

# MINUTES

## City of Las Vegas

BOARD OF COMMISSIONERS

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

DATE: July 19, 1978

TIME: 9:45 A.M.

INVOCATION: Rev. Evan Shea  
Spiritual Science Mother Church

PLEDGE OF ALLEGIANCE:

BOARD OF CITY COMMISSIONERS

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

CITY ATTORNEY

MIKE SLOAN

APPROVED BY REFERENCE October 4, 1978

ATTEST:

*Emmie M. Oasa* *William H. Briare*

CITY COMMISSION - REGULAR MEETING - MINUTES - PAGE 2

MINUTES

July 19, 1978

A Regular Meeting of the Board of City Commissioners of the City of Las Vegas, Nevada, held this 19th day of July, 1978 was called to order by his Honor, Mayor William H. Briare, at the hour of 9:45 A.M.

AGENDA POSTED July 14, \_\_\_\_\_, 1978 (See Page 3 of these Minutes Affidavit)

AGENDA MAILED July 13 \_\_\_\_\_, 1978 (See Page 4 of these Minutes Affidavit)

STAFF  
ATTENDANCE

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

AFFIDAVIT OF POSTING

RECORDED  
SEP 14 11 23 AM '78  
CLERK

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 July, 1978, at the hour of 8:20 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, in the Commission Chambers, City Hall, 400 E. Stewart Avenue, Las Vegas, Nevada, together with ADDENDUM NO. 1, on Public Bulletin Boards at the following locations:

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

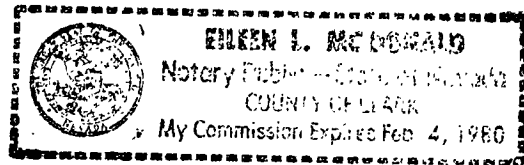
Carl D. Peterson  
(name)

Subscribed and sworn to before

Public Services, Quality Control  
(department or division)

me this 14th day of September, 1978

Eileen I. McDonald  
Notary Public in and for said County and State



AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA )  
                          ) ss.  
COUNTY OF CLARK )

DORIS M. KARSNOK, an employee of the City of Las Vegas, Nevada, being first duly sworn, deposes and says that on the 13th day of July, 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 July, 1978, was deposited in the United States Mail, postage prepaid, first class mail, to each person and/or organization whose name appears in the Agenda Register maintained in the Office of the City Clerk as having requested, in writing, a copy of said Agenda (NOTICE).

*Doris M. Karsnok*

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

Subscribed and sworn to before me

this 14th day of July, 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 POSTING

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 July, 1978, at the hour of 8:20 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, in the Commission Chambers, City Hall, 400 E. Stewart Avenue, Las Vegas, Nevada, together with ADDENDUM No. 1, on Public Bulletin Boards at the following locations:

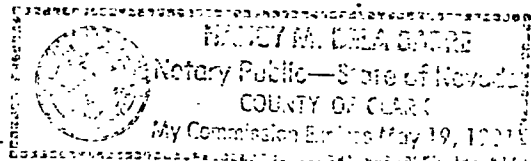
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301 E. Stewart Avenue
2. On the Public Bulletin Board in the Federal Building  
300 Las Vegas Blvd., South
3. On the Public Bulletin Board in the Clark County Court House  
200 E. Carson Avenue
4. On the Public Bulletin Board at the Plaza Level of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

Carl D. Peterson  
(name)

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

Nancy M. Gila Basse  
Notary Public in and for said County  
and State

PUBLIC SERVICES - Quality Control Division  
(department or division)



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 July, 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 July, 1978, of which the attached is a true and correct copy, was deposited in the United States Mail, postage prepaid, first class mail, to each person and/or organization whose name appears in the Agenda Register maintained in the Office of the City Clerk as having requested, in writing, a copy of said Agenda (NOTICE).

Doris M. Karsnok  
(An employee in the Office of the City Clerk)

SUBSCRIBED AND SWORN TO before me

this 14th day of July, 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     )  
                              )  
COUNTY OF CLARK    )    ss.

DORIS M. KARSNOK, an employee of the City of Las Vegas, Nevada, being first duly sworn, deposes and says: That on the 14th day of July, 1978, a copy of ADDENDUM No. 2 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 July, 1978, of which the attached is a true and correct copy, was deposited in the United States Mail, postage prepaid, first class mail, to each person and/or organization whose name appears in the Agenda Register maintained in the Office of the City Clerk as having requested, in writing, a copy of said Agenda (NOTICE).

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

SUBSCRIBED AND SWORN TO before me

this 14th day of July, 1978.

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



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

# AGENDA

## City of Las Vegas

July 19, 1978  
Page 1

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

I. 9:45 A.M.

A. COMMUNITY RELATIONS

B. SPECIAL EVENTS

II. 10:00 A. M. -- INVOCATION

Rev. Evan Shea, Spiritual Science  
Mother Church

PLEDGE OF ALLEGIANCE

APPROVED AGENDA ITEM

*Richard B. Stone 7/17/78*

INVOCATION AND  
PLEDGE OF  
ALLEGIANCE

Mayor Briare: Good morning, ladies and gentlemen. This is the regular meeting of the Las Vegas City Commission. Would you please all stand for our opening? We're delighted this morning to have Reverend Evan Shea of the Spiritual Science Mother Church to offer the invocation. Please remain standing for the Pledge of Allegiance. Reverend.

Rev. Shea: Let us pray. Our Father, we ask your blessing on this assembly. Help us to make the right decisions during these difficult times, and our City and State will progress and grow to your greater glory. Our Father, bless the Mayor and the City Commissioners and all who participate in this meeting this morning that they may be filled with your wisdom and strength, your peace and understanding. We pray in your name, oh God. Amen.

Pledge of Allegiance.  
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Mayor Briare: Thank you very much, Reverend Shea. The first item on the agenda is the Department of Business Activity.

DEPARTMENT OF BUSINESS ACTIVITY  
ILA M. BRITT, DIRECTOR

See Pages 11 through 16 - Annotated Agenda.

Commissioner Lurie abstained from voting  
on Item B-3.  
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CHANGE OF LOCATION  
AND BUS. NAME

Mayor Briare: Item F is change of location and business name.

Mr. Dorn: Excuse me, your honor. We had a notification to hold in abeyance on F. Mr. Crow is here to explain the details to the Commission if they choose.

Mayor Briare: Do any Commissioners object to holding this in abeyance?

Commissioner Woofter: I did get a call, Mayor, in regards to it. I'm not aware of what the reason was or the concern of holding it in abeyance. I'd like to hear Mr. Crow.

Mayor Briare: Mr. Crow, would you indicate what the purpose of holding it in abeyance would be?

Commissioner Lurie: Mayor. It didn't meet the footage requirements, and that's why they requested it be held.

# AGENDA

## City of Las Vegas

July 19, 1978

BOARD OF CITY COMMISSIONERS  
 COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

Page 2

PHONE 386-6011

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. GOD'S CHURCH OF NUTRITIONAL SCIENCE -- general solicitations
2. UNIFICATION CHURCH -- general solicitations
3. PROFESSIONAL MUSIC TEACHERS CHAPTER OF LAS VEGAS -- raffle tickets
4. SERBIAN ORTHODOX MONASTERY OF SAINT PETKA -- tickets to a bingo party
5. AMERICAN BUSINESS WOMEN'S ASSOCIATION, SILVER STATE CHAPTER -- a rummage and bake sale
6. B'NAI B'RITH WOMEN, CHAPTER # 415 -- raffle tickets
7. EASTER SEAL SOCIETY FOR CRIPPLED CHILDREN & ADULTS -- a mailing

Items 1 thru 22  
 Approved as  
 recommended  
 Lurie - unanimous

Director  
 authorized  
 to proceed

# AGENDA

## City of Las Vegas

July 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)

8. FIRST CHRISTIAN CHURCH --  
pledges for a hike
9. FIRST CONGREGATIONAL CHURCH --  
tickets to a Hawaiian Luau
10. FRONTIER GIRL SCOUT COUNCIL,  
SENIOR TROOP # 17 -- a car  
wash
11. JUNIOR LEAGUE OF LAS VEGAS,  
INC. -- sale of advertising  
space
12. LAS VEGAS ART LEAGUE --  
general solicitations; a  
membership drive; workshops  
and classes; raffle tickets
13. LIONS CLUB, WEST CHARLESTON --  
tickets to the Lions All-Star  
High School Football Game;  
sale of advertising space
14. NATIONAL JEWISH HOSPITAL  
& RESEARCH CENTER -- a mail  
appeal
15. NEVADA SAFETY COUNCIL --  
annual Dollar to Save a Life  
Campaign
16. NEVADA STATE SOCCER  
ASSOCIATION -- tickets to  
soccer games

# AGENDA

## City of Las Vegas

July 19, 1978

BOARD OF CITY COMMISSIONERS

Page 4

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)

17. SOUTHERN NEVADA SANDPIPERS BOOSTERS CLUB, INC. -- pledges for the Swim-for-Funds event
18. UNITED WAY OF SOUTHERN NEVADA, INC. -- general solicitations
19. VEGAS VALLEY DOG OBEDIENCE CLUB -- general solicitations
20. WESTERN HIGH SCHOOL, WAR WHOOP NEWSPAPER -- sale of advertising space
21. LAS VEGAS VALLEY ZOO -- general solicitations; memberships; raffle tickets; sale of promotional items
22. COMMUNITY FOOD BANK -- collection and redistribution of food items

See Page 3

See Page 3

\*B. GAMING -- Additional

1. EXBER, INC.  
  
El Cortez Hotel & Casino  
600 E. Fremont  
1 Poker table
2. FOXY'S JACKPOT CITY, INC.  
  
Foxy's Firehouse Casino  
2423 Las Vegas Blvd. South  
6 slots

Items 1 thru 8 approved as requested Lurie - unanimous

Commissioner Lurie abstained on Item 3

Director authorized to proceed

# AGENDA

## City of Las Vegas

July 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)

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

See Page 4

See Page 4

3. CASINO SERVICES

Rendezvous Hotel & Casino  
400 E. Ogden  
12 slots

4. BALLY DISTRIBUTING COMPANY

Holiday International Casino  
300 N. Main Street  
1 slot

5. CARDIVAN COMPANY

Albertson's Food Center # 637  
1570 North Eastern  
15 slots

6. NEVADA COIN MACHINE COMPANY

Vangie's Laundromat  
1401 North Decatur  
2 slots

7. WESTRONICS, INC.

Holiday International Casino  
300 N. Main Street  
1 slot

# AGENDA

## City of Las Vegas

July 19, 1978

BOARD OF CITY COMMISSIONERS  
 COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

Page 6

PHONE 386-6011

ITEM Commission Action Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
 (cont'd)

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

See Page 4

See Page 4

8. UNITED COIN MACHINE COMPANY
- Holiday International Casino  
 300 North Main Street  
 6 slots
- 7-Eleven Food Store # 13681  
 4950 West Charleston  
 1 slot

\*C. RETAIL TOBACCO -- Additional

Approved  
 Lurie - unanimous

Director  
 authorized  
 to proceed

1. SOUTHWEST ENTERPRISES, INC.
- Thaddeus Thudpucker  
 5100 West Charleston

D. LIQUOR -- New

Approved subject  
 to conditions  
 Lurie - unanimous

Same as above

1. \*LAS VEGAS RACQUET BALL CLUB  
 1070 East Sahara Avenue  
 Club Liquor License
- Las Vegas Racquet Ball Club,  
 Inc. --  
 Daniel M. Seaton, Pres  
 Thomas N. Weisner, V.P.  
 Francis M. Corrigan, Secy/  
 Treas

cont'd . . .

# AGENDA

## City of Las Vegas

July 19, 1978

BOARD OF CITY COMMISSIONERS

Page 7

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

D. LIQUOR -- New  
(cont'd)

See Page 6

See Page 6

1. \*LAS VEGAS RACQUET BALL CLUB  
(cont'd)

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

E. LIQUOR -- Approval of Additional  
Corporate Officers

Approved  
Lurie - unanimous

Director  
authorized  
to proceed

1. POPEYE'S  
3889 West Charleston Blvd  
Supper Club License

Beef & Brew, Inc. --

From: James Perkins, Sole  
Officer - 100%

To: Paul C. Cinquegrani,  
Pres, 20%  
Ottavio Ronca, V.P., 40%  
Theresa L. Cinquegrani  
Secy/Treas, 20%  
James Perkins, 20%

CHANGE OF LOCATION  
AND BUS. NAME  
PEGGY J. IRETE

Mayor Briare: Is it going to meet the footage requirements next meeting? What are you going to do, move a building?

Commissioner Lurie: Is this the one where they want to move the door? We have a door for sale.

Mayor Briare: If there are no objections, we'll hold it if there's no one to make any further comments. We'll hold it.

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See Pages 18 through 20 - Annotated Agenda.

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POSSIBLE'S BAG

Mayor Briare: Item K is a firearms permit for the Possible's Bag.

Commissioner Lurie: Move for approval.

Mayor Briare: Mr. Crow, what is a Possible's Bag? Is the applicant present? What is the Possible's Bag?

Mr. Glenn: A possible's bag is a term used in loading. It's a bag that you carry that has everything you need in it.

Mayor Briare: Okay. That was just an interesting name. I was kind of curious. Any further comments? Cast your votes. Motion is approved.

Motion carried by the following vote:  
Mayor Briare, Commissioners Christensen,  
Leavitt, Lurie and Woofter voting aye.  
Noes: None.

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See Page 21 - Annotated Agenda.

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SHOW CAUSE HEARING  
ISOBEL BARI

Mayor Briare: Next is a recommendation for a Show Cause Hearing. Mr. Stewart, did you want to make a comment on that, or is this Mr. Dorn? On the recommendation for a Show Cause hearing for the Child Welfare Board and Isobel Bari.

Mr. Dorn: Mrs. Britt can answer that. We're asking for an inactive status.

Mrs. Britt: The Child Welfare Board has held two hearings in regard to this matter and does recommend a Show Cause hearing on Mrs. Bari's license. I believe the attorney's office has prepared an order to show cause and complaint on it.

