the area between Maryland Parkway and Las Vegas Boulevard. However when we analyzed this, and going by federal guidelines, the radius of the loop ramps should be a minimum of 230 feet. A 230 foot radius would take this ramp (referring to the model) and put the exit of it down here right at the intersection of Maryland Parkway and Stewart. Which would obviously create some severe traffic conflicts in that area. The reason for this is that even at 230 feet radius, that is about a 25 to 30 miles per hour radius, that is based on a designed speed on the freeway of approximately 60 miles an hour. It doesn't really eliminate the weaving problems that we described before. The minimum weaving distance between this on ramp at Las Vegas Boulevard, and the exit ramp at Maryland Parkway should be a minimum of 1200 feet, and a desirable minimum of 2,000 feet. Since there is only 2700 feet

MASTER PLAN OF STREETS AND HIGHWAYS EAST LEG OF FREEWAY  
Continued

between Maryland Parkway and Las Vegas Boulevard you can see that the minimum length ramp being 1150 feet doesn't leave you that much distance to weave, and also to accelerate for this off loop ramp.

Mr. Crosby: I think there is a weaving conflict at the interchange of Eastern Avenue too. I think there is only a mile and a quarter from Las Vegas Boulevard to Eastern Avenue. What we are attempting to do is put three interchanges in that mile and a quarter, when the recommended spacing is a mile.

Mr. Dull: The recommended average spacing is two miles of course.

Mayor Briare: Now we have two desirable things in your mind. Number one is to not cut off North South traffic between the boulevard and Maryland Parkway, which this plan here that the State Highway Department has suggested will do.

Mr. Saylor: Right.

Mayor Briare: Second desirable thing in your mind from the planning standpoint is to have this traffic exit and enter on and from Maryland Parkway?

Mr. Saylor: Yes. We feel that an interchange is necessary. I hate to put the Commission in a position of trying to adjudicate a difference of opinion between the engineers and our planning expertise, however, we have done some homework on this. We put the exact design that was just constructed on the west leg at Valley View. So we felt that if we stay within those limitations that it should be allright here. Furthermore in terms of the conflict on the Eastern Avenue we compute at least 1700 feet on the weaving distance, and we have been told that 1200 is the minimum acceptable. We felt that we were well within that range. I can't ask you to accept my statements in terms of engineering criteria. All I can do is give to you what I feel in the long run for the City is a very necessary thing, and that is to maintain the North South viability of the traffic flow, and to provide the interchange facility at Maryland Parkway.

Mayor Briare: The plans that were in effect are the plans that the federal government, and state, and local government were talking about months and months ago, suggested what kind of off ramps and on ramps here. Obviously it was different from the one that you just brought to us two weeks ago.

EAST LEG  
Continued

Mr. Garth Dull: The design hearings that were recently held didn't include an interchange at Maryland Parkway. We had one question asking about an interchange at Maryland Parkway, but absolutely no controversy on it at all.

Mayor Briare: Do the people whose property is affected know that under the proposal here that there will be no North and South traffic, whereas now there is?

Mr. Dull: No they don't know, because if we did implement any kind of an interchange at Maryland Parkway there would have to be another design.

Mayor Briare: Well there could be a lot of irate people down there who are expecting certain things. If it were to be approved here, and it wasn't that, I am afraid we would hear repercussions.

Commissioner Woofter: Where did it come from in the first place?

Mr Saylor: I think it was in 1967, 1968 that the East leg of the freeway was first talked of with any degree of certainty. The City Commission in their usual manner of attempting to plan ahead had a succession of public hearings on the proposed route, and did in fact by ordinance adopt a route plan. We were the only entity that did that, and of course we were the only entity that had any chance trying to protect the right of way. That plan proposed an interchange, so it did not get into the design of the type of interchange. We were contemplating a simple diamond. The State Highway Department however, in their final design, which just came about recently, did not have an interchange at Maryland Parkway. So we came back to you, and described to you our opinion, and the need and necessity for that, and you took a position yes, that the original plan should stand. We then went to the State and said that the City's position is two things. We want the interchange at Maryland Parkway, and we want the freeway built on columns.

Commissioner Woofter: So in other words those public hearings years ago had all the input of the area in which they indicated a definite need for the interchange.

Mr. Saylor: Now the State in their final design, that if there is to be an interchange at Maryland Parkway the only way it can be accommodated is by the design that they brought in last week, and from a staff viewpoint we feel it is not desirable because it does block off that north, south traffic flow, and it does put it on an earth fill.

EAST LEG  
Continued

Mayor Briare: Not only that, but it cuts off one segment of the City from the other segment. We are really going to be loading up on Maryland Parkway. It would be alright for people to move back and forth to get through, which would be the earth fill, but they would have to go to Maryland Parkway, or up to Las Vegas Boulevard.

Mr. Dull: I would like to rebut a couple of points that Mr. Saylor has made. First on the interchange at Valley View he states that this is the same design. Well perhaps the loop ramps are the same, but the major difference between Valley View and here is that we have the interchanges at approximately one mile apart. So it gives us much more weaving distance. This is the very thing that these tight radius ramps will eliminate, is the weaving distance.

Mayor Briare: We are very concerned about the suggestion you made two weeks ago, and then you included in your letter to me. If this isn't done in accordance with the standards that you present to us from the State, that this could be a three and a half year delay.

Mr. Crosby: What this does, is it forces us to go back and reopen the environmental impact statement. When we have to address all the social and economic impacts.

Mayor Briare: Well there would be even a greater impact if you blocked off all those streets.

Mr. Crosby: Well we are perfectly willing to go back and evaluate it again and put this thing in the standards that we have to adhere to. We will put the whole thing back in there and evaluate it. We are not trying to be difficult. We know what we have to do. We have built these things for several years. We also know the rules we work under for the federal government. Because we say that we want this interchange doesn't mean we are going to get it. The final authority rests in Washington D.C. They are the ones that are going to have final approval for it.

Commissioner Woofter: Well I believe the Highway Department has had the feelings of the City Commission for years stating that they wanted an interchange, and they had public hearings. Then here all of a sudden now the Highway Department comes and says, "we can't abide by what the City Commission requested consideration of years ago."

Mr. Crosby: When we held those initial hearings we didn't get into design details to that degree. We put a lot of money on just determining the feasibility of the route. Without getting into complete design. However when we started to develop a formal Environmental Impact Statement this forced us to make several decisions required by federal law. One was the ability to collect and distribute traffic on the local streets, the ability to handle that traffic safely on through. All of these things come into focus. At that point in time there wasn't any funding for this. We finally got funding. Now that EIS took

EAST LEG  
Continued

three years to prepare. It is not a simple document. We have federal procedures to follow. This is where we are. We are in the design phase right now. If we have to go back and reopen this thing we are going back to the location stage. That is what we are saying. In all honesty I think we should go back and evaluate Mr. Saylor's latest proposal, and go back before this Commission and tell you exactly what our feeling is on it.

Mayor Briare: You say his latest proposal.

Mr. Saylor: We had originally prepared a simple diamond interchange at Maryland Parkway, which the State has said that it won't conform to minimum standards. That is why we had to go to this.

Mayor Briare: The EIS took several years to complete?

Mr. Crosby: Three years.

Mayor Briare: What was that made on?

Mr. Crosby: It started out with the three interchanges. Las Vegas Boulevard, Maryland Parkway, and Eastern.

Mayor Briare: Not the design, only that they would be the interchanges.

Mr. Crosby: Right, now before we could finalize that document we found out that they would not meet the federal criteria. So in the final document that interchange at Maryland Parkway was eliminated. The same thing happened to the Sahara Avenue interchange, because it was to close.

Commissioner Christensen: What is the status of the law suit.

Mr. Crosby: The last thing I know that right now we don't have any law suits against us.

Commissioner Christensen: If the original plans called for an interchange at Maryland Parkway and you now delete it, what does that do to our liability for, where do we stand on our vulnerability to a law suit for deleting that interchange? Where does that leave the City Commissioners, if we allow you to delete that interchange after the public hearings were held considering that interchange? Does that start us at base 1 in public hearings again?

Mr. Crosby: We haven't violated anything.