# AGENDA

## City of Las Vegas

July 19, 1978

BOARD OF CITY COMMISSIONERS

Page 8

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

F. LIQUOR -- Change of Location/Change of Business Name

Abeyance

8/2/78 Agenda

1. From: Blue Heaven Cocktail Lounge  
2027 E. Charleston Blvd

To: \*HOF BRAU LOUNGE  
1111 Las Vegas Blvd South,  
Suite "J"  
Tavern License

Peggy J. Irete, 100%

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

G. LIQUOR & RETAIL TOBACCO -- Change of Location/Reclassification

Approved as requested, subject to conditions  
Lurie - unanimous

Director authorized to proceed

1. PANORAMA MARKET

From: 4101 West Charleston  
Package Liquor Limited

To: \*307 South Main Street  
Package Liquor License

Panorama Markets, Inc. --  
Marvin Chanin, Pres/  
Treas  
Bert J. Genstel, V.P./  
Asst Secy  
Mary Ann Hill, Secy

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

# AGENDA

## City of Las Vegas

July 19, 1978

BOARD OF CITY COMMISSIONERS  
 COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

Page 9

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
 (cont'd)

H. LIQUOR & RETAIL TOBACCO -- Approval of District Manager

- 1. 7-ELEVEN FOOD STORES  
 District # 2052  
 Beverage Off-Sale

Southland Corporation --  
 Eddie Clyde Davis, District  
 Manager

Locations:

- 4950 West Charleston Blvd
- 1602 West Oakey Blvd
- 1517 Laurelhurst
- 3720 Vegas Drive
- 2502 Teddy Drive
- 6103 Clarice
- 4800 West Washington
- 1000 Torrey Pines
- 431 Rue 13
- 2385 N Decatur Blvd
- 3201 N Rancho
- 2409 Tam Drive
- 1101 E Bonanza Road
- 6016 West Charleston Blvd
- 3033 Arville
- 6950 West Charleston Blvd
- 2220 West Charleston Blvd
- 1740 E Fremont
- 1001 East Charleston Blvd
- 515 East Oakey Blvd
- 1600 N Rancho
- NE Corner Decatur/Vegas Drive

Approved  
 as requested  
 Lurie - unanimous

Director  
 authorized  
 to proceed

I. LIQUOR & RETAIL TOBACCO -- Approval of Franchise Managers

- 1. 7-ELEVEN FOOD STORE # 13694  
 4800 West Washington  
 Beverage Off-Sale

Southland Corporation --  
 Louis & Allene Lang, Franchise  
 Managers

Approved  
 as submitted  
 Lurie - unanimous

Same as above

# AGENDA

## City of Las Vegas

July 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)

J. RETAIL TOBACCO VENDOR -- New

1. VEGA VENDING  
3241 North Nellis Blvd
- Vega Food Service, Inc. --  
Rafael Vega, Pres, Sole Ofcr

Locations:

Golden Steer  
308 West Sahara

Las Vegas Auto  
916 North Main Street

Coca Cola  
424 North Main Street

Eastern Enco  
2051 East Sahara

Approved at  
locations requested  
Lurie - unanimous

Director  
authorized  
to proceed

K. FIREARMS PERMIT -- New

1. THE POSSIBLE'S BAG  
3021 East Charleston Blvd

John Glenn, 100%

Approved  
Lurie - unanimous

Same as above

L. LIQUOR -- Request for Extension  
of Inactive Status

1. DUFFY'S TAVERN  
1815 Las Vegas Blvd South  
Tavern License

Duffy's American Graffiti, Inc. --  
Antonia Montgomery, Pres  
Jeffrey Kesar, Secy/Treas

Items 1 and 2  
Approved as requested  
Lurie - unanimous

Same as above

(Closed 5/27/78. Request for extension of inactive status for period: 7/27/78 thru 9/24/78.)

# AGENDA

## City of Las Vegas

July 19, 1978

BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

Page 11

PHONE 386-6011

ITEM Commission Action Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

L. LIQUOR -- Request for Extension of Inactive Status

See Page 10

See Page 10

2. HONEST JOHN'S LIQUOR  
2444 Las Vegas Blvd South  
General License

Jobob, Inc. --  
Arthur G. Grant, 100%

(Closed 4/1/78. Extension for 5/31/78 thru 7/29/78 approved 5/17/78. Request for extension of inactive status for period: 7/30/78 thru 9/27/78.)

M. RECOMMENDATION FOR SHOW CAUSE HEARING

Recommendation of the Child Welfare Board for a show cause hearing on family child care home license:

Approved as recommended by Child Welfare Board  
Lurie - unanimous

City Attorney to proceed

Isobel Bari  
1801 Atlantic

Referred to Hearing Officer

ADDENDUM No. 1 ITEM:

LIQUOR - REQUEST FOR EXTENSION OF INACTIVE STATUS

SABELLA'S ITALIAN SEAFOOD HOUSE  
1401 L. V. Blvd., So. - TAVERN LICENSE  
Sabella's of Nevada, Inc., Saverio A. Sabella, Dir/sole officer and stockholder  
(Closed 5/26/78. Request for extension of inactive status for 60-day period 7/25/78 thru 9/22/78)

Approved  
Lurie  
Commissioners Christensen and Leavitt voted "no"

City Attorney & Director authorized to proceed

Mr. Sabella represented by Attorney Wm. F. Hess  
Landlord represented by Attorney Chas. M. Damus

SHOW CAUSE  
ISOBEL BARI  
CONT.

Mayor Briare: I want the recommendation of the Board to be included in the procedures of this morning's meeting.

Mrs. Britt: Yes, sir. The Child Welfare Board has recommended a Show Cause Hearing.

Mayor Briare: Any questions or comments?

Commissioner Lurie: I move we follow the recommendation of the Child Welfare Board and set a time for this to be submitted to our hearing officer for a Show Cause hearing.

Mayor Briare: Would the City Attorney's office have any indication now of what they would expect in terms of the time required for this hearing or would this go to the hearing officer that the City has designated?

Mr. Stewart: I believe Commissioner Lurie's motion was that it be referred to the hearing officer. It's your pleasure which way you wish to do that. I don't have much idea of the time allowed for the Show Cause hearing. Do you have any idea, Mrs. Britt?

Mrs. Britt: I believe it's basically ready to go whenever the hearing officer can set up the time limit.

Mr. Stewart: Will it take two or three hours or a half a day?

Mrs. Britt: For the hearing? Up to five or six hours.

Commissioner Leavitt: I noticed the last one you had took six hours.

Mayor Briare: Well whatever the hearing officer wants.

Commissioner Leavitt: Do we have to ask if there's anybody present on this today?

Mayor Briare: I can ask if there's anyone present who wishes to be heard on the recommendation that's made by the Child Welfare Board, which is a motion before this Commission on the Show Cause hearing for Isobel Bari at 1801 Atlantic. Have the record reflect that there's no one present at this time. Any further comments or questions?

SHOW CAUSE  
ISOBEL BARI  
CONT.

Mr. Stewart: Yes, your honor. If I understand the motion, the motion is to set an order to show cause to refer to the hearing officer and for the hearing officer to establish the time, and that would be included in the order to show cause.

Commissioner Lurie: That's the motion.

Mayor Briare: Further comments or questions on Commissioner Lurie's motion? Cast your votes. The motion is carried.

Motion carried by the following  
vote: Mayor Briare, Commissioner  
Christensen, Leavitt, Lurie and  
Woofter voting aye.  
Noes: None.

SABELLA'S  
SEAFOOD HOUSE

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Mayor Briare: We have a request for an extension of time for Sabella's Italian Seafood House.

Commissioner Lurie: I believe that this item should be held for one meeting. Would that be satisfactory to your department?

Mrs. Britt: Commissioner Lurie, the problem with that is the sixty days will have passed by the next meeting under which the license would become automatically revoked without the extension.

Mr. Damus: Commissioner, I'm Charles Damus. I represent the Las Vegas Oriental Institute, landlord and former licensee of the premises.

Mr. Hess: I'm Mr. Hess, Bill Hess. I represent Mr. Sabella.

Mayor Briare: I wanted your appearances to be noted today.

Mr. Hess: I don't think that there is a dispute among the clients as to the entitlement between them of the liquor license. Neither one of us have any dispute about wanting this matter to automatically expire this license. So we would like to have this matter, at least considered for today for inactive status, and hopefully, the parties can get together and resolve this.

Mayor Briare: If the dispute is resolved in some manner, is it conceivable that part of the agreement would be that the license be moved somewhere else?

Mr. Hess: That's correct.

SABELLA'S  
SEAFOOD HOUSE  
CONT.

Mayor Briare: I don't know if this Commission wants to get involved in that particular phase of the question right now.

Mr. Hess: If the question is resolved in Mr. Sabella's favor, naturally he would move the license. It's one license and two bodies contesting it. It would serve no useful purpose for either party to object to a continuation for an extension on the inactive status. They would both lose if it expires.

Mayor Briare: I hate to have the City become a part of a bargaining agent in your civil actions or civil disagreements.

Mr. Hess: The question is whether it should continue or expire of its own nature. I don't believe that would help either party. We're both in accord that it should remain on an inactive status. The question has been referred to the investigative department of Business Activity to see who's entitled to what. Until that question is resolved, Mr. Sabella, for instance, can't go to another address and seek to open because he doesn't know whether he actually has a license. The other party can't open because he doesn't know.

Mayor Briare: Sure. And the only question before us it would seem would be an inactive status for reasons other than an argument between two different parties as to whether that particular location remains suitable for a license. But for us to be spending the time so that somebody else can fight over the question and want to take that license and move down to ABC district or something, I don't like to see us involved in that, and I don't know if we have a part in it.

Mr. Hess: In a way you do, if I might say so, Mayor.

Mayor Briare: There are people who would very much like to get a license to go into the same kind of business who have been waiting for it. I think you determined once, Commissioner, there were some who waited for four or five years. For the City to be taking a partial position allowing your clients to have their dispute, and then one of them walk away with a license down to some other part of the City is a little bit inequitable and unfair to the people who are waiting in line for a license.

Mr. Hess: It would seem to me that the license is in Mr. Sabella's name. I don't know that there's any restriction as to where it goes except as to being approved when he does transfer it. I don't

SABELLA'S  
SEAFOOD HOUSE  
CONT.

know what harm could be done or what prejudice could be done by his asking to have it moved. I realize that's not the question that's before the Commission today. Both parties here are going to be harmed, prejudiced for sure, at least one of them, if the inactive status is not continued. As far as another person wanting a license, that's speculation.

Mayor Briare: Commissioner Christensen?

Commissioner Christensen: What does the Code say about granting requests for inactive status? Is there criteria that have to be met, and if so, what are they?

Mrs. Britt: Well, the ordinance states if a license remains inactive longer than sixty days without your permission, it does become automatically revoked. They must show good cause why it remains inactive for longer than sixty days. Now it appears that there is a civil dispute between a buyer and a seller that should be resolved in an appropriate court. Request for an extension of inactive status is really the only thing that's presented today.

Commissioner Christensen: What I'm getting at is, and maybe you answered it but I missed it, do we have to meet certain criteria to get an extension? What are the reasons we can use? In other words, there are certain criteria that can be used to grant variances on zoning matters. Is there is special criteria that you use to grant extensions to an inactive status?

Mrs. Britt: No, sir. It's rather broad. The person making the request must show good cause, but it does not specify what that is.

Commissioner Christensen: I see.

Mayor Briare: Well this is the first request. Do the Commissioners want to take action on this.

Commissioner Leavitt: We normally would grant these requests when there's been a fire or somebody is constructing a building. This is an unusual situation because people are fighting over the license.

Commissioner Christensen: We're being asked to grant an extension of an inactive status because two people are still arguing over the ownership of the license.

Mayor Briare: I'll save you all this court expense, lawyers, counselors. What's going to end up happening is that one person's going to take that license and walk down the street somewhere, and then the other

SABELLA'S  
SEAFOOD HOUSE

person who used to have the license, the owner of the property, is going to come in and say hey, I want a liquor license. It's like having puppies. You've made two licenses out of one. I'm just predicting that's what's going to happen, but that's not for me to say.

Mr. Hess: Maybe I could just give you the history of this.

Mayor Briare: I'd like to determine from the Commission whether it's their desire to go ahead and grant an extension.

Mr. Hess: I should tell you there is a license application pending, and the application has been held up due to investigation being incomplete.

Commissioner Christensen: You mean application for a new license?

Mr. Hess: Application for transfer of the license. The dispute is whether or not the transfer documents are valid.

Commissioner Christensen: Seems to me like you've got a case for the court, not for the City Commission, that's what bothers me. We're sitting here like judges, and we really don't want to be in that position.

Mayor Briare: If they move on down the street somewhere, then your client's going to want to open up a restaurant and have a liquor license.

Mr. Hess: My client is Mr. Sabella. His name is on the license. It's his. There's no question about that. You should go under the assumption that the license is his unless otherwise decided somewhere. That's the purpose of this investigation. Mr. Sabella, who is probably the third person who has been at this location, has been unable to do business there. Besides the transfer of this license to another place, he has quite a few creditors in the City, borrowing some \$20,000. If he doesn't succeed in transferring his license and is at least not allowed an extension, there will be \$20,000 worth of creditors here who are going to go hungry because he can't continue to do business without a license, and it would serve no useful purpose to let this matter die right now.

Commissioner Leavitt: Well what's happening right now though is he's not in business, is he?

SABELLA'S  
SEAFOOD HOUSE  
CONT.

Mr. Hess: That's correct. Because of a dispute between him and Mr. Damus' client.

Commissioner Leavitt: So there isn't a business open, and the license, in effect, is inactive right now and you want an extension of it.

Mr. Hess: That's correct. Unless he is allowed to extend it, then he has no way of paying off his creditors.

Commissioner Leavitt: I know, but he could also lose his liquor license. Then someone else who has an application picks up one and opens up a new store is what, in fact, happens. If the inactive status isn't continued, he loses it. Then a license becomes available, doesn't it?

Mr. Hess: That's right. Then there are \$20,000 in creditors who are also going to lose by it. So I suggest that for the good of all concerned here.

Commissioner Leavitt: I'm not sure this is a good reason to extend an inactive status.

Mr. Hess: Well the criteria is rather broad, and I don't think it's a good reason not to.

Mr. Damus: Commissioner, we have no dispute among the parties as to this request. Like we say, there has been an application. The application has been delayed due to investigation by special investigation. We would just like a reasonable inactive continuance pending that investigation. If that does not resolve it, then I guess the license will expire.

Mr. Hess: And the investigation was prompted by the Commission, not by the parties. I think if there's any delay here due to the investigation, it shouldn't be resolved against the parties involved. It's the City that's doing the investigation.

Commissioner Lurie: It seems to me no matter which way we go, you're going to end up in court to have this litigated there.

Mr. Damus: We hope to leave the City out of it, though, if there is a license available.

Commissioner Lurie: Well, you're asking us to give a 60-day extension. Is this the first extension?

Mr. Damus: This would be the first request.

SABELLA'S  
SEAFOOD HOUSE  
CONTINUED

Commissioner Lurie: Mayor, I move that we allow the sixty-day extension.

Mayor Briare: Any comments on the motion to allow a sixty-day extension? Cast your votes. Motion is approved.

Motion carried by the following  
vote: Mayor Briare, Commissioners  
Lurie and Woofter voting aye.  
Noes: Commissioners Christensen  
and Leavitt.

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ADMINISTRATIVE AGENDA  
RUSSELL W. DORN, CITY MANAGER

Mayor Briare: I believe that concludes the Licensing. The next is the Administrative Agenda. Mr. Dorn.

REMODEL BLDG. AT  
LORENZI PARK FOR  
HANDICAPPED

Mr. Dorn: Yes your honor. Item A is a request by Marjory Becker to remodel the building at Lorenzi Park for handicapped persons. This is a request that involves the building presently occupied by the Southern Nevada Association for the Handicapped and is used as a training and learning center. Mrs. Becker now proposes to close the existing carport on the building for additional space. This has been reviewed by the Lorenzi Park design committee who recommended for approval. There will be no expense to the City, and it will become City property. I would recommend approval of this use.

Commissioner Lurie: Mayor, I move that we follow the recommendation of the City Manager.

Commissioner Christensen: What's it going to cost?

Mr. Dorn: Mrs. Becker's here. She has an estimate. It's no cost to the City, Commissioner.

Commissioner Christensen: They're going to pick up the cost?

Mr. Dorn: They will pay for the entire cost, but it will become City property once it is done.

Mayor Briare: The motion is to approve. Are there any comments or questions? Cast your votes. Motion is approved.

Motion approved by the following  
vote: Mayor Briare, Commissioners  
Christensen, Leavitt, Lurie and  
Woofter voting aye.  
Noes: None.

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# AGENDA

## City of Las Vegas

July 19, 1978  
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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.	REQUEST OF MARJORY BECKER TO REMODEL BUILDING IN LORENZI PARK - HANDICAPPED PERSONS	Approved as recommended Lurie - unanimous	Staff to proceed
B.	LAS VEGAS TRANSIT - DISCUSSION AND POSSIBLE ACTION	*	8/2/78 Agenda
C.	POLICY RELATIVE TO USE OF CITY PROPERTY BY NON-PROFIT ORGANIZATIONS	**	8/2/78 Agenda
D.	REPORT ON BUILDING AND SAFETY DEPARTMENT	10 additional personnel approved as recommended by City Manager	Staff to proceed
E.	APPROVAL OF THE RESOLUTION APPROVING THE NEW AMENDED BY-LAWS FOR THE CLARK COUNTY REGIONAL PLANNING COUNCIL	***Woofter - unanimous Abeyance	8/2/78 Agenda
F.	REPORT ON SOURCES OF FUNDING FOR ARCHITECTURAL FEES FOR THE NEW JAIL FACILITY	Tabled	
G.	A RESOLUTION OF THE MAYOR AND BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, SUPPORTING THE GOVERNOR'S CONFERENCE ON NEVADA'S LIBRARY AND INFORMATION NEEDS	Resolution Adopted Lurie - unanimous	Staff to proceed Mayor & Clerk to sign
H.	REQUEST PERMISSION TO ENTER INTO AN AGREEMENT WITH WILFRED A. MALMLUND, CONSULTANT IN ACOUSTICS, FOR SOUND CONSULTANT SERVICES FOR THE COMMISSION CHAMBERS SOUND SYSTEM	Approved as recommended Christensen Commissioner Lurie voted "no" (Commissioner Leavitt did not vote - temporarily absent)	Staff to proceed
I.	LAS VEGAS TAX REDUCTION PLAN COMMITTEE -	Tabled	
J.	REQUEST TO PURCHASE CITY LAND - NORTHEAST CORNER OF JACKSON AND "H" STREET - FAM ENTERPRISES, ELEANOR E. WALKER	Approved recommendation of City Manager (Commissioner Leavitt did not vote - temporarily absent)	Staff to proceed
	OFFICE OF MANAGEMENT AND BUDGET		
K.	AUTHORIZATION FOR APPLICATION FOR LAW ENFORCEMENT ASSISTANCE ADMINISTRATION FUNDS	Adopted Resolution Lurie - unanimous (Commissioner Leavitt did not vote - temporarily absent)	Mayor & Clerk authorized to sign Staff to proceed

LAS VEGAS TRANSIT  
DISCUSSION AND  
POSSIBLE ACTION

Mayor Briare: Next item.

Mr. Dorn: Your honor, Item B is the Las Vegas Transit for discussion of possible action. In this matter, your honor, the City Manager's Office and the City Attorney is working on the application for UMPTA funding for the purchase of five new diesel buses for the Las Vegas Transit. We are presently reviewing the lease and cooperative agreement and waiting for an answer from the Secretary of Labor and Department of Labor in Washington. This application looks favorable to get this funding for these five new buses, but we also have to discuss the contracts with the Las Vegas Transit collective bargaining unit representing the drivers.

Commissioner Lurie: I have a concern, also with that contract. If the City is the one that's putting up it's money for matching money with UMPTA, I think then the benefit of the ridership should come from the residents within the boundary of the City and that we should have expanded service for the City and that we should have some control on the services that the buses are going to provide to the people who live within the boundaries of the City. Right now the service is very inadequate, and if we're going to be involved with the partnership of the bus company, which it looks like that's the route we're going, then I think that if we're putting up the dollars, then consideration has to be given to the residents of the City for better transportation.

Mayor Briare: Let me express a little background on this because Commissioner Lurie and I sit on the Regional Streets and Highway Commission, and for well over a year it's been the desire of the Regional Streets and Highway Commission to take advantage of UMPTA monies amounting to over \$1 Million to the State of Nevada, which only a very small portion of which was used by Reno. The money, as Federal funds will do, will just be denied the State of Nevada and in a sense, we will be wasting an opportunity. We, the Regional Streets and Highway Commission, would be wasting an opportunity to take advantage of these funds for the purpose of assisting the private enterprise company and upgrading their equipment, putting in some bus stops and doing a lot of improvements that would be at no cost to local taxpayers.

This is well over a year ago, and to this date the applications are still pending, and we are no further along. The people of Las Vegas that Commissioner Lurie and I represent on the Commission, in fact, we represent this City Commission on the Regional Streets and Highways Commission, are no better off now and the future looks as dim now as it did a little over a year ago.

LAS VEGAS TRANSIT  
CONTINUED

The chairman of the Regional Streets and Highways Commission appointed a committee consisting of representatives of other Regional Streets and Highway Commissions. I was named the chairman, and we were going to try and break this bottleneck. We could see that there were some underlying causes as to why these applications were not being worked on. It was so simply resolved by sitting down with the proper people and the ones who had the greatest interest in this. You kind of wonder how could it go on for a year and then be resolved in about twenty minutes or so.

The question was that the Clark County, as an entity, could not be the applicant because they had no legislative authority to operate a bus company, and the County Commissioners, which was represented to us by a member of the County Commission, were reluctant to get themselves involved in any kind of agreement whereby if the unlikely possibility should come about the County should take over those buses for forfeiture for one reason or another, that they would not be eligible nor legally entitled to go into the bus business. In order to resolve this bottleneck, what can you do?

Commissioner Christensen: Vote yes on Question 1. You just gave a great speech for a new city.

Mayor Briare: Well Commissioner, we can talk about that in a moment. But the point that seemed to be able to resolve this so that we could benefit everybody, this would not be just for the benefit for the City of Las Vegas, but believe me, that's our primary interest, was to change the name of the application from Clark County to the City of Las Vegas. There would be no commitments made in any way, shape or form by the City of Las Vegas other than permission to put their name on it. These are decisions that have to be made by the Regional Streets and Highways Commission, not by the corporate entity of the City of Las Vegas.

So in order to get the thing finally out of its terrific bottleneck, the committee agreed that they would recommend to the Regional Streets and Highway Commission that the City of Las Vegas would be the applicant. Change the name.

Now if you want to get into the reasons for the bottleneck, that would be quite simply done, too, and I think it's important that this City Commission, before we vote yes to put our name on something, we have got to know what it is we're putting our name on. It's an agreement. The whole bottleneck was with the Department of Labor where they wanted the political entity to say that if, and I can't overstress the word, if, that if the political entity were to get into the bus business, they would recognize the agreement made between private industry and labor.

LAS VEGAS TRANSIT  
CONTINUED

Now, even if the XYZ Company should move up here from Palm Springs, for example, and want to buy the Las Vegas Transit Company, they, too, would have to enter into agreement because the agreements apply to any assigned successors or people who buy into the business or take over control. It's a simple matter, in my opinion, and it merely says that if the political entity goes into business, which parenthetically I'm opposed to, but if the political entity goes into business they will recognize the contract. If they don't want to recognize the contract, then they don't go into the business.

So it seems that we can become bogged down even more if we get into more legal problems with something that can be resolved so simply. Now, if I haven't made it even more confusing by trying to lay out the background, and Commissioner, I'd like to invite your comments on it because maybe I'm missing something, and that's not unheard of.

Commissioner Lurie: Well, Mayor, the thing that concerns me is that the bus company has threatened many times at the Legislature to turn in their certificate to operate. What I said at the Regional Streets and Highways meetings is that we should prepare ourselves and have the legislation prepared so that in case that does happen at one time or another, we will be in a position to either go in partnership with the bus company and maintain the service that we have now or to take over the bus company and subsidize it, which I know is going to cost additional dollars. The Regional Streets and Highway is going to ask the Legislature for some consideration and some of the surplus to help implement our five year and our ten year long-range plan to provide adequate transportation to the residents who live here.

The contract that the City has now with the bus company, they do not comply with the contract. If we were to enforce our contract, it would remove half the buses from the City streets at the present time due to Section 3 which calls for routes and schedules. Also, there's other items that are mentioned in the contract, which I think that the service that's provided on the remaining eight routes, they've taken away from the Strip route, and I would just like to list them for you here:

The routes are excessive in length offering no convenient transfer points;

The majority of the routes are looped, which makes it impossible for a person to return to their place of origin without having to ride a complete route;

There is not sufficient amount of vehicles assigned to these routes to allow for coverage in

LAS VEGAS TRANSIT  
CONTINUED

event of mechanical failures, nor is there a sufficient amount of vehicles assigned to comply with the requirements of Paragraph V, Section 3 of the agreement we have with the Transit Company.

My feeling is that with the County's responsibility for air quality maintenance, which is a little later in our agenda, one of the main objectives is to have a comprehensive transportation program that is going to reduce the use of the automobile in the community so that the air will become cleaner to breathe. In order to do that, we have to have an adequate transportation system, which we don't have now. I think by that meeting that you had to try and work out the details, possibly that might be one solution. On the other hand, we have to prepare the necessary resolutions to go to the Legislature to get their input and their help to try and establish either the City or Regional Streets and Highways as a means to take over transportation if it comes to that.

Mayor Briare: We have to get ourselves, and right now I'm speaking for the benefit of transportation problems all over the entire County. We have to get ourselves into a posture where we can at least have our applications considered because the way it's going right now, our applications are not being considered, and I can understand the County's refusal to be named as an applicant because they have no legal authority to do so, and they have reluctance.

Commissioner Christensen: Well that's never stopped them before. There must be another reason.

Mayor Briare: Let's assume that the representative who made these comments is sincere and forthright in his discussion on the matter because there is no commitment on the City to do anything other than lend their name as the applicant in this matter. Any documents that would have to be executed for anything to do with the Bus Company would have to come back before this full Board, I presume, because the Regional Streets and Highways Commission cannot commit the City of Las Vegas. Is there any question in anybody's mind on that?

Commissioner Christensen: No, but the County Commission can under the 208 Plan and the Air Quality Maintenance Plan and commit us to anything they want, and that's why I think there's got to be some other reason here because if they wanted that Bus Company, they'd commit us. Don't ever sweat that for a minute.

LAS VEGAS TRANSIT  
CONTINUED

Mayor Briare: Well, the point I'm trying to make, Commissioner, and I sound like I'm perhaps trying to sell something here. I'm definitely not trying to sell because there's a big difference of opinion as to what bus transportation is here in this area. I have pretty strong feelings about what my feelings are toward the future of transportation. I do know this, if we don't take advantage of the funds that are available, then everybody on that Regional Streets and Highways Commission is being reluctant in their duties and their obligations to act on the best interest of the people. I think that Commissioner Lurie and I had differences of opinion as to what the future of transportation is here for the City of Las Vegas. But if we don't put ourselves into the position where we can apply for these funds, then we can debate this and argue it for 100 years.

I wouldn't be so foolish as to go before the Regional Streets and Highways Commission and move for the adoption of the report of the Committee that Clark County as a political entity be taken off the application and the City of Las Vegas be put on as the applicant without consulting with this Commission first. In fact, there's no vote to take today as far as I'm concerned. I'm only indicating what I'm going to do. Obviously, if the Regional Streets and Highway Commission says that's a swell idea, then it's going to have to come back before this Commission for consideration.

I've got to indicate what the report of that committee's going to be. It's going to be that the City of Las Vegas be named as the applicant. If there's opposition to naming them as an applicant, well I suppose it should be done negatively. The City at this time has no objection to being named as the applicant, but they reserve the right to investigate and determine what any consequences might be that we don't foresee right now. But I don't want to wait too long because I realize that money is, again, going to be going down the pike.

Commissioner Lurie: Well again, my main concern is that are the County and, say, North Las Vegas going to participate with providing the City with parts of their Revenue Sharing money in order to have the dollars to apply for this sum of money, and they'll continue to receive additional service or how is the contract going to be worked out so that the residents of the City of Las Vegas are protected so that they're going to get additional service and increase the ridership of the buses?

LAS VEGAS TRANSIT  
CONTINUED

Mayor Briare: Well, I would hope, Commissioner, and I would oppose any further appropriation of City monies to be used for matching monies. I think matching money should come from the Las Vegas Transit Company and a check written to the City of Las Vegas, or whoever the political entity might be, and then use that money for matching funds. The City did come up with some matching funds in order to get started with this. Refresh my mind, if I'm not mistaken, it was over a year ago and nobody else participated except the City. If I'm correct, that money is still on the books of the City. It hasn't actually been appropriated, but it's there and I think it even strengthens our case if we're named as the applicant if we're going to be the sole supporters of it, then you'd better believe, I'm sure that this Commission, and I would join as a member of the Commission, to support the theory that all that money that's going to be acquired for any improvements of buses are going to be used in an area from the people who are supporting it financially.

The only way I think we can resolve this and get off of it is to ask if the City Commissioners can see any objections at this time to a recommendation to the Regional Streets and Highways Commission that the applicant's name be changed from Clark County to the City of Las Vegas with the understanding that the agreement, when it's completed, will be presented back to this Commission for review and determination as to whether or not they want to remain as the applicant. If I hear no objections, then you'll be seeing it again because that will be what will be presented to the Regional Streets and Highways Commission tomorrow morning at 8:30 or thereabouts.

In the meantime, Mr. Dorn, any of these imagined problems that you have been presenting to me all week long come about, you'll be sure and let me know, won't you?

Mr. Dorn: Mayor, I guarantee you that the City Attorney and myself and Mr. Brechler will have a meeting with the Transit Company and the unions to try to solve this 13C problem and also the lease and agreement.

Mayor Briare: But please don't use as an objection the supposition that the City is going to go into the bus transportation business. If you use that as a supposition, then I would like to vote against it. But we are making an effort to cooperate and help the existing bus company perform greater services at less cost with equipment that people won't be afraid to get on at Federal Department of Transportation expense.

LAS VEGAS TRANSIT  
CONTINUED

Commissioner Christensen: Mayor, we're kidding ourselves because five buses isn't going to change the bus situation in this town one iota.

Mayor Briare: No, it's going to change the maintenance problem, Commissioner, but hopefully, if the Legislature takes some definitive action next year in their next session to set up some kind of a regional and area-wide transportation system, I'm sure it'll come out of the hands of the City of Las Vegas in any event.

Commissioner Christensen: Mayor, you've been in cities where they have somewhat effective bus and streetcar transportations, but there is not a city in the United States where they have effective mass transportation that the mass transportation was put in after the city was built. The only place in the United States they're successful is where the mass transportation system was in, and the city built around the mass transportation system. That's exactly why it doesn't work in Los Angeles, California. That's why it isn't going to work here.

Mayor Briare: I've made a couple of inquiries, Commissioner, and I'm sure the other members here and maybe, perhaps, people in the audience. I would just be curious. I wish we had another fifty or sixty people. I'd like to see somebody raise their hand who uses the bus regularly. Is there anybody in this room who uses the bus regularly? Is there anybody in the room who uses it occasionally? Is there anybody in the room who has never ridden the bus? Then by subtraction, some have.