Commissioner Christensen: If we have held these public hearings and all these public hearings that it was believed, and thought that there was going to be an interchange in Maryland Parkway and now we delete that without any more public hearing, then where does that leave us?

EAST LEG  
Continued

Mr. Crosby: We have held another public hearing. The State did, and that was our design hearing, and that is when we showed the elimination of Maryland Parkway.

Mr. Saylor: I think the point that you bring up is in reference to the City's Master Plan. The NRS requires that any major amendment must be done through public hearings, so if the final conclusion is by the State that it can't be done, or there won't be an interchange there, then I think the City would have to have another public hearing to amend the Master Plan.

Commissioner Christensen: Well I think the prime importance is to get this on. There has been a lot of pushing in Washington to get this East Leg on. I think it is definitely needed. I think that it is important that we proceed without a delay on it. This puts us in an untenable position where we have no other way to look, other than to approve the removal of that interchange. I think we would be more remiss in our duties to delay this two and a half more years, than if we did to remove the interchange. I think we would be far better served to go ahead and put the freeway in, and then add the interchange later.

Mayor Briare: Mr. Crosby how long would it take your staff to evaluate what you refer to as Mr. Saylor's latest plan?

Mr. Garth Dull: Well we could do it in about a couple of weeks. We have basically evaluated this type of interchange as thoroughly as we have the various types.

Mayor Briare: Well if you were to consider the fact that you might have to unload on Stewart Street in order to maintain safe radius, and whatever you do on the other one coming North. Have you determined whether there could be a compromise made on that in some way? Have you made an effort other than the one that will close up all those streets?

Mr. Garth Dull: All we recommend as far as this interchange goes, is that this is the best way to alleviate the weaving problems and traffic problem we have. We don't necessarily recommend this interchange either.

Commissioner Christensen: If we were to amend our Master Plan on Streets and Highways would we not be putting the cart before the horse if we deleted the interchange, and then asked for public input in amending the master plan? Should we not hold a hearing on the master plan to determine if we should delete that interchange? Wouldn't that be the proper sequence?

Mr. Saylor: If the final conclusion of this is that there will be no interchange at Maryland Parkway at this time, but the City's position is that we still feel that there should be one there, but not to hold up the project, then we should leave it on our master plan. Because we could then say, "allright this is phase I without an interchange." If we decide to go that way.

EAST LEG  
Continued

Commissioner Christensen: O.K., then I would be willing at this time to make the following motion. That we approve the East Leg of the expressway without the interchange at Maryland Parkway in order to get in on as soon as possible. Then leave it on our master plan so that if there is ever a way that we can work out putting that interchange in there at a later date, then we can do so.

Commissioner Woofter: I agree with Commissioner Christensens motion. I do not want to delay this any longer.

Mayor Briare: You gentlemen from the State Highway Department, the point I want to make is that one of the most critical problems that we have in Las Vegas is the movement of vehicles from one part of the City to another part. That is why each Commissioner has already indicated that we don't want to hold this up 10 minutes. By the same token we would still like to preserve the integrity of the master plan, and we are going to be confident that if this motion passes, that you are going to be able to make all the effort you can to solve this Maryland Parkway situation.

Mr. Crosby: We will accept that. You have our complete cooperation.

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

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

REQUEST OF  
ALEX  
HURTADO  
LEASE CITY  
PROPERTY

Mr. Saylor: This involves the property at the northwest corner of Rancho Road and the Las Vegas Expressway. It is a small sliver of City property. It is really a triangular piece, and it is 90 feet wide at this point. On the north 20 feet of it we have an easement. (referring to the map). This is Mr. Hurtado's property who is making the request, and who is going to put commercial development on here. He has requested that he be allowed to lease this property from the City for a nominal fee like \$1.00 a year, and in turn he would surface our easement, and put in some landscaping along the back end along the freeway. The City has no immediate use for the property due to its shape and size and location. We do need to maintain that easement however.

Mayor Briare: Do you include in your recommendation that if this is approved, that it be for a five year lease with a 90 day cancellation on it?

Mr. Saylor: I can't anticipate any future use, but I think we ought to protect ourselves with a 90 day cancellation. Give him a five year lease to start out with if you want to.

REQUEST OF

ALEX HURTADO Mayor Briare: That property would be of value to him and  
Continued nobody else?

Mr. Saylor: That is right.

Commissioner Woofter: I notice that this is a commercial venture, and I am just questioning whether or not; well \$1.00 a year just doesn't seem right. Legally can we do this for \$1.00 a year?

Mr. Sloan: I think I would share your concern to the extent that it probably has in terms of an economic value a greater value to the gentlemen that it does to us. If you establish the precedent of making property available to private organizations at nominal cost, then where do you draw the line? I think perhaps we should look at it, and make sure that it is a price which is justifiable from the point of view of the citizens.

Mayor Briare: Does the City's property which is tax exempt become taxable when it is leased?

Mr. Sloan: I don't think so, but I would have to check. I would prefer that you hold this over so I could give you a written opinion in the meeting of May 3rd.

Commissioner Leavitt: I have the same concern. I think we have got to get some compensation for it if we are going to lease it. Maybe we can just sell it to him.

Mr. Sloan: We can do that, or we can have somebody come in and appraise it as to what the value of that property is. I would assume that you would want to do it in terms of what is the best economical uses of the City, and not what is necessarily the best interest of the applicant.

Mayor Briare: Mr. Hurtado we have a legal problem here. Is that going to hurt you too much to wait for a couple of weeks?

Alex Hurtado: I am from Ogden Utah 1460 Washington Boulevard. I would like to explain my intentions. I think your discussion is right on target. Obviously the question is, why should we lease the City's property to this fellow for \$1.00 a year. Your benefit is that you don't have to maintain it. You have a triangular piece of land, which is bordered on the North by my property, and therefore there is no access across there. On the west side it is bound by another piece of private property, and there is no access through there. On the other side it is bordered by the entrance to the freeway which is owned by the State, or the Highway Department. You have a triangular piece without access except to go through the State Highway Department, or through our property. Your interest is not in Owning the property, your interest is in maintaining right of access to that right of way. There is also the obligation for

ALEX HURTADO maintaining it, keeping it clean off and all that.  
Continued I think in exchange for my doing that, for my effort and my expense that that would really be your compensation. You would always maintain free and immediate access to the right of way which is what you really want. The alternative is that perhaps the property could be sold. I would be willing to consider that, subject to appraisal, and I am sure the appraisal would take into consideration those things. Whether you sell the property, or whether you lease it to me it is really not going to give me the property that I can build on. What you are going to do, is if you sell the property to me you are going to maintain an easement 20' wide running through the whole parcel, which in affect means that we give you the right to walk over the top of the land to paint it, to black top it, to put landscaping on it. But we could come in any time we want to dig up and tear out our pipes and whatever. I will have to design my building to provide you that access, otherwise you are going to be coming off the freeway ramp. Either way it would be compatible with me.

Mayor Briare: If this were to be put up for bid for example, there would be two bidders. Yourself, and the other property owner?

Mr. Hurtado: Yes sir, or perhaps the highway department. For all intensive purposes that is landlocked property.

Mayor Briare: Well maybe Mr. Sloan you might contact that other property owner and ask him if he has any objections to leasing the property to Mr. Hurtado, and then when that is resolved we could take it up again two weeks from now.

Mr. Hurtado: I just wanted to get it on your agenda, and get some idea on this. We could live with that. We have a lot of interest in the property, but we don't have any imminent development that would seriously impact the use of that triangle portion. Did you get my letter by the way? I would like to read it to you quickly.

Mayor Briare: Is it a short letter?

Mr. Hurtado: Yes sir. "I am enclosing a copy of my property survey. It is my understanding that the property outlined in red belongs to the City of Las Vegas. Recognizing the City's property maintenance burden, and as the property is landlocked between the property and the freeway entrance, I am wondering if I could lease the property from the City so I can use it for parking and landscaping. I would further of course do all the landscaping at my expense. I further realize that my lease would be subject to the City access at any and all times during the said lease, and no structure would be placed upon that property."

Mayor Briare: There being no objection by the Commissioners we will bring this up again on the meeting of May 3rd.

ALEX HURTADO Mr. Hurtado: I would like to be advised of what the recommendation  
Continued of the City Attorney would be, since I live in Utah.

Mayor Briare: Why don't you telephone Mr. Sloan around  
the end of this month to see if he has had a chance to do it?

Mr. Hurtado: O.K.

Z-23-78 Mr. Saylor: All of the property is R-4, and you can see  
GEORGE L. there is R-4 zoning to the north of it on both sides of that  
COTE street. All the way to the right is all single family  
Approved developments. There are apartments in the brown area  
subject to (referring to the map), however these lots at the bottom  
conditions are vacant. It can be developed right now under R-4,  
including however the proposal is to be able to do it in such a  
installation way to allow the sale of the individual buildings. Therefore  
of car the applicant requests a change in zoning from R-4 to  
bumper R-PD 15 to allow 24 multi-family units. Under the present  
stops zoning he would have at least twice that many units.  
adjacent to It is a 50% reduction in density. The single family home  
abutting owners to the northeast area protested this application  
block wall quite strongly. The Planning Commission recommended a  
denial of the application.

Mayor Briare: Is there anyone here to protest this?  
(affirmative response). Now the zoning in its existing  
stage right now would allow Mr. Cote to increase the  
density that he is actually asking for. (Affirmative  
response). O.K. I just wanted to make sure that you understood  
that.

Bill Zedlek: I am representing the developer. The City  
due to the shape of the lots recommended that we come in  
not with Flag shaped lots, but something of less density.  
We tried to meet all the requirements of the R-4 zone  
with the set backs, and etc. The City recommended R-PD 15.  
Before the meeting however last time we were surprised  
to discover that there were quite a few protests.  
The objections is not so much to our project, but it is  
to R-4 zoning, they want it to stay R-4.

Mayor Briare: Thank you, now we have already explained to  
these folks that you could have 36 units, but you are  
only asking for 24. How long has that R-4 been there Mr. Saylor?

Mr. Saylor: I don't know exactly how many years, but I know  
it has been there quite a few years.

Mayor Briare: Would any of you protestors like to come up  
and make some comments?

William Dixson: I live at 5617 Reba. Our complaint on this  
is that we are talking about high density apartments here  
more than anything else. If you look at the layout on these  
apartments they are zoned strictly for four owners. The  
only thing it has there, there is no landscaping or nothing  
because it is all parking lot. There is no place for kids to

Z-23-78  
Continued

play. We have no parks. Our schools we have to cross all major streets. They have to cross Washington, or Decatur. There is no schools in that area that doesn't have to cross the expressway or a major street. We see no problem if we go with a straight apartment complex where they have swimming pools, and are designed for some recreation. As these are set up there is nothing but black top and houses, and we object to that. I think also our whole housing area is zoned for R-4. Does that mean that I can take my house and turn it into apartments then?

Mayor Briare: I think someone might have given you the wrong idea.

William Dixon: Well we had a man investigate that, and he said that the whole area was zoned R-4 at one time.

Mayor Briare: Are you in the yellow? (Referring to the map).

Mr. Dixon: Yes.

Mayor Briare: So you are zoned R-1.

Mr. Dixon: It is zoned R-4.

Mr. Saylor: His property is R-1. This whole area is R-1.

Mr. Dixon: Can you have a man recheck that. We had a man that says that that whole area was R-4 at one time.

Mr. Saylor: I am talking about what it is zoned now.

Commissioner Christensen: Well zoning can be changed. All that yellow you see on the map is R-1. Regardless of what it was years ago it is R-1 right now.

Mr. Dixon: Our complaint is that it is going for high density apartments. If he wants to build apartments that conform to other apartments in the neighborhood then I am all for it. We are against him selling these family units which are 625 square feet per unit. That is the size of my double car garage.

Commissioner Christensen: What you are objecting to is having no parks or facilities for the children.

Mr. Dixon: Right.

Z-23-78  
Continued

Mr. Dixon: How much parking is required for each unit?

Mr. Saylor: One and a half.

Mr. Zedlek: We have set this back from the streets.  
I just don't understand what these objections are.

Mayor Briare: Mr. Dixon how would you define high density?

Mr. Dixon: When you have actually four full lots, and you are building this much.

Mayor Briare: Would you be happier Mr. Dixon if he came along and built 36 units?

Mr. Dixon: I sure would.

Mayor Briare: You would be happier than if he built 24 units?

Mr. Dixon: I would only have to worry about four owners then, and not six.

Commissioner Christensen: Well if he builds what he can build right now you are going to have just as many children in there, it would be all parking lots. I am having a hard time understanding what the difference is if he has six four plexes, or six eight plexes, or four eight plexes? What is the difference?

Mr. Dixon: You have got four owners too, not six that you have to put up with.

Mr. Zedlek: We are also filing CC & R's for the maintenance of the grounds area according to the requirements of the City. We are trying to meet the requirements, but we can't see how we can down grade something and then they object to that.

Carol Sullivan: I live at 109 Catalina. We didn't receive anything from this gentleman at all. If the zoning stays as it is will there only be one property owner?

Mayor Briare: There is no requirement one way or the other. It is not who owns it, or how many people own it, it is what is the ground zoned.

Carol Sullivan: Wouldn't it be one partnership and one group of people taking care of it?

Mayor Briare: From a physical standpoint it wouldn't make any difference.

Carol Sullivan: Well if he can sell eight four-plexes why does he want to....

Mayor Briare: Do you really care how he does the property, other than you would like to have a nice development across the street from you. Would you rather have six four-plexes, or nine four-plexes?

Z-23-78  
Continued

Carol Sullivan: We would rather have nine four-plexes. Also at the planning commission this gentleman did make several erroneous statements. To the right side those are town houses, and to the south side of Bradley there is town houses with an association very well maintained.

Mr. Zeldek: Those are R-4 as apartments.

Carol Sullivan: I think the residents of the area have the right. This man does not live in the area, and I think the residents of the area have a right to control what is in that area.

Mayor Briare: How long have you been there?

Carol Sullivan: Three years.

Mayor Briare: Did you check to see what the property across the street was zoned?

Carol Sullivan: No I didn't.

Mayor Briare: Unfortunately it happens so many times, where property will be zoned in a certain manner which allows a person to do that which allows the person to do.

Carol Sullivan: Well we want to keep it the way it is zoned.

Mayor Briare: Well now we have two unusual situations, where you folks come forward and want more density than what the people are asking for. You are speaking in favor of the Master Plan?

Carol Sullivan: Right.

Commissioner Christensen: Well the master plan is a guide, and it does not dictate that you maintain high density.

Carol Sullivan: Well don't we have something to say?

Commissioner Leavitt: What you are telling us is that you want more units in that development than what he is going to build?

Carol Sullivan: We want a guarantee that that area is going to be maintained well, and it looks well.

Mayor Briare: We can't guarantee you that.

Commissioner Leavitt: We can't guarantee that. You might have a slob moving next door to you. What you are telling us is what you really want is that you want us to allow more units than what this man wants to build. More people, more problems in the schools, more traffic, you want these things?

Carol Sullivan: How can you put children in a 600 square foot apartment?

Z-23-78  
Continued

Commissioner Leavitt: You want more traffic, more people than what he is going to build. Is that what you want?

Carol Sullivan: No we don't want that, but I think....

Commissioner Leavitt: That is what you are telling us.

Carol Sullivan: Well we would just rather keep it the way it is.

Commissioner Leavitt: He is asking to put less in.

Mr. Dixson: Would you just do me one favor. Just go up there and look at the lots and you can understand our situation.

Joan Dorvell: I live at 5612 Reba. Why is it necessary for there to be a zoning change and then have him build the kind of buildings that he is going to build?

Mayor Briare: Because that is what the regulations call for. He can build 36 units there, and he wants to have a planned development where they utilize the entire property, but they build less units than what is allowed.

Mrs. Dorvell: What we are worried about is that what he is planning to build is of lower quality than is already there. We understand that there are going to be fewer people for these units.

Mayor Briare: He has to market these, he has to worry about finding people to buy these.

Mrs. Dorvell: Well we are worried about the kind of people that are going to live there, and the quality of life that is going to live there. When you rent a very small unit to a large number of people, that they are not going to have a very pleasant life in that area.

Commissioner Christensen: That can happen in an apartment house.