There's no question, Commissioner Christensen, in my mind of what you said is exactly right. I did live in an area that cost the taxpayers about \$100,000 a day to subsidize their bus transportation system in order to keep the rates low. You just know that there's no way in the world that that's an equitable situation here in the Las Vegas area.

There being no objections to all that long procedure, the recommendations to the Regional Streets and Highway Commission tomorrow is going to be what I've indicated. If the Regional Highway Commission were to say yes to break up this bottleneck and get some of these funds, that they will agree to that, then I will indicate that there's a condition that the City has a right to examine what liabilities of anything is incurring as a result of this action.

Commissioner Christensen: It has to be a little stronger than examine. You can examine something all day long, but if they're going to push it down your throat, you still eat it even after you've examined it.

LAS VEGAS TRANSIT  
CONTINUED

Mayor Briare: There will be a document.

Commissioner Christensen: You have to have some kind of a veto power over some of those things. You can examine it to death and still lose.

Mayor Briare: As I tried to indicate, anything that is in the name of the City of Las Vegas must be approved by this entire Commission. The final document with the City of Las Vegas as the applicant, prior to your authorizing me to put a signature on it, will be laid before you in ample time for you to carefully examine and question it further for any purpose that you might see. Okay, let's go on to the next item.

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USE OF CITY  
PROPERTY BY  
NON-PROFIT  
ORGANIZATION

Mr. Dorn: The next item, your honor, is Item C, a policy relative to the use of City property by non-profit organizations. We have received a request from a non-profit organization to allow for literature distribution on the site of our Municipal Garages. Our City Attorney has given the opinion that we cannot deny the use of the Public property for this type of activity, but we may regulate and control this use. Therefore, I'd like to recommend that the City Manager be authorized to approve the request of such a nature and develop regulations and requirements for approval be given such as the number of people on the premises, the time, the frequency, the submittal, and the cleanup of the area.

Commissioner Lurie: I'd like to see some of the material that you're talking about that's going to be passed out and some more information on this group. I've never heard of this group before, who they represent. It says no solicitations, but that doesn't mean that they're not going to ask for solicitations in the material that they pass out. Do you have any of that information?

Mr. Dorn: Commissioner Lurie, the group's name is EconCar. I have a copy of their literature, but I would like to refer back to City Attorney on the constitutional right of the group, and this is the concern that we have.

Commissioner Leavitt: Well, I don't see how we can do that. Maybe somebody will want to look at my political literature before I pass it out. I'm not sure I want someone to have that veto or censorship, or whatever you want to call it. If the City Attorney says we can't deny the use of public property for this activity, I don't think we can approve what's passed out and what isn't even though it may be objectionable to us. Like you say, I'd like to have the City Attorney give us a ruling on that.

USE OF CITY  
PROPERTY BY  
NON-PROFIT  
ORGANIZATION  
(CONTINUED)

Mr. Dorn: Commissioner Lurie, that was a question that I asked when it was submitted to me, and the City Attorney gave an opinion that a non-profit or any literature distribution has constitutional protection under our Constitution. Maybe Mr. Stewart would like to add to that.

Mr. Stewart: I can add, generally, that on all public property they have a right to pass out hand bills, or whatever, as long as it doesn't become a nuisance. You know the problem we had at the airport, or the County had at the airport. They couldn't totally prohibit even solicitation. In this case, I'm not familiar with all they intend to do, but restriction of free speech you cannot do in a public area.

Commissioner Lurie: But you can limit the footage. You can put footage in, Mayor, of where they can actually stand if they pass it out. That's not in here.

Mr. Dorn: I just listed some examples such as the number of people, the footage, the cleanup, the regulation, the frequency. There will be a whole list of items that can regulate this type of activity so it's orderly, efficient and in no way danger to the public.

Mayor Briare: What's the pleasure of the Commission, then?

Commissioner Leavitt: I don't like to be approached by these people, but I still don't think that you, legally, can stop them from doing it anymore than you can stop a political candidate from going out and passing out political literature to somebody. I don't think you can draw the line, constitutionally or legally.

Mayor Briare: Mr. Dorn, on something like this you're asking that you be authorized to develop certain regulations and requirements. Why don't you just go right ahead and develop the regulations and requirements and let us take a look at them. I would like to suggest that you, being the City Manager, I think you should have a little bit of leeway to go ahead and draw up and make all kinds of recommendations that you want rather than ask us to give you authorization to go and make up regulations and requirements. You go ahead and make them up and then let us take a look at them. Would that be all right?

Commissioner Leavitt: We're going to approve them is what you're saying. By taking a look at it, you mean approve them.

USE OF CITY  
PROPERTY BY  
NON-PROFIT  
ORGANIZATION  
(CONTINUED)

Mayor Briare: Well, it would seem that the City Manager would like to develop certain regulations and requirements upon which the approvals could be given to any organization that wants to distribute literature as described. I think it would satisfy everybody here that if you were to go ahead and draw up the regulations and requirements, we could look at those and then authorize you to give approval based on those regulations and requirements.

Mr. Dorn: Sure, your honor. I'll develop a policy paper and any suggestion from the Commission and the Mayor for a vote.

Commissioner Leavitt: Come back to us for a vote. I have no objections as long as it comes back for a vote.

Mayor Briare: Let's proceed along that basis then.

Commissioner Lurie: You have to take into consideration, too, we've had a lot of requests from the downtown casinos and areas there where they can have people stand on the sidewalks passing out literature. Are you going to include that in this policy, also, for the businesses on Fremont Street, now, to regulate handouts?

Mr. Dorn: Commissioner Lurie, I'm looking at public places that are owned by the City.

Commissioner Lurie: Well, that's sidewalk. Isn't the sidewalk public?

Mr. Dorn: Well, that's a discussion for the lawyers, and the City Attorney will have to give an opinion. This is why I asked to write a policy paper to give some general guidelines as you point out situations where we have to be flexible, different circumstances and situations that have to be brought to light in this, but I was advised by the City Attorney that constitutionally and legally we could not deny this right under freedom of speech on publicly owned property. I will include those thoughts in my policy paper.

Mayor Briare: Okay. Let's go to the next item.

Commissioner Christensen: Just one second, Mayor. You know, I've been thinking about this, and this problem has been with us a long time with the airport, etc. and I wonder if maybe you haven't helped make another real good case for private ownership of the garages. It seems like if you own something privately, you can deny some things, but if you own it publicly, you can't, and maybe we've just got to put everything in private hands to protect the people that use it



REPORT ON  
BUILDING AND  
SAFETY DEPT.

Mr. Dorn: The next item is a report on the Building and Safety Department. As you are aware, the City has experienced a tremendous increase in building construction industry over the past several months. Some of this project of construction was unanticipated. In fact, the new building evaluation permits since January, 1978 to July 1 equal \$1.1 Million. This is an increase of 24% in the building evaluations for the same period of last year. A report was prepared by the Office of Budget Management both looking at the condition of short-range and short-term and long-range manpower needs for the Building and Safety Department as it relates to building inspection. One of the key factors was to preserve the quality of the building inspection process by the City.

One other issue that was brought out in this survey is that a large number of sewer connection permit inspections are being performed presently by our building inspectors without proper remuneration back to the Building and Safety Department. This requires a full-time inspector to go to the site. This raises the issue of the second part of my recommendation whether the Sanitation Fund monies should be transferred to the General Fund to pay for the cost of these services. It is my recommendation based on the survey that the Department of Building and Safety be approved some ten additional positions of a public nature to keep up with this work load and the anticipated work load of the building boom that we're experiencing right now. It would handle eight building inspectors on a permanent basis, one mechanical plans technician, and one senior mechanical inspector.

We've transferred four individuals from two existing departments, and the total expenditure on the budget would be \$213,681. Along with the building boom and the increase of permits and inspections, we will receive an anticipated income in building permits of \$155,468. If the Commission so desires to change policy and transfer the sewer connection inspection fees from the Sanitary Fund Account 731 to the General Fund for the offsetting costs for these inspections, it will cost the budget \$37,213 for the additional ten permanent positions.

That is my recommendation to the Mayor and City Commissioners to preserve this quality, and as you are well aware this is a law and a policy that the City must enforce for the safety of our residents.

Mayor Briare: This can be handled in a manner which I would foresee could be a permanent method by the Building Department because I think the whole thing is designed if those building contractors who must have their building permits taken out when they construct a building from those permit fees and other revenues that come into the Building Inspection

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Department, we support inspections and so on and so forth. It, theoretically, should be a break-even situation.

Well, in future budget hearings, we could use as a barometer that construction which took place the year before, and if it turned out that the expense of the Building Department was greater than what the income was, then we should tack it onto next year's budget and explain it at the public hearings to the building contractors that the reason they're paying more for their inspections this year is because we're making up a deficit from the cost of doing so the previous year, and vice-versa. It should almost be like a market fluctuation that it would always be available when the time is here because when we do experience these booms as we are right now, I hate to be caught with our trousers down. That's where we are right now, and the fact that there are some available people in California who, very unfortunately for them, have been laid off, it's become a bit of a fortune to the Las Vegas Area because I understand some of these people can be brought in immediately, highly trained, experienced people, and go right to work and address the problem that we're faced with.

Mr. Dorn: To address this problem, I had authorized on a temporary basis with anticipation that we would need permanent people in long-range planning, and we've hired ten temporary inspectors from Las Vegas and from Southern California. The Building Department is very satisfied with the quality of men. The point that you did bring up, Mayor, and it should be addressed publicly, is that our inspectors will project about 57,000 inspections in this upcoming year, and we should review also for the next year's budget our building permit fees are much lower than the County in a lot of areas. The break-even should be addressed.

Mayor Briare: Well, the theory is to break even. If you can break even, whatever anyone wants to do as far as their fees are concerned in some other political entity, if it should be the pleasure of this Commission to have the expenses of these inspections and other services that are rendered for the orderly process of the building industry, that it should be a self-supporting department, then it should be quite simple, and I'm sure the building industry would welcome the service and be happy to pay for it when it's spread out amongst everyone that's in the

REPORT ON  
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building business. Any comments on this particular matter? Would the Commissioners move to accept the recommendations of the City Manager?

Commissioner Woofter: So move.

Mayor Briare: Commissioner Woofter made the motion to accept the recommendation. Cast your votes. Motion is approved.

Motion carried by the following  
vote: Mayor Briare and Commissioners  
Christensen, Leavitt and Woofter  
voting aye.  
Noes: None.  
Absent: Commissioner Lurie

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REGIONAL PLANNING  
COUNCIL AMENDED  
BY-LAWS

Mayor Briare: The next item, Mr. Dorn.

Mr. Dorn: The next item, your honor, the approval of resolution approving the new amended by-laws of the Clark County Regional Planning Council.

Mayor Briare: Commissioner Christensen?

Commissioner Christensen: The Water District rejected that yesterday. Mr. Lamb of the Regional Planning Council maybe can tell us that. Did the Water District reject this?

Mr. Lamb: Well, the item was tabled on their June 5 meeting and was continued in that fashion in a meeting Monday.

Commissioner Leavitt: Yes, tabled at the last meeting. They tried to make a motion to take it off the table, and the motion was defeated, right?

Mr. Lamb: That's right.

Commissioner Leavitt: So, they didn't take any action on the resolution.

Mr. Lamb: They took no action on the resolution.

Commissioner Christensen: Well, I can give you a little background on this so that you know what we're talking about. The County pulled the funding from the Regional Planning Council. The Regional Planning Council can't operate without the funding. That was their method of killing the Regional Planning Council. Now they discovered that they could operate

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COUNCIL AMENDED  
BY-LAWS

with the very limited funds they got from the County if the cities and all the other members augmented those funds, and we decided that we would go ahead with that augmentation provided we eliminated the double vote the County has by virtue of the Water District history and the School District, which is not a general purpose government, but a special purpose government. The School District agreed to that. The Water District representative at the meeting agreed that they would consider that and put it on the agenda for the Water District, and so forth.

Now, they discovered that they couldn't drop out unless they had 100% approval. Isn't that correct, according to the by-laws? Or there was no mechanism for any member to drop off of this. So we had to change the by-laws of the Regional Planning Council to make it possible for a member to get out of it. And that brings us up to this point.

It's apparent to me that either one of two things is occurring. Either the Water District is waiting to see what everybody else does before they make their decision, or else the County Commissioners sitting on the Water District are not going to allow that to occur, and thereby go ahead and finish killing the Regional Planning Council. That's my assessment of the situation. I would recommend we approve it. I think any kind of organization that you belong to that has no way of withdrawing, no matter what, is a little silly. The by-laws should be changed to reflect the possibility of withdrawal. Also, as a show of good faith by the City, which I think we've shown all along.

Mr. Lamb: There's one problem, Commissioner. The by-laws were changed and approved by the Council, and it only requires the Council's approval to make those by-law changes. What has to be done now is for each of the members to approve an amendment to the cooperative agreement reflecting the new membership, which would be the four cities and the County. Unfortunately, the agenda item today is for this body to approve the amendment to the by-laws, which is not what should be on the agenda today. What should be here today is for an approval of the amendment to the cooperative agreement. So, unfortunately, this will have to be postponed until the next meeting.

Commissioner Christensen: What he's saying is because there's a wrong word in the agenda, that to comply with the Open Meeting Law, we can't even talk about it.

Commissioner Leavitt: But the resolution simply

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says that we agreed that the School District and the Water District can withdraw. We can still pass that resolution, can't we? Say this is what we agreed to. Then, later on, at another meeting we can have the request that you have.

Mr. Dorn: Commissioner Leavitt, my suggestion as in your books, the title of the resolution was entitled, "The Resolution of Board of Commissioners of City of Las Vegas Approving Amendment to the By-Laws For the Clark County Regional Planning Council" and that's how I received it. Upon successful completion today of approval of this amendment of the by-laws on the withdrawal process, then my recommendation would be on the August 2 meeting we could work with the Regional Planning Council and amend the cooperative agreement, if you choose.

Commissioner Christensen: But you see, what you're really saying is we don't need to approve it, it's already been approved. The Regional Planning Council approves that.

Mr. Dorn: Yes, this is how I received it.

Commissioner Christensen: I understand that. That's neither here nor there. The problem we have is that we can't approve what should have been on the agenda because it isn't on the agenda.

Mayor Briare: So all that being the case, would anyone object to holding this until August 2?

Commissioner Christensen: I don't think we have a choice.

Mayor Briare: It'll be held until August 2.

Commissioner Christensen: Mayor, for the record you can make my recommendation for August 2 that I still think we should go that direction, but I won't be here August 2.

Mayor Briare: When you do that, Mr. Dorn, when you bring it up at the August 2 meeting, would you be sure to comment to the Commission the remarks that Commissioner Christensen made today so that we can consider his comments while we're deliberating on the business before us. We'll be in recess for about five minutes and then come back and talk about the jail.

(Meeting Recessed at 11:05 A.M.)

(Meeting Reconvened at 11:20 A.M.)

ARCHITECTURAL FEES  
FUNDING FOR JAIL -  
REPORT

Mayor Briare: The next item on the agenda is a report on sources of funding for architectural fees for the new jail facility.

Mr. Dorn: Your honor, as requested, the Office of Budget and Management and the City Manager have completed its review of the fiscal year, '78-79 budget to determine if there are readily available resources to fund \$175,000 necessary for the architectural fees for the new detention center. At the present time there are no funds that are unallocated for such an expenditure in our budget.