Mrs. Dorvell: Well from our point of view, we see well maintained buildings with swimming pools and court yards, and people without children. I understand what you are saying, but the property that exists there now in R-4 zoning is of higher quality than the property that this gentleman is planning on building.

Commissioner Christensen: How do you know that?

Mrs. Dorvell: Well we don't we just suspect. We may be wrong, but that is what we suspect. That is why I asked you the question of why the zoning change.

Commissioner Christensen: Well on one hand you say you want to know who the owner is, and you want it to be one owner instead of 6 people because you can better control the maintenance. That is exactly contradictory, because if you want to know who the people are, it is a lot easier if the guy that owns it lives there.

Z-23-78  
Continued

Mrs. Dorvell: What is the difference between R-4 zoning and whatever this other one is?

Commissioner Christensen: Density.

Mrs. Dorvell: But why does he need a zone change then?

Commissioner Christensen: For the same reason you can't live in a commercial district. It is a violation of the law.

Mrs. Dorvell: You mean you can't do something with less density than it is zoned for?

Commissioner Christensen: It is not only density, it is use.

Mayor Briare: When that plan is submitted he is obliged to stick to that plan. He is not allowed to do whatever he wants. If he wanted to build 36 units all he would have to do is go to the Building Department and gets a permit and goes out and builds. The City doesn't have anything whatsoever to say about it. Now what he is trying to do is have less density and build homes in a planned manner. Where they would make sense. It would be a planned unit development, as opposed to nine four-plexes laid out in any square or way. I think we have done the very best we can to explain. Obviously you folks who are protesting this, you would rather have more units there than what he is asking for. This commission has to decide whether it is better that he have a planned unit development that he has to stick with, or whether he just goes and builds part of it right this afternoon.

Mrs. Dorvell: Maybe what we are worrying about is beyond the reach of the law. I just wanted to let you know clearly what we are worried about, and that is that these buildings will be of lower quality than the existing buildings.

Mayor Briare: Do you live in a family unit?

Mrs. Dorvell: I live in a single family dwelling. I don't live in an apartment.

Mayor Briare: There is only one family there?

Mrs. Dorvell: Right. What we worry about is large numbers of children moving into these buildings.

Mayor Briare: How many children do you have?

Mrs. Dorvell: I have three, and I live in a single family residence. I live in one house with four large bedrooms, two bathrooms, a living room and a family room. That is adequate as far as I am concerned. Those 625 square foot apartments strikes us as just to small.

Z-23-78  
Continued

Cher Leigh: My house is 5705 right next to the property. I think what we are protesting is the amount of people or the amount of dwellings. I think what we are protesting is, the amount of parking, and the amount of driving, and the amount of people that it is going to bring in. They are going to put family units in 625 square feet. There is four of those in one four-plex. There is a space and a half for each car. They are going to use my block wall as a car stop. There is going to be 10 feet from my block wall to the building.

Mr. Saylor: What she is saying that her lot immediately abuts here, and I believe her house would be about in this location. (Referring to the map). Evidently she has a block wall along the side line here. This parking is designed where there would be cars parking in this direction, which would put it right up against her wall.

Cher Leigh: They want to use my fence as a car stop, and when I was looking for the owner of the property I couldn't find him anywhere.

Commissioner Christensen: What do you mean car stop?

Mr. Saylor: The parking is designed such that these cars would face in, the end of the parking stall would be her block wall.

Mayor Briare: What would you do to take care of something like this if this were allowed?

Mr. Zedlek: Put bumpers up there.

Commissioner Woofter: For your information, even if we didn't consider the change of zoning they could use your wall anyway.

Cher Leigh: How can they use my wall when I tried to get them to pay half of it when I put up my wall?

Commissioner Woofter: On that side they can use it.

Commissioner Leavitt: It is not going to effect your wall either way.

Cher Leigh: It will if somebody gets drunk and hits it?

Commissioner Christensen: We can't leave property vacant in order to protect that wall.

Mayor Briare: Comments by the Commissioners? (No response).

Commissioner Woofter: I am going to make a motion to approve the applicants appeal.



# AGENDA

# City of Las Vegas

BOARD OF CITY COMMISSIONERS  
 COMMISSION CHAMBERS • 400 EAST STEWART AVENUE  
 PHONE 386-6011

ITEM

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. ABEYANCE ITEM - MASTER PLAN OF STREETS AND HIGHWAYS

\*Approved

Staff authorized to proceed

East leg of the Freeway, Maryland Parkway Interchange.

B. REQUEST OF ALEX HURTADO - LEASE CITY PROPERTY

Abeyance

5/3/78 - C/A to have written Opinion

Request to lease City property at the northwest corner of Rancho Road and the Las Vegas Expressway.

C. ZONE CHANGE - Z-23-78 - GEORGE L. COTE

Approved subject to conditions, including installation of car bumper stops adjacent to abutting block wall  
 Woofter - unanimous

Clerk to notify

Property generally located south of Reba Avenue at Orland Street.  
 From: R-4 (Apartment Residence)  
 TO: R-PD 15 (Residential Planned Development)  
 Proposed Use: 24 multi-family units.

Director authorized to proceed

Planning Commission unanimously recommends DENIAL.

Protests: Approx. 60

\*Allowing the State to proceed with the construction without an interchange at Maryland Parkway, subject to the condition that the City would maintain a proposed interchange at Maryland Parkway on its Master Plan to preserve the consensus that at some future date an interchange at that location would receive further consideration

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ITEM	Commission Action	Department Action
<p>XI COMMUNITY PLANNING &amp; DEVELOPMENT DEPARTMENT <u>CONTINUED</u></p>		
<p>D. <u>TENTATIVE MAP - RESUBDIVISION - NORTHRIDGE UNIT 1-A</u></p> <p>Property located north of the Las Vegas Expressway, between Jones Boulevard and Decatur Boulevard, R-4 zone (proposed R-PD 15). Owner: George L. Cote Subdivider: Property Systems 1.65 acres - 6 lots.</p> <p>Planning Commission recommends DENIAL (5-yes, 1-no).</p>	<p>Approved Subject to conditions Woofter - unanimous</p>	<p>Director authorized to proceed  Clerk to notify</p>
<p>E. <u>ZONE CHANGE - Z-18-78 - E. F. THOMOPOULOS</u></p> <p>Property located at 1527 West Bonanza Road. From: R-E (Residence Estates) To: R-3 (Limited Multiple Residence) Proposed Use: 22-unit duplex apartment development.</p> <p>Planning Commission unanimously recommends APPROVAL subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. Resolution of Intent to be restricted to a twelve month time limit.</li> <li>2. Construction of concrete sidewalk and driveway aprons on Bonanza Road frontage as required by the Department of Public Services.</li> <li>3. Dedication of 15' right-of-way on Bonanza Road within 60 days after approval of the zoning.</li> <li>4. Construction of a 6' high masonry wall on the east property line.</li> <li>5. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and permanent underground sprinkler system shall be cause for revocation of a business license.</li> </ol>	<p>Approved as recommended by Planning Commission Leavitt - unanimous</p>	<p>Clerk to notify  Director authorized to proceed</p>



# AGENDA

# City of Las Vegas

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ITEM

Commission Action

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XI COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT CONTINUED

Item "F" continued . . .

maintain required landscaping and underground sprinkler system shall be cause for revocation of a business license.

4. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.
5. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
6. Conformance to the plot plan to reflect the above conditions.
7. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

PROTESTS: 0

See Page 38

See Page 38

G. ZONE CHANGE - Z-20-78 - FOUR RENT, INC.

Property generally located on the east side of 28th Street between Valley Street and Charleston Boulevard.

From: R-1 (Single Family Residence)  
To: R-PD 39 (Residential Planned Development)

Proposed Use: 124-unit studio apartment project.

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. Application be amended to R-PD 34 zoning.
3. Construction of curb, gutter, sidewalk and street lighting on 28th Street frontage as required by the Department of Public Services.

Approved as recommended by Planning Commission  
Leavitt - unanimous

Clerk to notify Director authorized to proceed

# AGENDA

## City of Las Vegas

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ITEM	Commission Action	Department Action
XI COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT CONTINUED		
Item "G" continued . . .	See Page 39	See Page 39
4. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.		
5. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.		
6. Conformance to the plot plan to reflect the above conditions.		
7. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.		
8. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.		
PROTESTS: 0		
H. ZONE CHANGE - Z-21-78 - ROLAND & SANDRA HUHN and KENNETH & SANDRA CROMER		
Property located at 916, 918 and 920 East Bonanza Road. From: R-3 (Limited Multiple Residence) To: P-R (Professional Offices & Parking) Proposed Use: Professional Office Buildings.	Approved as recommended by Planning Commission Woofter - unanimous	Clerk to notify Director authorized to proceed
Planning Commission unanimously recommends APPROVAL subject to the following conditions:		
1. Resolution of Intent to be restricted to a twelve (12) month time limit.  2. Dedication of a 25 ft. radius corner as required by the Department of Public Services.		

ITEM

Commission Action

Department Action

XI COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT  
CONTINUED

Item "H" continued . . .

3. Construction of concrete sidewalk on Bonanza Road and 10th Street frontages and installation of one street light on Bonanza Road frontage as required by the Department of Public Services.
4. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
5. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.
6. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
7. Conformance to the plot plan to reflect the above conditions.
8. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

PROTESTS: 0

I. ZONE CHANGE - Z-22-78 - GERTRUD KOCH-BIBER

Property located at 1721 Eastern Avenue.  
From: R-1 (Single Family Residence)  
To: P-R (Professional Offices & Parking)  
Proposed Use: Office.

Planning Commission recommends APPROVAL (5-yes, 1-no) subject to the following conditions:

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Approved as recommended by Planning Commission  
Leavitt - unanimous

Clerk to notify Director authorized to proceed

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XI COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT  
CONTINUED

Item "I" continued . . .

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See Page 41

1. Resolution of Intent to be restricted to a twelve month time limit.
2. Construction of a 6' high masonry wall on the east property line.
3. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler system shall be cause for revocation of a business license.
4. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.
5. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
6. Conformance to the plot plan to reflect the above conditions.
7. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

PROTESTS: 1

J. REVERSIONARY MAP - PORTION OF PARKCHESTER  
HOUSE

Property generally located at the southwest corner of Coran Lane and Parkchester Drive, reverting existing zoning to acreage containing approximately 13.2+ acres.

Owner: Home Savings Association, et al  
Subdivider: Watkins Development Corporation

Planning Commission unanimously recommends  
APPROVAL.

Approved as  
recommended by  
Planning  
Commission  
Woofter - unanimous

Clerk to notify  
Director  
authorized  
to proceed

# AGENDA

## City of Las Vegas

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ITEM	Commission Action	Department Action
<p>XI COMMUNITY PLANNING &amp; DEVELOPMENT DEPARTMENT CONTINUED</p> <hr/> <p>K. ZONE CHANGE - Z-24-78 - HOME SAVINGS ASSOCIATION, ET AL</p> <hr/> <p>Property generally located on the southwest corner of Coran Lane and Parkchester.</p> <p>From: R-E (Residence Estates) - Under ROI to R-1 PUD "RPD 5"</p> <p>To: R-1 (Single Family Residence)</p> <p>Proposed Use: Single Family Homes</p> <p>Planning Commission unanimously recommends APPROVAL subject to the following condition:</p> <ol style="list-style-type: none"><li>1. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.</li></ol> <p>PROTESTS: 0</p>	<p>Approved as recommended by Planning Commission Woofter - unanimous</p>	<p>Clerk to notify Director authorized to proceed</p>
<p>L. TENTATIVE MAP - WATKINS PARK</p> <hr/> <p>Property generally located at the southwest corner of Coran Lane and Parkchester Drive, R-E zone (ROI to R-1 PUD "RPD 5") to proposed R-1.</p> <p>Owner: Home Savings Association, et al</p> <p>Subdivider: Watkins Development Corporation</p> <p>13.2+ acres - 59 lots</p> <p>Planning Commission unanimously recommends APPROVAL subject to the following conditions:</p> <ol style="list-style-type: none"><li>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.</li></ol>	<p>Approved as recommended by Planning Commission Woofter - unanimous</p>	<p>Clerk to notify Director authorized to proceed</p>



# AGENDA

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ITEM Commission Action Department Action

XI COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT CONTINUED

Item "M" continued . . .

2. Approval of Zoning Request Z-24-78.
3. Street names to be provided in accord with the City's Street Name Policy.
4. Subject to all conditions of City departments and State Subdivision Statutes.

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See Page 43

II. ZONE CHANGE - Z-25-78 - VALLEY BANK OF NEVADA

Property generally located on the northeast corner of Owens Avenue and Highland Drive.  
 From: R-3 (Limited Multiple Residence)  
       R-4 (Apartment Residence)  
 To: C-2 (General Commercial)  
 Proposed Use: Convenience Market and Office Building.

Approved as recommended by Planning Commission  
 Woofter - unanimous

Clerk to notify Director authorized to proceed

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. The requested C-2 zoning to be amended to C-1.
3. Construction of a 6' high masonry wall on the north property line.
4. Construction of curb, gutter, sidewalk and street lighting on Owens Avenue frontage as required by the Department of Public Services.
5. A detailed plot plan to be submitted and approved.
6. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler system shall be cause for revocation of a business license.

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XI COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT  
CONTINUED

Item "N" continued . . .

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See Page 44

7. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.
8. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
9. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

PROTESTS: 0

N. TENTATIVE MAP - KINGSCREST

Property located southwest of Diamond Head and Page Street (ROI to R-PD 6).

Owner: Lester B. Hicks

Subdivider: Jim Boeker

9.86 acres - 60 lots.

Approved as recommended by Planning Commission  
Woofter - unanimous

Clerk to notify Director authorized to proceed

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. There shall be no vehicular access to the Cedar Avenue Drainage Channel from the abutting lots.

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XI COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT  
CONTINUED

Item "O" continued . . .

3. The developer is to pay for the construction of one-quarter of a drainage structure (bridge) at Page Street and the Drainage Channel; to construct a six ft. block wall fence on the channel right-of-way line; shape the channel as necessary; and extend the sewer line on Diamond Head Drive to the west property line.
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 45

See Page 45

O. EXTENSION OF TIME and REVIEW OF CONDITIONS  
#2, #3 and #8 - Z-28-77 - VALLEY HOSPITAL

Property located at 1823 and 1901 Pinto Lane, 609 and 641 Kingsbury Lane and 731 Rose Street, ROI to P-R. (no previous extensions)

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

1. Regarding condition #1, an extension of time was granted for a period of one year.
2. Regarding conditions #2, #3 and #8, permission was granted to allow an additional period of one year in which to comply and Rose Street is to be provided with an oil surface.
3. All other conditions of approval on the original zoning under Z-28-77 shall be adhered to.

Approved as recommended by Planning Commission  
Woofter - unanimous

Clerk to notify Director authorized to proceed



ITEM	Commission Action	Department Action
<p>XI COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT CONTINUED</p> <hr/> <p>P. REINSTATEMENT AND EXTENSION OF TIME - Z-96-76 TEMPLE REALTY/TEMPO DEVELOPERS</p> <hr/> <p>Property located on the south side of East Bonanza Road between Las Vegas Boulevard North and North 7th Street, ROI to C-2. (no previous extensions)</p> <p>Planning Commission unanimously recommends APPROVAL subject to the following conditions:</p> <ol style="list-style-type: none"><li>1. Extension of time granted for a one-year time period.</li><li>2. All requirements imposed by ordinances adopted subsequent to the initial approval of this application shall be adhered to.</li><li>3. Subject to all conditions imposed on the original approval of Z-96-76.</li></ol>	<p>Approved as recommended by Planning Commission Woofter - unanimous</p>	<p>Clerk to notify Director authorized to proceed</p>

U-88-77 Mayor Briare: Is there anyone present who wishes to be  
DETERMINATION heard on this matter? (No response).

TO REHEAR

LIGHTHOUSE Commissioner Leavitt: Were they notified?

APPLICATION

Request Mayor Briare: Mr. Sloan on this one specifically....

for rehearing Mr. Dorn: They were notified by the City Clerk.  
denied

Mr. Saylor: I don't know if they are any longer interested in a rehearing. I have been advised by the building department that all of the ladies that had been staying there are no longer there, and the owner was looking for another location.