There are two alternative methods to finance these architectural fees. One would be, and it is my recommendation, to reduce, if the Commission so desires to fund this \$175,000 to reduce all general fund budgets excluding essential services such as fire, police, building and safety, Municipal Court, City Attorney and City Commissioner's budget, 1% of their total budget. A second alternative would be to request short-term financing for the cost of the architectural fees, which would bring an interest rate approximately now in the market of 6-7%, which would increase the cost of the \$175,000 by approximately \$23,000.

Commissioner Leavitt: Mr. Mayor.

Mayor Briare: Commissioner Leavitt.

Commissioner Leavitt: I'd point out that first of all it may be possible that there may be some unanticipated revenue that could make up that and there may not be a reduction in the budget. Is that possible?

Mr. Dorn: Yes, Commissioner Leavitt, that is possible.

Commissioner Leavitt: Your recommendation is this would be monitored by your office and the Office of Budget Management during this period of time, is that correct?

Mr. Dorn: Yes, I stated there is a possibility of unanticipated revenues coming in, but I want the Commission to be aware that we do have some outstanding commitments since the budget adoption; the different City programs, capital construction costs, collective bargaining agreement; that have increased the expenditures on the budget. So anticipated revenues will have to be used to offset these expenditures.

ARCH. FEES FOR  
FUNDING FOR JAIL  
(CONT)

Commissioner Leavitt: Well, first of all, the Metropolitan Police Commission has selected an architect for this purpose. What's happened now is that we can't approve this contract with the architects because there are no funds in the Metropolitan budget. The County has rejected our proposal whereby the County would pay the full amount, and then we would reimburse them in July, 1979. The County has rejected that. I understand the County now has paid their share to the architects.

We can't proceed with site selection. We can't proceed with any design or anything else until the architects are paid. Our legal advisor at the Metropolitan Police Commission says that we can't even approve the contract unless the funds are in the budget. The result of this, unless this is approved, the progress on the new detention center is just going to come to a screeching halt without any funds which to move it.

I would like at this time to move that we follow the recommendations of the City Manager to approve the expenditure of City funds for architectural fees for the detention facility by reducing all general fund budgets by approximately 1% to cover this cost, excluding fire services and the division of Building and Safety with the policy directive to be administered by the City Manager, monitored by the Office of Budget Management service with the understanding that if unanticipated revenues are available, that it would be made up in that manner. I would also move that the City Attorney draft the necessary language to make sure that any payment made to the Metropolitan Police Commission will be made without prejudice to the City's position regarding the constitutionality of the statute and any suits or actions that may be brought on that behalf.

Mayor Briare: Thank you, Commissioner. Commissioner Lurie.

Commissioner Lurie: Mayor, I just have a couple of comments to make. I don't think that's fiscally responsible for us to obligate ourselves to pay for this particular item at the present time and reduce our department expenditures by 1% to pay our 50% share. At the present time, I understand this morning the Sheriff was agreeing and signing a consent decree that will have to be brought back before the Metropolitan Police Commission as well as the City and County Commission. It is my understanding the cost to that decree is going to be around \$4 Million. Our particular portion of that would be 50%. How much additional percentage are we

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ARCH. FEES  
(CONT)

going to have to cut our budget in order to come up with that money to eliminate us from having to go through a long court trial for additional items for the jail?

Commissioner Christensen: Roughly \$2 Million.

Commissioner Lurie: So my feeling is that we still have an issue before the courts, and I don't think that we should obligate ourselves at this time until such time as that's been resolved through the Federal or District court.

Mayor Briare: Commissioner Christensen, did you have a comment?

Commissioner Christensen: That amount has been estimated by the County people at roughly \$2 Million to comply with the terms of the consent decree. So you're looking at a million dollars for the City going in right there.

Mayor Briare: I would like to add a comment to the Commissioners who have spoken on this that has kind of rankled me a little bit by statements made outside of this room and also right here before us when the comment is the use of the words, "their share". When somebody has a share of something, it indicates that some other entity, likewise, has a share. I'm maintaining in the lawsuit that the City is involved in is that the City of Las Vegas, in fact, does not have a share. So when we speak about shares, and the County's paying their share, and the City hasn't come up with its share yet, I wish that we could find some other words to better explain the facts of the matter, which as I analyze them, as Commissioner Lurie has just brought up, we have a lawsuit that we have engaged ourselves in. It would appear that a determination has to be made as to that lawsuit because if, indeed, we had any doubts in our mind, we shouldn't have gone on with the lawsuit in the first place. At least that's why I cast my vote in favor of the lawsuit to make this determination.

I wouldn't want to create an outburst of laughter amongst anyone by suggesting would there be any LEAA funds available for the purpose of architectural studies and what all that they have to do if the consent decree, which I have not seen as yet, is executed by the Sheriff and then approved by the County Commission and the City Commission.

Commissioner Christensen: Mayor, excuse me. You're talking about three consent decrees. One for the County Commission, one for the City Commission, and one for the Sheriff.

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(CONT)

Mayor Briare: Right.

Commissioner Christensen: The one for the Commissions will not be the same as the one for the Sheriff.

Mayor Briare: Very true. And I haven't seen them, but from what I've read in the newspapers and heard on television, there is a suggestion that in the City's consent decree, it would pay attention to the fact there is a court test being heard right now. It's being scheduled for hearing. But I haven't seen that yet, Commissioner. I'm trying to state the feelings that I have on it, voted in favor of taking the matter to court and to proceed along any lines with coming up with monies now, which the City Manager has indicated that we have nothing earmarked, I would be inclined not to want to support the motion.

Commissioner Christensen: Mayor, you've got another situation that you touched on that really is so simple that it's amazing to me that nobody seems to understand it. You referred to the shares. The City's share and the County's share. What people fail to realize is that we're not talking about two, separate entities. We're talking about an entity within another entity. The City is within the County, and the City's share is in the County budget because they get a piece of tax from every resident in the City. The City's share is already paid in the County. What the County's after is a second share from the City. That's the part that rankles me, and that's where the suit is.

Commissioner Leavitt: Well, all I can say, Commissioners, is this. If you want to call it portion rather than share, we'll call it portion. In any event, the City Attorney has given us a written opinion that under the present status of the law that we are obligated to fund a  $\frac{1}{2}$  portion, or share, of the construction of the new detention facility. You've all read the opinion, along with myself, and we have that opinion to the effect that we are obligated to do so. That is the basis for my motion. Basically, because we are legally obligated to do so.

I have indicated in my motion that the payment would have to be made subject to City Attorney language in such a manner that it would not prejudice our position as to testing the constitutionality of the statute. Nevertheless, under the present status of the law, we're obligated to do so, and that statute is presumed to be constitutional until it's proved otherwise.

Mayor Briare: Mr. Sloan.

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(CONT)

Mr. Sloan: Commissioner, can I just clarify that so that there's no misunderstanding as to what the City Attorney's opinion was? My recollection of the written opinion is the law requires the City of Las Vegas to fund  $\frac{1}{2}$  of the cost of maintaining the jail facilities. That does not necessarily require the building of a new jail. If the Metropolitan Police Commission determines that they want to build a new jail, and if the City Commission determines that it wants to fund that new jail, then at that time it will be a requirement.

Our opinion does not address itself to the construction of a new jail but to the constitutionality of the State Law, and the first one indicated that absent the resolution of the State constitutional claim, the law is presumed valid, the double taxation question does not apply, and that you have an obligation to comply with the law. But that law does not require by direct command that you build a new jail. It just requires that you provide missing jail facilities. Now, that may be a question of semantics, but I don't know that I want to be in a position of saying that we've mandated that you construct a new jail, because even the consent decree does not, by mandate, provide for a new jail.

Commissioner Leavitt: But the Metropolitan Police Commission has approved a contract with architects to design and pick the site. Is the City obligated to pay  $\frac{1}{2}$  the cost of this, that's what we're talking about.

Mr. Sloan: It was my understanding that the Metropolitan Police Commission did not want to approve the contract because there was no money. Mr. Bartley indicated to them that they could not approve a contract unless there was money. So it's the cart before the horse. Unless you approve the money, they can't approve a contract. Isn't that correct? That's what Mr. Bartley indicated at the Police Commission.

Commissioner Leavitt: But you also will recall that the Metropolitan Police Commission had selected the architects and asked them to proceed. On the basis of that, they did proceed, and then they prepared a written agreement. The only reason the written agreement wasn't approved, at least at that time, was because there was no money in the budget and under Mr. Bartley's opinion.

Commissioner Christensen: Was that architect selected after the City was back on the Police Commission or before?

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ARCH. FEES (CONT)

Commissioner Leavitt: It was both. It was selected by the County, and they were in the process of working for the County and then the Legislature put the City back on the Metropolitan Police Commission, and I'm quite sure that we ratified that selection.

Mayor Briare: Did you have a comment, Mr. Sloan?

Mr. Sloan: I'm not quarreling with the merits of Mr. Leavitt's position. I think that's really a policy decision for the Commission. I just wanted it clear that my office had not said that you had no alternative, legally, but to provide this money. I'm hopeful that we'll have this matter in public court reasonably prompt and have a motion for some judgement as it relates to the constitutional question. If the court resolves that, fine. If they don't, then we've, at the direction of Commissioner Christensen, prepared the papers to go into State Court.

I think that we could pay the \$175,000 and try to do it under a circumstance where we did not waive any constitutional argument or that we could continue to proceed, whichever is the pleasure of the Commission. I don't think, legally, until the County sues us, and they would have difficulty doing that for the \$175,000, we're not necessarily mandated to pay it at this particular time. We could be if the court rules against us.

Mayor Briare: When you refer to the approximate time that this might be before the Federal Court, could you give me the legal definition of legally prompt?

Mr. Sloan: I don't think there is one. What we'll do is file a motion for summary judgement. They have 15 days to answer that. The court would then set it down for oral argument if it wanted to have oral argument and then make a determination when the court was ready. I assume courts move with the same alacrity as most public bodies. Sometimes faster, sometimes slower.

Commissioner Lurie: Mayor, my feeling is that possibly with this consent decree, when we get it and say it was adopted, the possibility would be that the conditions that have been brought to our attention can be corrected, and there won't be a need to spend \$15- or \$30 Million just to build a new jail. Maybe this one will be adequate after the conditions are corrected. I think we have to wait until such time as we see that decree and how much it's going to cost before we enter into an agreement to give the architect the go-ahead to design a new facility that, possibly, is not needed.

JAIL FUNDING  
ARCH, FEES (CONT)

Mayor Briare: Are there any other comments by the Commission? I'm going to ask if there's anyone in the audience who would like to make a comment. Yes, sir, would you come forth? Come on up. Give us your name. Now, before you get started, you know you were pretty active in laying down your own personal ground rules at a meeting that was held during our Town Hall meetings. You surely were, if I recognize you because you wouldn't give your name, you wouldn't give your address, you wouldn't allow yourself to be photograph. (Citizen indicates he is not the person in reference.) Then I offer you my apologies. I'm very sorry. I thought it was you. But you're going to give your name and address and what the purpose of your comments are going to be.

Mr. Boyd: Okay, I'm Kenneth Lee Boyd, 2208 Fair Avenue. I've lived in Vegas 23 years. I've been here all my life. I've watched the City grow. I was here when the El Rancho burnt down and Flamingo was tore down, built, and the money was lost in it and everything.

Okay. I've been working for the Las Vegas Housing Authority. I was a carpenter there.

Mayor Briare: Mr. Boyd. You kept raising your hand there, and I presume that you wanted to talk about the question that we have that's before us. I've already given you my apology for confusing you with somebody else, but you're sounding like you're taking the same tactics as this person whom I've confused you with took. Please state your comments pertinent to the matter before us. Now, I'm only going to give you one more chance to do it, and then I'm going to declare you out of order.

Mr. Boyd: Okay, on the jail subject. I figure the City could have the money raised. I represent NAACP. I figure the money can be raised.

Mayor Briare: Are you authorized to represent the NAACP?

Mr. Boyd: Yes.

Mayor Briare: By the president, or who? Did he authorize your appearance here to represent the NAACP?

Mr. Boyd: No he did not.

Mayor Briare: Thank you. Go ahead.

Mr. Boyd: Thank you, Mayor. I believe the money can be raised for the jail, and it would cost the

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ARCH. FEES (CONT)

taxpayers not too much and maybe not the City. You know I'm aware of government. I took the trade. The way they can get this money raised, and one particular thing I was going to use, housing. Because people are destroying housing. Housing is studied for money to develop. The government has spent its money to develop. Get these people who are destroying so they won't destroy no more. Keep the City clean. Keep the streets clean.

But to get this jail facility built, we need to have that model there, we have business coming into town.

Mayor Briare: Mr. Boyd, I'm very sorry, but I'm going to have to now have you conclude your remarks. We have a portion of the agenda toward the end, which will be a little later this afternoon, that gives you and any citizen, we welcome comments that you would like to be brought before the Commission that are on subjects other than what we're specifically referring to here. So you stay around for this afternoon's meeting. At the tail end of the meeting, we can hear any comments you'd like to make along that line. Thank you very much.

Mr. Dorn, would you present the next matter?

Commissioner Leavitt: Wait a minute. We've got to vote on this.

Mayor Briare: Oh, I beg your pardon. You have the question before you of Commissioner Leavitt's. Would any of the Commission like to consider the possibility of tabling this motion until after the consent decree is received. Otherwise, we just vote on the motion.

Commissioner Leavitt: Well, it could always be brought up again after that.

Mayor Briare: Your motion was in two parts, Commissioner. One was to approve, and the other was to instruct the City Attorney to draft what I refer to in my notes as the "no prejudice payment" of the monies and pending court action. Any questions or comments by the Commission? Cast your vote on the motion. The motion fails.

Motion denied by the following  
vote: Commissioner Leavitt voting  
aye.

Noes: Mayor Briare, Commissioners  
Christensen, Lurie and Woofter.

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JAIL FUNDING  
(CONTINUED)

Mayor Briare: Now we can go on to the next item, Mr. Dorn. Wait a minute. As a matter of fact, before we do, I don't know when these consent decrees are going to be before the Commission.

Commissioner Leavitt: I have a copy of the one the Sheriff has been asked to sign on my desk. In fact, I have two. I can give you one of the Sheriff's.

Mayor Briare: I think that we're all vitally interested, and we're not as negative as it might sound or as it might appear on the tote board up there. Mr. Dorn, would you be sure that each member of this Commission receives a copy of the various and sundry decrees that have been written up and are being considered by the Sheriff?

Mr. Sloan: Your honor, my office has mailed at least two copies to each member of the Commission to the best of my knowledge. There has been five separate versions, and I know that we've sent at least two to each member of the Commission. Now whether or not there's some communication problem between my intent and those getting up there.

Mayor Briare: Well, the trouble is, Mr. Sloan, you attorneys get working on these things, and you're subject to change about every several days, and I have had crossing over my desk letters that would come up the same day, one indicating that this is what the decree is going to say, and the other saying that the previous memo is not to be considered.

Mr. Sloan: That's more from the Federal side than ours.

Mayor Briare: I certainly agree with you. Now, I don't know what the point is bringing up the fact that these have come forward, but I've asked the City Manager to make them available to us, and if you have some exception that you'd like to take to that action, then go ahead and say it.

Mr. Sloan: I'm just indicating that we've tried to keep the Commission advised of what's been happening by providing those documents as they come from the Federal Public Defender's office to our office.

Mr. Dorn: I'll take care of it, your honor, with the City Attorney.

Mayor Briare: Well, I don't know if that has anything to do with it. Would you proceed and make sure that we get copies of the various, the one that's going to be presented to the City, the one that's going to be presented to the County, and the one that's going to

JAIL FUNDING  
CONT.

go to the Sheriff.

Commissioner Christensen: Your honor, in all fairness to the attorneys, etc., the Assistant Sheriff called me this morning at 6:30 and told me, we were discussing these decrees, and he pointed out that there have been five of them, and they have been modifying them and changing them and changing agreements and trying to whittle it down to something that everybody could live with. Consequently, the ones we get are outdated in two days like you mentioned, and I really don't think that there's that many copies yet of the one the Sheriff's supposed to sign. In fact, I don't think they have the final copy until he signed it this morning. I agree that we should have copies of those decrees, but I personally am not interested in the copies, I want to see what the bottom line is. So if there are five copies for each entity, I only want to see the fifth one.

Mayor Briare: You want to see the one that you put your name to.

Commissioner Christensen: That's right.

Commissioner Leavitt: I think the Mayor's correct because I was informed this morning that the consent decree that the Sheriff is being asked to sign is already being reviewed by all the County administrative offices, and they've come up with a price tag on what they think it will cost. In that respect, we certainly should have our personnel look over that consent decree to see what the possible costs would be to the City of Las Vegas. Commissioner Lurie mentioned earlier a figure of \$4 Million as one of the possible estimates that consent decree could cost the taxpayers of Clark County. For that reason I think it's mandatory that the budget people and the City Manager be given the opportunity to look at that decree and make some analysis of it so that they can get that analysis to us so that we can move accordingly.

Now, if you're going to get a consent decree regarding the City of Las Vegas, you should certainly, when you get a copy of that, look at it with the idea of the dollar sign, how much it's going to cost as soon as that decree does become available because that is the very thing we have to decide as City Commissioners. I don't think there's anybody on this Board who has the time to sit down and analyze that decree and determine what it's going to cost to add another correction officer, and what it's going to cost to have three sheets instead of two or whatever the requirements are.

JAIL FUNDING  
CONT.

In any event, your staff, Mr. Dorn, should get a hold of that and look at it and try to make some kind of determination. You should also get the County's analysis of it and question whether that's correct or not because I know right now that the Metropolitan Police Department is questioning the figure that the County has put on the cost of the consent decree for the Sheriff to sign. So maybe it's a two-way thing. Maybe it should be the administrative staff of the Metropolitan Police Department, administrative staff of the County, and the administrative staff of the City should get together and figure out just what this is going to cost us. For that reason, we should have copies of that consent decree.

Commissioner Christensen: Well the cost to the City of the decree the Sheriff was supposed to sign, as I understand it from my conversation this morning, is going to be in manpower because once the Sheriff signs that decree, he has to live with it in his budget. So if it costs \$2 Million, you just whittle that out of the budget. That doesn't automatically obligate the City to half of \$2 Million. It becomes a percentage decree if and when we sign it, and that's not the one we've analyzed.

Commissioner Leavitt: Well, I have a little bit of advantage having read portions of the decree, maybe a little advantage over the other Commissioners if they haven't read it. Certainly in that decree there are certainly a lot of requirements for additional personnel and additional equipment. As I have indicated, the County has already analyzed that. I think we should, too.

Mayor Briare: Thank you, Commissioner. Next item.  
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RESOLUTION  
SUPPORTING  
GOVERNOR'S  
CONF. ON  
NEVADA LIBRARY  
& INFORMATION  
NEEDS

Mr. Dorn: Item G, your honor, I would like to turn over as requested by yourself, the resolution in support of the conference sponsored by the Governor's Conference on Nevada's Library and Information Needs to be held in Las Vegas November 26-28 of this coming year.

Commissioner Lurie: Move for the adoption of the resolution.

Mayor Briare: Comments on the motion to adopt the resolution supporting the libraries. Cast your votes. I'm sure Commissioner Woofter supports this motion, so we'll call it unanimous.

Motion carried by the following vote:  
Mayor Briare, Commissioners Christensen  
Leavitt, Lurie and Woofter voting aye.  
Noes: None.

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PERMISSION FOR  
AGREEMENT WITH  
CONSULTANT FOR  
COMMISSION  
CHAMBERS SOUND  
SYSTEM

Mayor Briare: Next item.

Mr. Dorn: The next item, your honor is to request permission to enter into a professional agreement with Wilfred A. Malmlund, consultant in acoustics, for sound consultant services for the Commission Chambers sound system. As the Commission is well aware, we have had difficulty with the sound system. The last sixty days the staff has reviewed the qualifications of local firms, and additionally, out of state firms that have demonstrated a capacity for sound consulting for a chamber auditorium of this nature.

After close review, my recommendation would be to hire Mr. Malmlund for the consulting job. He has national experience in civic auditoriums, conventions, universities, etc. Attached is a resume' of his projects and his qualifications. It's interesting to note that our local firms did not choose to be consultants in preferring the design and specifications for the bid, but our local sound industries are interested in bidding for the equipment and the installation contract.

Mayor Briare: You know, it almost seemed to me, Mr. Dorn, his qualifications are unbelievable. I didn't know anybody could be that qualified or have that much experience or anything, and I'm certain that standard procedure is to check qualifications out and ask whether they were happy with the work that was done. But before he even comes here, he is indicating that sound system design, functional diagrams, classification of review of contractors' bids. Shouldn't he be authorized to come here and define what the problem is and have a consultation of some sort?

Mr. Dorn: Mr. Cathcart will handle that question.

Mayor Briare: Mr. Cathcart.

Mr. Cathcart: Your honor, Mr. Malmlund, in 1976, during the time we were trying to rebalance our sound, was one of the consultants called in on his own time. We did give a small project with him, acoustic readings, etc. with technical equipment in here. He was one of three companies who came in and did this. He's well aware of some of our problems. He would have to come back and rebalance because the podium was changed slightly and things like this. He has run some preliminary studies of some of our problems here. He's been here physically and seen this in 1976.

COMMISSION  
CHAMBERS - SOUND  
SYSTEM (CONT.)

Mayor Briare: I don't want to be unfair, but what happened after his last job to cause the problems we have here acoustically? Other than just adding all the extra equipment. Is that what did it?

Mr. Cathcart: No. This was just balancing what we had. The City at that time did not want to expend funds of putting in new equipment. We wanted to balance what we had, and that's what we went to bid for.

Mayor Briare: We don't have any conception at all how much new equipment would cost because we haven't got any professional consultants to come forward and tell us. So conceivably, the only amount of money we would have to pay is his visit to the Council Chamber to define the problem, and we wouldn't have to go into a sound system design at this particular time. Is that what he's saying?

Mr. Cathcart: No, your honor. We're asking permission to hire a sound consultant to come in and put together the technical specifications and the drawings, etc. so we can go to bid. The estimate on the project is roughly \$12,000 to \$15,000 overall. The equipment that will be required.

Commissioner Christensen: Mr. Cathcart, have we ever been in contact with the sound department at the Convention Center?

Mr. Cathcart: Yes, we have.

Commissioner Christensen: The reason I ask the question is they went through this, what is it, about a year ago?

Mr. Cathcart: Yes, they did Commissioner.

Commissioner Christensen: They went through this very same thing. They had a consultant come in. They redesigned the sound system and some other things, and it came out rather well, and I wonder if maybe some of this experience wouldn't be free to us.

Mayor Briare: It was inhouse?

Commissioner Christensen: No, they had a guy come in and do it. The people inhouse, they had to learn something from it. I wonder if we've talked to them. I notice one thing they did to eliminate a lot of the problem we have here. I'm wondering if maybe the cost of the equipment doesn't exceed the cost of the person. They have a man who operates the sound system anytime they have a meeting going,

COMMISSION  
CHAMBERS - SOUND  
SYSTEM (CONT)

and they just cut one mike in and the other one out, and that way you don't get any of this feedback. You don't get the whistles or anything else. When I start talking, he just dials my mike in and all the others down. That way you don't have a problem.

Mr. Cathcart: Commissioner, yes. This is some of the program. We have what they call voice gauge that are proposed for the microphones. They are looking at that. We have a real unique room here believe it or not. All these sound consultants who have physically been here and run their tests, we're short about forty speakers, believe it or not. We have some wrong type of equipment. They are pretty well aware of our problems.

Mayor Briare: We've had days in here when it's just been so terrible, and I think if today happened to have been one of them, we wouldn't even be questioning this. The fact that today happens to be a mild day with respect to use of equipment, it doesn't seem like it. But I would certainly urge the Commission to go ahead and have this fellow come in. You're knowledgeable of him, Mr. Cathcart, from previous experience. He fits the qualifications to the point where he could be of assistance to us.

Mr. Cathcart: The gentleman who is now taking care of the sound system, servicing it and so forth, also recommended this gentleman for his previous experience to come in.

Mayor Briare: And we have to define the problem. Whether we want to go ahead and spend the money to solve it remains to be seen.

Commissioner Christensen: Don't we have some of the funds for this coming from our new Use Agreement on the Chamber?

Mr. Dorn: We hope to, on the Use Agreement, a policy adopted by the Commission, charging per hour for the use of the Commission Chambers. Also, we did have four sound consultants come in, two local from Las Vegas, two from California, to do some testing.

Commissioner Christensen: Fine. I move we go ahead.

Mayor Briare: Did you move, Commissioner?

Commissioner Christensen: Yes.

COMMISSION  
CHAMBERS - SOUND  
SYSTEM (CONT)

--Mayor Briare: --Any comments on the motion? Cast your votes. Commissioner Leavitt has left the room. The motion is approved.

Motion carried by the following vote:  
Mayor Briare, Commissioners Christensen  
and Woofter voting aye.  
Noes: Commissioner Lurie  
Absent: Commissioner Leavitt

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LAS VEGAS TAX  
REDUCTION  
COMMITTEE

Mayor Briare: Next is Las Vegas Tax Reduction Committee. Do you have anything specific on that?

Mr. Dorn: No your honor, as you requested to get some names for the committee.

Mayor Briare: Each Commissioner receives what I consider to be a very fine publication, by the National League of Cities, and there has been so much writing and discussion on tax reform, or as we prefer to call it, the Las Vegas Tax Reduction. I'm just going to read in some highlights and suggest that we continue to discuss it and continue to explore several different alternatives. I will hand this to you, Mrs. Cole, when I'm through with it. I'm quoting from the National League of Cities, "City and Weekly" publication.

"The first thorough assessment of the costs which are mandated by Federal Laws and programs will soon be requested in Congress. Representative Norm Manetta intends to formally request such a study when Congress reconvenes next week..."

"Mandated costs, the expenditures forced on cities by State and Federal laws, are one of the biggest problems facing local government today. It has been estimated that just meeting Federal paperwork requirements costs State and local governments more than \$5 Billion annually."

I want to repeat that: "It has been estimated that just meeting Federal paperwork requirements costs State and local governments more than \$5 Billion annually."

"Other mandated costs are imposed by regulations in areas such as air and water pollution control. All of these are worthwhile objectives, but there is a big difference between praising a program and paying for it."

I wish I had said that. "All of these are worthwhile objectives, but there is a big difference between praising a program and paying for it."

LAS VEGAS TAX  
REDUCTION  
COMMITTEE (CONT)

"The information that would come from an in-depth report on mandated costs will give us a better grasp of the problem. It will also help legislators and policy-makers at all levels of government to find ways to reduce or eliminate such costs whenever possible."

"The League of Cities has long recognized that the local property tax, which has been the prime target of this tax revolt", they're referring, of course, to Proposition 13, "is not designed and really should not be used to support the complexity of services that local governments are called upon to perform every day."

I'm very hopeful that I will, as a citizen of Las Vegas, be able to go out and meet Harold Jarvis on Friday if he's here. I think he is expected to appear at the Las Vegas Press Club, and I'm anxious to meet him and hear what he has to say. In the meantime, with respect to a task force, I think still in order to approach this on a basis that would be sound and positive and, hopefully, constructive as far as recommendations to the State Legislature is concerned on behalf of the citizens of Southern Nevada that we still have some more work to do. If all of that could be in the form of a report on the status, Mr. Dorn, we'll leave it at that. Any comments by the Commissioners? Let's go to the next item.

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REQUEST TO  
PURCHASE CITY  
LAND - FAM  
ENTERPRISES

Mr. Dorn: The next item, your honor, is request to purchase City land, northeast corner of Jackson and "H" Street from FAM Enterprises, Eleanor Walker. This property is part of an Urban Renewal project, and we're in the process of getting the necessary approvals and agreements from HUD. It would be my recommendation that this request be sent to a real estate committee to be held until such time as final clearance is received from HUD. We are hoping to set up the mechanism to get HUD's approval so that we can put this Urban Renewal land on the market for sale.

Commissioner Christensen: I so move.

Mayor Briare: Comments? Cast your votes. The motion is approved, and we'll accept the recommendation.

Motion carried by the following vote:  
Mayor Briare, Commissioners Christensen,  
Lurie and Woofter voting aye.

Noes: None.

Absent: Commissioner Leavitt

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RENTAL SPACE FOR  
MUNICIPAL COURTS  
IN NEW HALL OF  
JUSTICE

Mayor Briare: Next item.

Mr. Dorn: The next item, your honor, I'll skip the Office of Budget and Management if I may and go to item L on the agenda, which is the second page.

Mayor Briare: Discussion and possible action on cost of rental space for Municipal Courts in the new Hall of Justice.

Mr. Dorn: And then I'll go back to that item.

Mayor Briare: Okay.

Mr. Dorn: Clark County has offered to lease the space to the City of Las Vegas for the Municipal Court in the expanded new concept of the Hall of Justice, a twenty-year lease with an estimated rental charge of 73¢ for the first five years of occupancy. The 73¢ figure may vary up to five cents either way. The low cost of 68¢ would cost the city taxpayer \$3.2 Million over twenty years. The 78¢ high figure would be \$3.7 Million for twenty years. At 73¢ per square foot, space would cost the City an annual rental of \$175,200 or \$3.5 Million expenditure for twenty years assuming there's no change in the rental rate, which is affected by maintenance and utility costs on a five-year cycle. This rental charge, in my opinion, is fair and equitable as far as the location downtown in the area of court administration.

There are other factors in the area of court administration that will affect the decision on the commitment to a 20-year lease. My recommendation is for the City to evaluate the County's request and prepare a report on the actual cost of relocating the Municipal Court in this space and other court administrative topics that would be included in this report.

I would also recommend that a decision on this space proposal be postponed until after September 12 vote on the expansion and enlargement of the City of Las Vegas. The outcome of this vote will have a significant affect on the boundaries of the City of Las Vegas and on the Municipal Court administration activities and caseloads. Until the people have decided whether they want the City to expand, a long-range lease and a financial commitment of a minimum of \$3.5 Million over a 20-year period, in my opinion, is not prudent or advisable for the taxpayers at this time.

Mayor Briare: Commissioner Christensen?

RENTAL SPACE FOR  
MUNICIPAL COURTS  
IN NEW HALL OF  
JUSTICE

Commissioner Christensen: It's interesting to me this recommendation from our City Manager refers to the space in the expanded County Courthouse. The County is calling it their Hall of Justice when in fact it's an administration building with a few floors for courts. I think it's being called Hall of Justice because that's a lot easier to sell to the public than County Administration Offices.