Mayor Briare: Mr. Sloan what would be the question that would be put to this Commission for our action one way or other?

Mr. Sloan: The question is whether or not the Commission wants to go into rehearing. Previously we have given you a written opinion setting forth the circumstances in which it was justified in granting a rehearing. There is basically two categories, one is a mistake of material fact from misrepresentation, or some type of fraud which has taken place in the hearing which has induced an erroneous decision. Then the Commission would have the power to rehear that. The second is that if we feel there has been a failure to produce information or evidence which would possibly change the decision that the Commission has previously reached. If there is a justifiable excuse where it was presented at the initial hearing, and if there is no vesting the third party rights. So you don't create rehearsings except under the most unusual circumstances. I think the brief time that I have been working here that you have not granted rehearing in a couple of occasions that have come up. We have concluded that the narrow standards which our office has set forth to govern rehearsings have precluded rehearsings in almost every instance. As to the Lighthouse I have heard from the representative of the Lighthouse, indirectly I was informed that this matter would become mute. He called me this morning and I returned the call, but I have not been able to talk to him. I assume by their failure to appear that we might be safe in concluding that they are not pursuing this. Because this would be the time for them to appear with some justification for granting the rehearing. I think it would be improper for you to go into the rehearing if they don't have someone present to articulate the kinds of things which I have eluded to in this statement.

Mayor Briare: So the motion then; if the maker of the motion should not want to hear it would simply be that it would be a motion to deny the request for a rehearing?

Mr. Sloan: Correct your Honor.

U-88-77 Mayor Briare: What is the pleasure of the Commission on Item  
Continued A?

Commissioner Leavitt: So move.

Mayor Briare: Comments on the motion? (No response).  
Cast your votes. Motion is approved and the request for  
a rehearing is denied.

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

DETERMINATION Mayor Briare: The next item is a determination on whether  
TO REHEAR to rehear the application of Horst Schmidt. Counselor would  
THE APPLICATION you come forward. We have your petition for rehearing.  
OF HORST I don't see a date on it.  
SCHMIDT, ET AL

Z-15-78 Mr. O'Brien: It was delivered to the Commission yesterday.

Request for Mayor Briare: You have outlined in your petition those  
Rehearing items that you feel are grounds for requesting a rehearing.  
Denied Is there anything you would like to add to that?

Mr. John O'Brien: 225 East. Bridger Avenue. It is simply  
our position that the West Charleston area around the  
subject property is developed more and more into a commercial  
area rather than a residential area.

Mayor Briare: I don't think we want to hear the arguments  
again which have already been presented. I think in your  
documents here you suggest that there were matters taken  
that were arbitrary, unreasonable, invalid and unlawful.  
Then you went on further in your letter to back some of those  
statements up. I think the matter before us today are those  
items, in order to give us something in our mind that we can  
go on, based on the information that was just given to us  
by the City Attorney as to what items we have to consider  
in order to give you a fair hearing.

Mr. O'Brien: I can let my petition speak for itself.  
I submitted that, and all I would really do is possibly  
elaborate a little on that.

Commissioner Christensen: I would like to pose a legal  
question here to our City Attorney. Have you read this  
petition Mr. Sloan?

Mr. Sloan: Yes I have.

Commissioner Christensen: Can you give us an opinion on whether  
you think there is sufficient grounds there for a rehearing or  
not?

Z-15-78  
Continued

Mr. Sloan: Well it appears to me that Mr. O'Brien primarily disputes the original decision made and it does not meet the criteria for a rehearing in that he does not point to any mistake fact, or misapprehension of the fact which was engaged in by the Commission, or any fraud, or misrepresentation which caused the Commission to reach an improper conclusion. I think he disputes the conclusion which you have reached, but not on the basis of any of those factors. I think the rehearing would not be in accordance with the procedures which I previously outlined. I think it is just a question that they don't like the decision.

Mayor Briare: Mr. O'Brien has indicated that he will stand with his original submission. Do you have anything else?

Mr. O'Brien: No sir.

Commissioner Woofter: On that basis I have no other recourse then to make a motion to deny the petition for rehearing.

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

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

Mayor Briare: Mr. O'Brien let me ask you a question. I thought I saw your client here a little earlier. You are his lawyer, could you explain to this Commission why, at his hearing which was heard, that he refused to submit any plans, or any suggestions to our Planning Department as to what he intends to do with the property?

Mr. O'Brien: He intends to develop it in a commercial nature. The exact development along the lines of a shopping center is what I understand.

Mayor Briare: He just refused to do what everybody else in the City of Las Vegas does.

Mr. O'Brien: As I understand the zoning ordinance in this particular circumstance, is that I don't believe it was required that he submit plans. Possibly in view of the neighborhood feelings towards him, and possibly some feelings on the Commission towards him, I don't know if that would have made any difference at all as to the types of plans. I certainly would assure the Commission that any development of his would be a credit to that particular area. The man would make a substantial investment, and of course anything that is not compatible to that area would be to his own detriment. He certainly wants to give credit, and to be accepted there. I sense that there is some personal feelings here that maybe over a period of time that this can be resolved among all concerned.

Z-15-78  
Continued

Mayor Briare: Sensing things Mr. O'Brien are subject to interpretations by a wide variety of people. Matters of fact such may or may not be the case at all. Relative to personal feelings.

Mr. O'Brien: I was thinking in reference to your comments to him at the hearing on April 5th.

Mayor Briare: Well I indicated that I didn't care what his feelings were. We try not to deal with emotions on this board. We try to do things that are helpful to us to make a decision, and when a person comes up and resents comments made or one thing or another, that has no place here at all.

Mr. O'Brien: Well I can see the electricity between you.

Mayor Briare: Can you really. Do you learn that in law school, or does that come about....

Commissioner Christensen: Any time a zone change is granted like that, if it were to be granted, he would have to submit a plan for a plot plan review would he not Mr. Saylor? So he would have to submit plans before they issued building permits.

Mayor Briare: When a person just absolutely refuses to do that then it sure puts us at a disadvantage.

BIG CHAPARRAL  
REALTY  
REQUEST FOR  
REHEARING  
Request for  
Rehearing  
Denied

Mr. Sloan: Let me explain this if I may. This is a reclassification of property which was before the Commission on December 21, 1977. The Commission at that time turned down the application. Through error a letter was sent out to the applicant notifying them that this Commission had in fact approved the application. Thereafter the people who are in business in Chaparral Realty purchased this building based on the representation that it had been changed from R-E to P-R. They moved their business in there, and I will let them explain further the reliance that they had had on this mistaken letter. In any event when this matter was brought to my attention we had the double difficulty that they are operating under a temporary business license, which will expire the middle of next month. If we were to comply with the strict letter of the open meeting law, in terms of adding, or walking an item on, it would certainly be to their detriment. I cannot believe, and I think it is consistent with the early opinion which my office gave you on the first week of June, and also with the Attorney Generals opinion that it would be clearly proper for us to add this on as an unusual and unforeseen development, which certainly can have no adverse impact on the public, but for the benefit of citizens to allow you to come before you today. To petition for a rehearing based on the reliance of the mistaken letter which has been sent out. I am confident, and would be willing to advise you that you would not be violating the open meeting law. Based on that I can't believe, even if I was in error, that when I might suffer for it I am sure that you would not. I think on that basis I would like to ask that you give these people an opportunity to address you on this question of rehearing.