I concur with the Manager because we're in a situation where if we're going to have to come up with this kind of money, I think we're going to have to take a long look at all the extra costs that are going to be involved. We're looking at transportation costs. We're looking at personnel costs. We're looking at building costs. All these things, and I don't think they've been too well evaluated yet. I also can see this referendum vote going either way and having an entirely different effect whichever way it goes. You could see, eventually, the City's role shrinking or expanding tremendously. I don't think you can enter into any kind of agreement to lease space when you don't even have any idea how much space you're going to need, whether you're going to have to have six courtrooms or sixteen courtrooms or three courtrooms.

Mayor Briare: That's right. If it should be that the City's requirements will increase, then measurably, the County's needs would decrease.

Commissioner Christensen: And besides that, you know, you've got a relatively new City Hall, and it's kind of nice to have everything right here. We do have the ability to expand our present Municipal Court to make our own courtrooms. I would move that we follow the recommendations of the City Manager.

Commissioner Woofter: Mr. Mayor.

Mayor Briare: Commissioner Woofter?

Commissioner Woofter: I just have one comment on that. I agree with Commissioner Christensen that certainly there should be more study made. I certainly would not want the public to think that we haven't felt that possibly a Hall of Justice is the right concept as far as placing all the courts under one roof. It has a lot of merit.

RENTAL SPACE FOR  
MUNICIPAL COURTS  
IN NEW HALL OF  
JUSTICE (CONT)

Commissioner Christensen: Well, Commissioner Woofter, I agree with that, and I'll go one step further. Let's look at that Hall of Justice concept a little closer. To me, a good concept for a hall of justice is not necessarily to have the courts in the same building as the administration. Wouldn't it more properly be called the Hall of Justice if you had the jail facilities and the courtrooms and the Police Department all in one building?

Commissioner Woofter: No question.

Commissioner Christensen: Well, then maybe that should be looked at. I think maybe that we're doing the wrong thing, and that's why I object to calling it the Hall of Justice. This is no more a hall of justice than I am. You're talking about an administration building with a couple of floors for courts. I agree with you that it's handy for everybody, defendants, attorneys and everybody else to have all the courts in one place. If we're going to do that streamline situation, let's go the whole route, and let's put the police department there and the jails there too, because it's all tied together. Get the administration out of there.

Mr. Dorn: Your honor, also, if I may add to the Commission, I was requested at a previous meeting to attend next week a meeting from the State court administrator's office to discuss with other officials in the State the full funding of a Statewide court system. This is being discussed by the State Judicial Planning Commission. These were other factors that I took into consideration with this recommendation.

Commissioner Christensen: I don't want my motion to lead anybody to believe that I'm not in favor of making the court system as simple as possible for the defendants and the public and everybody else because I am in favor of that. I just really am not sure that going this route will accomplish that.

Mayor Briare: You know, it seems that since the unconstitutional, ineffective, thereby demised 601 Plan where the merger is going to take place, I don't ever remember any arguments that the Courthouse had to be expanded or Southern Nevada Memorial Hospital had to be expanded or whatever. A bond election would come about, the people of Clark County, which includes the people of Las Vegas, would all vote, and if it was approved, they'd build a courthouse or add on to the hospital, or in this instance, they would build a Hall of Justice.

RENTAL SPACE FOR  
MUNICIPAL COURTS  
IN NEW HALL OF  
JUSTICE (CONT)

Commissioner Christensen, God willing, the creek don't run dry, you will be on the City Commission next year. Commissioner Lurie will be on the City Commission. Commissioner Woofter will be the District Attorney, and Commissioner Leavitt will be the Lieutenant Governor. I'm the only stranger around here who doesn't know where he's going to be, but I think that since North Las Vegas has no problems with respect to their individuality and their ability to perform their governmental services for the people they represent with no problems such as we have every week, the City of Henderson likewise, and the City of Boulder City, they seem to be such nice communities that if Proposition 1, is that going to be the first thing on the ballot?

Commissioner Christensen: That's my understanding.

Mayor Briare: Whatever the proposition number is, if the people in County and the City vote to have a unification, new city, whatever it is, and we will have an entity called Las Vegas, and it will be independent, just like every other city in the State of Nevada, except Las Vegas now, which we are not independent, I'm going to quote from Martin Luther King. If we should be able to form a new city and for the benefit for the people who live in the city that want to be governed by their elected Mayor and City Commissioners, I'm going to say, "Thank God, we're free at last". Because, boy, there's just not much we can do under the difficulties we're having every time we turn around. If we do have one City, there will be a Mayor and eight Commissioners, of which two of them are sitting here now. At least we have that much to look forward to that at least two of you will be around to get those new people into shape who are going to be sitting up here in these halls.

Is it time to break for the morning, or do we have one other item to take care of?

Mr. Dorn: We've got to vote on the motion.

Mayor Briare: Oh, I'm sorry. We didn't vote on the motion. Cast your votes. Motion is approved, and we'll follow your recommendation, Mr. Dorn.

Motion carried by the following vote:  
Mayor Briare, Commissioners Christensen,  
Lurie and Woofter voting aye.  
Noes: None.  
Absent: Commissioner Leavitt.

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REALLOCATION OF  
REVENUE SHARING  
FUNDS

Mayor Briare: Do you want to take that reallocation of funds and also the LEA funds?

Mr. Dorn: Yes, your honor. Item M, the reallocation of Revenue Sharing funds is a request on additional \$30,000 for the building of Freedom Park, Phases III, IV and V. The total bid that came in with one bidder was \$632,366.41. This is \$22,253.19 over the projected estimate. I'm asking for a \$30,000 reallocation of Revenue Sharing funds to cover this cost of the overbid and the contingency in case other problems arise in the construction of Freedom Park.

Mayor Briare: Questions? Commissioner Woofter.

Commissioner Woofter: Yes, Mayor. I have reviewed the City Manager's recommendations and background, and I feel that the immediate need is there like set forth by Mr. Dorn as far as approving that bid at the present time, getting the work accomplished. It would cost us way more down the road. On that basis I make a motion we approve such additional twenty-two thousands of dollars.

Mayor Briare: Comments on the motion?

Commissioner Christensen: Does anybody know if this, I realize this park's in the City, and I'm not exactly sure the County Commission Districts, but is this park in Mr. Cantor's district? Maybe we can get him to help us with some funding with pollution or something out there.

Mayor Briare: I don't think so, Commissioner. Any further comments?

Mr. Dorn: May I kindly have a clarification on that dollar amount? My memo states \$22,253.19, but I am requesting \$30,000 in case of a contingency or emergency.

Mr. Woofter: So amended.

Mayor Briare: Cast your votes. Motion is approved.

Motion carried by the following vote:  
Mayor Briare, Commissioners Christensen,  
Lurie and Woofter voting aye.  
Noes: None.  
Absent: Commissioner Leavitt

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LAW ENFORCEMENT  
ASSISTANCE ADMIN.  
FUNDS

Mayor Briare: Next item, Mr. Dorn.

Mr. Dorn: The next item is the authorization for the application of Law Enforcement Assistance Administration funds. It's with pleasure that I bring this before the Commission because it relates to some of our jail facility problems. It's an innovative idea by Chief Judge Seymour Brown to request a grant of \$53,146 which of that total amount \$2,658 would be cast match by the City of Las Vegas. For the current fiscal year there's approximately \$70,000 of excessive funds in LEA.

Why it's an innovative idea, Judge Brown has proposed a closed circuit television arrangement system which would eliminate the necessity of transporting prisoners between the Municipal Court and the County Jail. This would cut down on the Metropolitan Police Budget in the cost of transportation of prisoners and will also decrease the Court calendar.

Commissioner Christensen: Will that money that we save by not having to transport those prisoners for the Metropolitan Police Department be credited to the City's account?

Mr. Dorn: I would suggest that if we receive this grant and it does become a successful project that request could be submitted to the Metropolitan Police Commission for a discussion item.

Commissioner Christensen: The net result if it doesn't is we apply for this grant, do all the work for it and then give half of it to the County.

Commissioner Lurie: I'm going to help you out a little bit. I'm going to move for the adoption of the recommendation and move for the authorizing department to submit the application.

Mr. Dorn: This will be the first in the Nation to our knowledge if accepted.

Mayor Briare: Cast your votes. Motion is approved.

Motion carried by the following vote:  
Mayor Briare, Commissioners Christensen,  
Lurie and Woofter voting aye.  
Noes: None.  
Absent: Commissioner Leavitt

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RESOLUTION  
ENVIRONMENTAL  
QUALITY POLICY  
REVIEW BOARD

Mayor Briare: The next item.

Mr. Dorn: The next item, your honor, is an addendum item, a resolution. The subject is Environmental Quality Policy Review Board. May I ask if everyone in the audience has received an addendum?

Commissioner Christensen: Your honor, it's interesting to me, and I think maybe we should have our appointees look at this situation, but we should take some action in regards to the fact that this is a Board that's created under this 208 Plan, and it's kind of interesting that it's an advisory board, but in order to make sure that it advises the right direction, the County Commission gets to choose the chairman of it from the County Commission. We think it's a board that's set up under an illegal plan, and this plan has not even been approved, yet, by the Federal Government. I question the legality of the County proceeding with the plan without Federal approval.

I've already discussed this with our attorney and he's looking into the matter on which way we should go, but for the time being I think it would prejudice our suit, not necessarily our suit, but it would prejudice our arguments that we've got with Region 9 administrator, Mr. De Falco, on this thing. I think we should table this. I so move we table it.

Mr. Dorn: My recommendation would have been concurrence with Commissioner Christensen's position, and it's a recommendation from our outside City attorney after our trip to San Francisco that our objection that the 208 Plan is illegal, and the Planning Agency and elected officials, it should be redesignated, and we're waiting to hear if our objections made to Region 9 are heard. It's the advice of our attorney to table it.

Mayor Briare: I sure wish that there was some way that we could find ourselves in a position because I'm getting a little discouraged about all this sort of stuff, but I agree with you, Commissioner Christensen, it seems like we are so ham strung because of Federal intervention in matters. Now we're at their mercy and it reflects poorly on the local governments. We have just got to come up with something, Mr. Dorn. We've got to get somebody in your office to do something about our Federal relationships that are causing so much local strife. They can sit in San Francisco in Mr. De Falco's office, or wherever they might choose to sit, and that's all they do is just sit.

In the meantime, our local government is at each other's backs all the time. We're really at a

RESOLUTION  
ENVIRONMENTAL  
QUALITY POLICY  
REVIEW BOARD  
(CONT)

standstill. I'll coin Commissioner Leavitt's phrase here about a "screeching halt". It's not that we're going to come to a screeching halt. I would say that we're already there, and we've got to get some Federal cooperation in some of these very important matters. If there are no other comments, would you cast your votes?

Commissioner Christensen: Your honor, I've got to point out the last line of this letter. I get quite a chuckle over this, the letter we got from the County Commissioners. The last line just tickles me. It says, "We look forward to working with you on this important matter". It's almost like going to your own hanging and having the hangman say, "we look forward to working with you on this important matter, please step into the noose".

Mayor Briare: Cast your votes. Motion is approved.

Motion carried by the following vote:  
Mayor Briare, Commissioners Christensen,  
Leavitt, Lurie and Woofter voting aye.  
Noes: None.

Mayor Briare: What else have you got, Mr. Dorn?

Mr. Dorn: That ends the City Manager's agenda.

Mayor Briare: Okay, we'll be back at 2:00 and begin with the Department of Financial Management.

(Meeting Recessed at 12:20 P.M.)  
-----

(Meeting Reconvened at 2:05 P.M.)

DEPARTMENT OF FINANCIAL MANAGEMENT  
MARVIN A. LEAVITT, CPA, DIRECTOR

See Page 71 - Annotated Agenda  
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PERSONNEL & EMPLOYEE RELATIONS  
BOB McPHERSON, AEP, DIRECTOR

See Pages 72 and 73 - Annotated Agenda  
-----

DEPARTMENT OF FUNDS & COORDINATION  
RICHARD B. BLUE, ACTING DIRECTOR

See Page 74 - Annotated Agenda  
-----



# AGENDA

## City of Las Vegas

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

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July 19, 1978

ITEM

Commission Action

Department Action

I. (b)

DEPARTMENT OF FINANCIAL MANAGEMENT  
MARVIN A. LEAVITT, CPA, DIRECTOR

\*CONSENT AGENDA

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

\*A. SERVICE AND MATERIAL WARRANTS

Nos. G114530 to G114531, G114533, G512516, G707012, G707016 to 707079, G707081 to G707084, G707092 to G707136, G707146 to G707371, inclusive.

In the amount of \$4,754,410.57

\*B. PAYROLL WARRANTS

Nos. 114274 to 115876, inclusive

For Pay Period Ending 6/24/78

In the amount of \$513,876.93

Items A and B  
Approved  
as submitted  
Lurie - unanimous

(Commissioner Woofert  
did not vote -  
temporarily absent)

Director  
authorized  
to issue

CITY CLERK  
JUL 17 10 53 AM '78  
RECORDED

# AGENDA

## City of Las Vegas

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

7/19/78

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) PS/Engineering Design Engineering Designer (fill budgeted vacancy)	\$1019	To function as a member of Park Design Squad.
(2) PS/Maintenance Air Condition- ing Mechanic (provide needed services - budgeted '78-79)	1070	Responsible for maintenance and repair of air conditioning units.
(3) Fire Services Medical Assistance Instructor (fill budgeted vacancy)	901	To continue the Cardio-Pulmonary Resuscitation training program for the public.
(4) PS/Building and Safety Electrical Inspec- tor (fill budgeted vacancy)	1182	Responsible for inspections of new construction and remodeling to ensure compliance with City Ordinances.
(5) PS/Sanitation Treatment Plant Operator (fill budgeted vacancy)	901	Responsible for monitoring and maintaining plant equipment 7 days a week, 24 hours a day.

Approved  
 Items 1 thru 7  
 Lurie - unanimous

(Commissioner Woofter did not vote - temporarily absent)

Director authorized to proceed

**APPROVED AGENDA ITEM**

*Richard B. Blue 7/16/78*

# AGENDA

## City of Las Vegas

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

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7/19/78  
 Department Action

ITEM

Commission Action

IV. (c) DEPARTMENT OF PERSONNEL &  
 EMPLOYEE RELATIONS

A. CITY FUNDED - FULL TIME cont.

(6)		
PS/Maintenance	\$1304	To provide
Assistant Super-		assistance to the
visor of Main-		Supervisor of
tenance (provide		Maintenance in
needed services -		administrative
budgeted '78-79)		functions, includ-
		ing budget and
		division activity
		reports.

(7)		
Community Support	1008	Responsible for
NDA Secretary		the performance
(fill budgeted		of all secre-
vacancy)		tarial duties in
		connection with
		the Nevada
		Development
		Authority office.