BIG CHAPARRAL Mayor Briare: Would you like to proceed sir?  
Continued

Bob Lazorsnek: I am one of the co-owners of Big Chaparral Realty. What we did on this particular piece of property. We had originally been renting an office on West Charleston which had become too small for us. We have been looking for a house that we could convert into an office. We found this one which seemed to be well suited to our needs, and made an offer to the owner of the property contingent upon the property being reclassified P-R, so that we could use it for our business. That was the only reason we were going to buy it. We appeared before a Planning Commission meeting where she had the application in, and I myself spoke in favor of it, although it was not our application for reclassification. At the Planning Commission meeting it failed, and we were not aware that it did automatically come up before the City Commission. I thought once it failed before the Planning Commission that that was it. Then early in January we received a letter from the previous owner of the property, and the letter had 10 specific conditions on this property set forth by the City Commission. Items that had to be put in, curbs, gutters, sidewalks, a 15 foot radius curb at one of the corners, and so forth, and at that meeting it had been approved. When in fact I understand that it had not, but we did not come to the City Commission meeting, and so we just acted on that and bought the property. Since then I have done some of the work. I have had it surveyed and staked for curbs gutters, sidewalks and so forth, and we are now operating on a temporary business license. Since we closed down our other office, we have been in this other office for approximately one month, our temporary business license runs out the 14th of May. We have been trying to get something accomplished for ourselves in terms of the rehearing for reconsideration on the matter, because we really have no where to go. We have sunk all our money into the purchase of this property.

Mayor Briare: Mr. Saylor do you have a recollection of why it was denied? What street is this on?

Mr. Lazorsnek: It is on Arville, and it is between Mountain View and Delmonte.

Mayor Briare: Oh, it is in from Charleston. I remember the application. Is that the one that is on the East side of the street?

Mr. Saylor: Right.

Mayor Briare: I remember that, and I know why it was turned down. I don't recall whether there was anybody here to represent the application. I remember there were....

Commissioner Christensen: There is a couple of questions that come immediately to my mind. We have real estate people in here every meeting for zone changes. If I am not mistaken Mr. Saylor, do we not have a large sign similar to the one posted on the easel right here, that points out that everything heard at this meeting

BIG  
CHAPPARAL  
Continued

will be heard by the City Commission on such and such a date?

Mr. Saylor: Right the Planning Commission has a notice in front of this board here, plus the chairman will announce as each item is taken that this will go before the City Commission on such and such a date.

Commissioner Christensen: Don't most of the real estate people know that zone changes have to come before the City Commission, as well as the Planning Commission?

Mr. Lazorsnek: I have never been involved myself, nor has anyone in our office been involved in a zone change.

Commissioner Christensen: Don't they teach that in real estate courses?

Mr. Lazorsnek: What they teach in real estate courses wouldn't help you sell a dog house.

Commissioner Christensen: I am not talking about selling dog houses, I am talking about reclassifying property. They don't teach that?

Mr. Saylor: Well they touch on it Commissioner, but so briefly that you couldn't really learn anything.

Commissioner Christensen: Maybe you ought to send them a letter and point out to them that you should include that in their courses.

Mr. Sloan: If I might interject on the legal side, and not in terms of the fairness of this. It is a difficult situation. These people have relied upon a letter that was sent out in error. Actually the City cannot be bound by a mistaken letter. The rezoning is done by the Commission and not by the Clerks office. The situation is that they are presently operating in a location which they are not zoned to do. The minutes indicate to me that the owner at that time was present. I think we have a serious problem here that in fact the person was present, and received that letter. That may be less than full candor on the owners part with these people. Now their ultimate recourse may be from the owner. You still have to consider this as a matter of zoning, and the fact that they have relied on it may or may not and probably does not impact in my judgement the factors you could properly consider in rezoning.

Mayor Briare: Are you aware of what transpired at this meeting when the application was denied?

Mr. Lazorsnek: No I am not. Oh yes I have a copy of the letter that was sent yes.

Mayor Briare: O.K., a request was made by the Mayor is the applicant present. I can't conjecture as to what happened, but my next comment was "do you wish to add anything to your proposal" and the response was "negative reply". "Is there anything else to protest this application, and there would be no one else in the audience to protest, or to speak in favor of anything else".

BIG CHAPPARAL

Continued

Then the Commission followed the recommendation of the Planning Commission. Now were you in escrow at the time?

Mr. Lazorsnek: No we were not.

Mayor Briare: So the owner came to you and indicated to you that he or she was approved?

Mr. Lazorsnek: After they received the letter on January 3rd. Not after the meeting on December 21st.

Mr. Sloan: Do you know if the owner was present at the meeting on December 21st?

Mr. Lazorsnek: I do not, I have not talked to the owner. I tried to contact the owner because he asked in your request for a letter from us requesting that we get on the agenda for today, that I have her sign it. I tried to get ahold of her for three days. I don't know if she is out of town or what, so I submitted this to her realtor. She had it listed with another real estate office when we bought it, and asked if she could possibly get ahold of her and get it signed, and get it back to me.

Mr. Sloan: Do you know if this is her signature?

Mr. Lazorsnek: I don't know.

Mr. Sloan: Would you know her signature if you saw it?

Mr. Lazorsnek: I wouldn't unless I checked back on the acceptance agreement that we have.

Mr. Sloan: Just as a technical matter, it was our position that the only person who could technically could ask for a rehearing would be the applicant in question. So we insisted that they have the previous owner sign this request. I would just like to know whether or not she was here. The minutes to my understanding would indicate that she was present. I just wanted these individuals to come before the Commission today so, if you are not going to grant a rehearing then they have an opportunity to proceed in court while they still have a temporary business license.

Mayor Briare: Is there any administrative action that could be taken, so if we do decide to do something, that these folks will have a little relief while we are doing it?

Mr. Sloan: At one point we were about to revoke the temporary business license, and we did not do that.

Mr. Lazorsnek: Could I point something else out to you? If we are relying strictly on the minutes of the meeting, there is one item in the minutes of the meeting that must be in error. Toward the bottom of the minutes of that meeting it says, "that

BIG  
CHAPPARAL  
Continued

the residents in the neighborhood would like to keep that property zoned commercial rather than professional." I don't understand why someone would want a 7-11 as opposed to a real estate office. If that is true, then I don't understand. So you may have more than one error in the minutes.

Mr. Sloan: The minutes that you are referring to quote Mr. Saylor as saying, "that there were four protests opposing this by property owners in the area. They were opposing the office classification indicating they wanted to keep it commercial." At least that is what the minutes quote you as saying, that he makes reference to.

Mr. Saylor: I don't know if I said it or not. Obviously if I did I meant residential.

Mayor Briare: They wanted to keep it residential.

Mr. Saylor: Right.

Mayor Briare: Well the matter before us then is the same thing. Should we allow a rehearing which of course would mean that we would have to advertise, or we would have to send out notices and so on and so forth.

Commissioner Woofter: You know what the extent of that is, if we decide to rehear it then we again consider the merits of whether to rezone this.

Mr. Lazorsnek: I understand.

Mayor Briare: One of the things that I think we could not consider is the fact that this, well of course we consider the fact that an error was made, it was not your error.

Commissioner Christensen: Well when you start petitioning for a rehearing you are doing only one thing. You are removing the requirement of the payment of the fee for rezoning application, and you are removing the requirement to go to the Planning Commission. Because it has been in excess of the four month period that is required, so they can come in with a rehearing anyway without petitioning us. The only thing you are going to do by rehearing it would bypass the Planning Commission and bypass the fees. Is that correct Mr. Saylor?

Mr. Saylor: Essentially yes.

Commissioner Christensen: I can appreciate the hardship that has been worked on these innocent partys. I think that we are being used by the original applicant, where there was an error made, and they are utilizing that error in order to unload this piece of property. You may have trouble proving that in court, that may or may not be, but I think we would

BIG  
CHAPPARAL  
Continued

establish a dangerous precedent if we were to rehear property based on clerical error made in the City staff somewhere. Consequently it would be very difficult for me to change my feeling on the zoning, which was denied unanimously. If we were to do this, then we would establish a system in the City of Las Vegas, where if you didn't like the zoning decision you got from the Commission all you would have to do is rely on an error somewhere and get that decision over turned.

Mr. Lazorsnek: In this particular situation if we could get a rehearing I think we could demonstrate that the property should be zoned that way anyhow. At the meeting that the previous owner either did, or did not appear at, she did not speak in behalf of the; she was not aware of what we wanted to do with it. All she wanted was a general P-R zoning. I think if we were given the opportunity to demonstrate what we want to do with that property, and show how it would be improved, then perhaps we could change your mind. Not based on the fact that there was an error, but based on the fact that maybe it should be zoned that way any how.

Mayor Briare: Did you pay cash for the property, or did you have a mortgage?

Mr. Lazorsnek: We had a mortgage with 20% down, so we have got \$16,000.00 sunk into it.

Mayor Briare: Have you approached the people, the people that sold it to you, and asked them what their explanation is?

Mr. Lazorsnek: We were just advised of this error approximately a week ago, and since then I have not been able to personally get in touch with the previous owner. The only contact that I have had is this letter that was signed through another real estate office, and then delivered to us so we could get it done in time to get on the agenda for today.

Mayor Briare: It would seem to me like the initiative for the moment should be yours. To broach the previous owner and ask them to give you an explanation of why they were present for their denial, and then because of a mistaken letter, went ahead and consummated an escrow with you. The reason I say that is that I subscribe to what Commissioner Christensen has mentioned here, except for the part about discovering a mistake. In this instance I think it was the City's mistake.

Commissioner Christensen: Well there is no question that it was the City's mistake. It is something like if you found a diamond ring laying on the street and you knew good and well it wasn't yours, and without bothering to try to find the owner you peddle it to somebody for \$300.00 and pocket the cash. That doesn't make you right.

BIG  
CHAPARRAL  
Continued

Mr. Sloan: I think the point too, when we talk about a mistake being one of the grounds for rehearing that it has to be a mistake in the zoning. Not a mistake necessarily occurring subsequent to the zoning. In this case we have had no offer of proof as to the mistake of the zoning initially, but the mistake has been with the Clerks Office in sending out the wrong letter.

Commissioner Christensen: I was going to point this out and say that it would be my recommendation, and if it requires a motion I will make it; that rather than rehear it, if what this gentleman says is true, that he feels that he can convince us, then apply for a zone change. Go right through channels.

Mayor Briare: In the meantime though is there some way we can give them administrative relief, is there some way, in view of this particular complication that he can go ahead and continue business for a period of time until this is resolved?

Mr. Sloan: He does have a temporary business license through the middle of next month. I imagine something similar to the Lighthouse, that when we find people who are operating not in complete compliance with the various provisions of the Code, that we send them out warning letters. It takes us a little while to get around enforcing the law. I would assume that it would probably take my office until after this came before the Commission before we would take any steps against Chaparral Realty for not complying with the law. If they file an application to Mr. Saylor.

Commissioner Woofter: How long would it take to expedite this Mr. Saylor, so it can get on our agenda.

Mr. Saylor: If an application were filed like tomorrow or the next day it probably would not get to you until the 1st of June. However there is provisions even on a temporary license for another 60 days I believe.

Mayor Briare: Supposing we were just to take the position that we suggest that you proceed along that line. I would like you to see you aggressively pursue the answer to the question why did this seller allow this to occur. I sure wouldn't want you to think that I am going to change my vote.

Mr. Lazorsnek: No, I am going to try to convince you to change your vote, not based on the error, but based on the merits of the property.

Mayor Briare: In order for you to do that I will have to see you make some effort to correct the problem you are in, and thereby make the load a little bit different on this side of the table.

Mr. Lazorsnek: O.K.

Mayor Briare: Does the Commission have any objection to that? Thank you sir.

BIG  
CHAPPARAL  
Continued

Mr. Lazorsnek: In the interim we are going to have a problem with the protestants that are in the area, because one of the problems I think is with the parking. So right now all we have is just kind of temporary parking on a large circular drive that is in front of the property. We have planned a parking area, so we might get an overload of ptoestants because of the parking.

Mayor Briare: Well I think you had better work a little harder on that particular problem. What would you like us to respond to on that comment?

Mr. Lazorsnek: I guess nothing.

Commissioner Christensen: If it were me I would park on the grass temporarily.

Mr. Lazorsnek: We can't, our parking is set up so it is going to be surrounded by Oleanders. Right now all the grass area is still surrounded by Oleanders. All we were going to do is open up a section and have a hidden parking lot.

Mayor Briare: I think you have got a real case against that former owner. That is why I kind of sympathize with you because I put myself in your shoes. Anybody could easily get into a situation like that. I would sure be aggressive. I wouldn't ant to give you the impression, at least as far as this one vote is concerned, that you have got a great deal of encouragement there. On the other hand I can see how the problem arose and I sympathize with you. See what you can do, and if any of the neighbors get after you just tell them that there was a real bad problem, and that the Commission is going to address itself to that problem, but certain administrative procedures have to be followed. You go see Mr. Saylor and get some paperwork started.

Mr. Lazorsnek: O.K. we have got all the plans in, all we need is the application.

# AGENDA

## City of Las Vegas

BOARD OF CITY COMMISSIONERS  
 COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

XII. CITIZEN PARTICIPATION

A. DETERMINATION ON WHETHER TO REHEAR THE APPLICATION OF LIGHTHOUSE, INC. (U-88-77)

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 Avenue. R-E Zone.

Request for Rehearing Denied (Petitioner not present) Leavitt - unanimous

Clerk to notify Director to proceed

D. DETERMINATION ON WHETHER TO REHEAR THE APPLICATION OF HORST SCHMIDT, ET AL - ZONE CHANGE Z-15-78

Property located on the north side of West Charleston Blvd., between Campbell Dr. and Sheland Dr.

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

(Denied by the City Commission 4/5/78 as recommended by the Planning Commission)

Request for Rehearing Denied Woofter - unanimous

Clerk to notify Director to proceed

ADDITIONAL ITEM

Request by Big Chaparral Realty re 12/21/77 action of the Board of City Commissioners denying the request of Deborah Epkes for a Zone Change (Z-138-77) from R-E to P-R for property at 1553 Arville St. when, in fact, the applicant was inadvertently advised the request had been approved. The Big Chaparral Realty, on the basis of this erroneous information has proceeded to install certain offsite improvements and is operating at this location under a temporary Business License.

Request for Rehearing Denied

Big Chaparral Realty to apply for Zone Change

MEETING ADJOURNED AT THE HOUR OF 4:30 P.M.

# AGENDA

## City of Las Vegas

BOARD OF CITY COMMISSIONERS  
 COMMISSION CHAMBERS • 400 EAST STEWART AVENUE  
 PHONE 386-6011

Page 30  
 April 19, 1978

ITEM	Commission Action	Department Action
<p>V. MIKE SLOAN - CITY ATTORNEY</p>	<p>Adopted                      Resolution                      Woofter - unanimous</p>	<p>Staff                      authorized                      to proceed</p>
<p>A. Resolution setting a public hearing date of June 7, 1978 for annexation of approximately 10 acres of land generally located on the south side of O'Bannon Drive, west of Jones Boulevard. Annexation A-2-78</p>		
<p>At the request of Commissioner Leavitt, the City Attorney to outline procedure necessary to place a Question on the September ballot relative to the City of Las Vegas voting on General Obligation Bond issue to finance the City's share of new Jail Facilities.</p>		<p>C/A to proceed</p>

Mayor Briare: Anything else?

Annexation  
A-2-78  
Resolution  
Adopted

Mr. Sloan: Yes, there were two things we passed over. On the annexation, we were waiting for Mr. Saylor to tell us, or was that Commissioner Lurie's question? Maybe he is gone I don't know.

Mr. Saylor: Briefly the property is zoned R-E, however, I fear that there will be an application for R-1. Lewis Homes is developing immediately adjacent to this. We have allowed them R-1 zoning on that property, so I anticipate that they will make a request on this one to continue their development.

Commissioner Woofter: On that basis I move to approve.

Mayor Briare: Motion to approve.

Mr. Sloan: This sets the public hearing as June 7, 1978. This is just the first step in the procedure.

Mayor Briare: Oh, this is not an approval for the annexation. It is just part of the procedure. Further comments? (No response). Cast your votes. Motion is approved.

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

Mr. Sloan: The only other item that we had was the amendment to the ordinance on the aliens that Commissioner Woofter requested. He has agreed that we could hold that over to the May 3rd meeting so I could review that with Mr. Crow and his people.

Commissioner Christensen: Doesn't that require a motion to hold that over?

Mr. Sloan: Well I thought Commissioner Woofter might make such a motion. I thought since he is the Chairman of the Recommending Committee you might graciously consent.

Mayor Briare: Allright we are adjourned.

There being no further business to come before the Board at the hour of 4:30 P.M., Mayor William Briare declared this Regular Meeting of the Board of City Commissioners  
A D J O U R N E D.