See Page 15

See Page 15

# AGENDA

## City of Las Vegas

July 19, 1978

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

IV. (d) DEPARTMENT OF FUNDS COORDINATION -  
RICHARD B. BLUE, ACTING DIRECTOR

- A. APPOINTMENTS TO THE RESIDENTIAL REHABILITATION FINANCING REVIEW AND ADVISORY BOARD
- B. PERMISSION TO REQUEST BIDS FOR THE 1978-79 SENIOR CITIZEN WEATHERIZATION PROGRAM

Ratified  
Appointments  
as submitted  
Lurie - unanimous

Clerk to notify  
Staff to proceed

Approved  
Lurie - unanimous  
(Commissioner  
Woofter did not  
vote - temporarily  
absent)

Director  
authorized  
to proceed

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

N  
o  
n  
e

APPROVED AGENDA ITEM

*Richard B. Blue 7/19/78*

DEPARTMENT OF MUNICIPAL SERVICES  
J.C. CATHCART, DIRECTOR

See Pages 76 and 77 - Annotated Agenda  
-----

DEPARTMENT OF PUBLIC SERVICES  
WILLIAM J. PURVIS, P.E., DIRECTOR

See Pages 78 through 80- Annotated Agenda

Mayor Briare: Next is item E, Agreement with State Highway Department.

Mr. Saylor: I wonder, Mayor, if we could hold this until Mr. Purvis comes down.

Mayor Briare: Okay, if there's no objection, we'll hold that. Item 2.

See Page 80 - Annotated Agenda.

ENCROACHMENT  
PERMIT FOR  
LADY LUCK CASINO

Mr. Saylor: This involves the encroachment permit for the Lady Luck Casino, their construction, which is taking place, relationship to Second, Third and the alley. They're requesting permission to encroach into the right-of-way with the inputting. None of this would be above ground. It would all be underground. We do have the standard agreement form to allow for this type of thing, and of course, it requires the consideration of the other utilities that might be involved.

Mayor Briare: What is your recommendation?

Mr. Saylor: We recommend approval.

Commissioner Lurie: Move for approval.

Mayor Briare: Comments? Cast your vote. Motion is approved.

Motion carried by the following vote:  
Mayor Briare, Commissioners Christensen,  
Leavitt, Lurie and Woofter voting aye.  
Noes: None.  
-----

AGREEMENT WITH  
STATE HIGHWAY  
DEPARTMENT

Mayor Briare: Mr. Purvis, would you take care of items 1 and 4 for us?

Mr. Purvis: During the planning of Fremont Street we had requested the Highway Department help with the funding. When the price went up this last

# AGENDA

## City of Las Vegas

July 19, 1978

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

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. Roof Replacement, Fire Station No. 6 (Public Services - Design)
2. Tennis Courts - Doolittle Park (Block Grant and Convention Authority) (Public Services - Design)
3. 30 Each Streetlight Standards-Replacements (Public Services - Electric Div.)

**\*B. AWARD OF BIDS**

1. Bid #BOR77.73 - Freedom Park, Phases III, IV and V (Public Services).  
  
Bid Group I Only  
  
Bid Group IV Only
2. Bid #78.50 - Annual Battery Contract, Fiscal Year July 1, 1978 Through June 30, 1979 (Municipal Services - Vehicle Services)
3. Bid #78.53 - Annual Emergency and Other Veterinary Services Contract, Fiscal Year July 1, 1978 Through June 30, 1979 (Animal Control)

Approved Items A, B, C and D  
Lurie - unanimous  
(Commissioner Woofter did not vote - temporarily absent on all 4 items)

Director authorized to proceed

**APPROVED AGENDA ITEM**

*Handwritten signature/initials*

# AGENDA

*City of Las Vegas*

July 19, 1978

BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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PHONE 386-6011

ITEM

Commission Action

Department Action

IV (f) DEPARTMENT OF MUNICIPAL SERVICES, CONTD.

\*B. AWARD OF BIDS, CONTD.

- 4. Bid #78.101 - Five (5) Sewing Machines, Heavy Duty (Human Resources - C.E.T.A.)
- 5. RFQ 156-1875 - 5 School Sign Poles (Public Services - Traffic Division)

C. PURCHASE ORDER APPROVAL

- 1. Recommend Purchase Order approval to International Conference of Building Officials, Whittier, California in the amount of \$2,924.00 for Building Code manuals and texts for general public resale. Sole source. (Building and Safety)

D. REJECTION OF BID

- 1. Bid #78.34 - Annual Oil and Air Filter Contract, Fiscal Year July 1, 1978 Through June 30, 1979 (Municipal Services - Vehicle Services)

See Page 18

See Page 18

APPROVED AGENDA ITEM

*Richard B. Blunt 1/10/18*

# AGENDA

## City of Las Vegas

July 19, 1978  
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BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE  
PHONE 386-6011

ITEM Commission Action Department Action

IV (g). DEPARTMENT OF PUBLIC SERVICES

WILLIAM J. PURVIS, P.E., DIRECTOR

\*CONSENT AGENDA

All matters listed under Items A, B, C, D, and F 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 within thirty days. All engineering designs are being processed.

1. Brenton Woods North (Bernard and Spengler, Inc., Ralph E. Bernard, Pres.)
2. Metropolitan Park Unit No. 19 (Metropolitan-Nevada Corporation, Wesley Lister, Vice President)

\*B. RELEASE OF SUBDIVISION BONDS

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

1. Stewart Place No. 2 (First Western Savings Association & Dasco, Inc. Dudley A. Smith, Pres.)
2. Woodland Hills Unit No. 2 (Crestmont Corporation, Harold Shydler, Pres.)

Approved Items  
A, B, C and D  
as recommended  
Lurie - unanimous

Director  
authorized  
to proceed

# AGENDA

## City of Las Vegas

July 19, 1978  
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BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

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

\*C. RELEASE OF CONSTRUCTION CONTRACT

See Page 20

See Page 20

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

1. Bid No.: 76.122  
Contractor: Paul Gardner Corp.  
For: SID #421 - Street  
Lighting-Downtown  
Area

Notice of  
Completion: June 8, 1978  
Release Date: July 13, 1978

\*D. RIGHT OF WAY ITEMS

1. Grant Deed  
From: Jacinto Villarreal and  
Nellie May Villarreal  
who took title as Nellie  
Mae Villarreal, husband  
and wife  
To: City of Las Vegas  
For: Portion SE-1/4, Sec.1,  
T20S, R60E  
Tuffer Lane  
Building Permit (7/3/78)  
(L-1-6)

2. Grant Deed  
From: Minnie L. Kline  
To: City of Las Vegas  
For: Portion NE-1/4, Sec. 28,  
T20S, R61E  
Radius corner  
Dedication (6-22-78)

# AGENDA

## City of Las Vegas

July 19, 1978

BOARD OF CITY COMMISSIONERS  
 COMMISSION CHAMBERS • 400 EAST STEWART AVENUE  
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ITEM Commission Action Department Action

IV(g). DEPARTMENT OF PUBLIC SERVICES (cont'd)

- 3. Right of Way Grant  
 From: City of Las Vegas  
 To: Nevada Power Company  
 For: Underground easement  
 City Yard RW-789-A

See Page 20

See Page 20

E. REPORTS

- 1. Agreement with State Highway Dept. on Fremont St., Main to 7th St. (Abeyance)
- 2. Request of Ensign Development Corp. to hook into City Sewer System from outside the City Limits at 1635 Westwind
- 3. Request of Shaw Development Co. to hook into City Sewer System from outside the City Limits at 1415, 1425, 1435, 1445, 1455, 1465, 1475, 1485 and 1495 Westwind
- 4. Report/Action - Water Conservation Waste Flow Reduction Committee
- 5. Request of Lady Luck Casino for Encroachment Permit

Tabled (for further study)

Approved  
 Christensen - unanimous

Staff to proceed

Approved  
 Christensen - unanimous

Staff to proceed

Abeyance

8/2/78 Agenda

Approved as presented  
 Lurie - unanimous

Staff to proceed

ADDENDUM No. 2

- 6. Discussion and possible action on R-O-W dedication within sixty (60) days.

Abeyance

8/2/78 Agenda

\*F. TRAFFIC & PARKING ITEMS

- 1. Request of Joe Shoong Foundation for Variance in curb cut on Highland. Traffic and Parking Commission recommends approval

Approved as recommended  
 Lurie - unanimous

Staff to proceed

AGREEMENT WITH  
STATE HIGHWAY  
DEPT. (CONT)

time, we went back for an amended agreement. The total estimated cost now is \$1,200,000 approximately, which \$140,000 of that is for the storm sewer, which is already in the ground. We have \$1,067,000 left to fund. The State Highway has agreed to fund \$467,000 for construction and approximately \$57,000 for engineering. This gives a total of approximately \$520,000 that the City has agreed to fund. We have at the present time, revenue sharing in the amount of \$121,000. There has been \$100,000 provided by Sanitation for the storm drain. There was to be split between the two projects, downtown lighting and the storm drain, \$250,000 of the general fund. Between the two projects now, the City is short \$272,000 which is \$160,000 on the Fremont job and \$110,000 on the lighting job.

At this point in time we do not like to sign an agreement with the State until such a time as the City has made available funds as they are available. With that point, I will turn it over to Mr. Dorn.

Mr. Dorn: Your honor and Commissioners. As indicated by Mr. Purvis' report, the City does not have the money appropriated for the continuation of Fremont Street and the lighting project to the tune of almost \$300,000 -- \$276,000. This money was not anticipated in the budget.

As referred to in an article just recently today, these are some of the ideas they talk about as far as unanticipated expenditures that weren't in the adopted purchase in April, with collective bargaining and capital construction. This is a good example of two big projects, a street lighting project which has been very successful and the downtown merchants and citizens are very happy with, and the repair, reconstruction and repaving of Fremont Street. Monies are not available at this time in the budget that was adopted April 10, but unanticipated revenues could come in throughout the year. As you said before, Mayor, if I may coin this phrase, it's nice to praise a program but another thing to pay for it.

Mayor Briare: This one, at the moment, we have to praise.

Commissioner Lurie: How about if we divided it up into phases where we could at least get started with the project?

Mr. Purvis: It gets into timing on downtown construction, Commissioner Lurie. If we go in there right now we're setting 150 days from construction. We are proceeding with the plans.

AGREEMENT WITH  
STATE HIGHWAY  
DEPT. (CONT)

Commissioner Lurie: Only we're talking about going from Main Street to Seventh Street. Maybe if we go from Main Street to Fifth Street and do Sixth and Seventh Street maybe in 1½ or 2 years. At least we get the major portion of it started and completed.

Mr. Purvis: This is possible. I am sure you'd want to talk to the downtown merchants. They wanted 150 days which starts as soon after Labor Day as possible and ends about the end of March next year with the vacation of three weeks around the Holiday Season that there would be no construction in the downtown area. I would hate to have to go back two years from now and ask for another construction. This is the real problem.

Mayor Briare: Could you prepare the necessary papers and have it done as an alternate? Something that might go along with what Commissioner Lurie said. Get something started on it but have the contractors bid one for the whole project and one for a part of the project, and then be bound by the part of the project that we would have the option of saying yes or no to. Maybe by then some funding will become available or commitment can be made for next year's revenue sharing or something of that nature.

Mr. Purvis: We certainly could do that, and I think we could go the thing through Las Vegas Boulevard, which is Fifth Street. I don't have the break in cost at this point in time. I don't know how the State would look at it, whether they would fund to that extent. I think they would because they know we have a problem with raising costs. Part of it is an equal share of the change improvement which is due to a rise in concrete costs. But the other alternate that we talked about was possibly changing from our Cadillac and going back to our Ford and using asphalt paving. I know asphalt paving folks won't agree with me, but it's less costly in the first run. It's probably a little more costly in the long run, but that was the other one that we considered.

We looked at it this way. We'd go ahead and bid the concrete, and if we can't afford it, we would have to go back and start wheeling and dealing with Fords instead of Cadillacs.

Mayor Briare: Would it serve any purpose to have a third alternate using asphalt?

Mr. Purvis: I would rather not at this point.

AGREEMENT WITH  
STATE HIGHWAY  
DEPT. (CONT)

Mayor Briare: Is there different engineering problems?

Mr. Purvis: Yes. There is certain engineering. We would have to change the design, and I seriously doubt that we would be in a position to fund it at that time.

Mr. Dorn: Your honor. If the Commission so pleases, the Office of Budget Management, with Public Services, can prepare a report on possible outside sources of funding or fundings internally, whether the same alternative approach on reduction of City budget and services for the possibility of funds. We'll also call the State and see what the State will do as far as phases Commissioner Lurie suggested. We can have that report done by the next Commission Meeting if that's what the Commission would desire.

Commissioner Lurie: We'll have to put that in the form of a motion, then, so we can vote on it and then bring it back to our next meeting.

Mayor Briare: Comments? Cast your votes. The motion is approved.

Motion carried by the following vote:  
Mayor Briare, Commissioners Christensen,  
Leavitt, Lurie and Woofter voting aye.  
Noes: None.

-----

REPORT/ACTION  
WATER CONSERVATION  
WASTE FLOW  
REDUCTION  
COMMITTEE

Mayor Briare: Item 4, Mr. Purvis.

Mr. Purvis: I'll have to have Mr. Schofield come down. I told him I would call him.

Mayor Briare: Do we need to have him? I think the Commissioners have a Water Conservation Waste Flow Reduction Committee report here, and it is proposed that the City spend \$1500 to purchase 1500 shower head restricters. What do we do with them after we purchase them?

Mr. Purvis: We propose to, the water conservation people, propose to run an experiment on Nellis Air Force Base. They will have houses they put restrictions in, and you can leave them out of some and get a good comparison. This kind of thing. We would like to see how much water would be conserved by using shower constrictors in the toilet tanks, and this kind of stuff. It's an experiment.

Mayor Briare: Well, I think you should try one, and I'm very anxious that each of the Commissioners try one.

REPORT/ACTION  
WATER CONSERVATION  
COMMITTEE (CONT)

Commissioner Lurie: I was going to recommend, Mayor, that I'd much rather have four or five blocks in my district, and I'm sure the other Commissioners would like to have four or five blocks in their district, and let's let the people we represent try these restrictors out.

Mayor Briare: We'll furnish some to the Las Vegas Sun and the Las Vegas Review Journal for their purposes in having a firsthand report.

Mr. Purvis: We feel it's a more controlled atmosphere on the Nellis Air Force Base. Like families, like units, and this kind of stuff. It's real hard for us to take an area and isolate it.

Commissioner Christensen: Well, when you don't own the houses and the Government owns the houses, they can put them in.

Mayor Briare: Furthermore, who's paying their water bills? They can just turn it on and leave it on for a long time. We exercise some pretty good conservation programs at our house.

Commissioner Leavitt: You know you might consider Levy Gardens or something like that where Senior Citizens are involved and each one has a similar unit. You might be able to use something like that.

Mr. Purvis: It's very possible. It's a well controlled atmosphere.

Mayor Briare: I think, generally, all kidding aside, generally speaking, it would be important that people who are paying water bills today could have some input as to the effectiveness and the results that you're trying to get. It's a lot different when you're not paying for your own water.

Mr. Purvis: I will relay this to the Water Conservation Committee. We wanted you to be aware what we were anticipating.

Mayor Briare: If it meets with the Commission's approval, we could approve the appropriation and through the City Manager's office a decision could be made as to where these things should be put as far as the City's portion is concerned. What's the pleasure of the Commission?

Commissioner Leavitt: I so move.

WATER CONSERVATION  
COMMITTEE (CONT) Mayor Briare: Cast your votes. The motion is approved. I think that concludes your part, Mr. Purvis.

Motion carried by the following vote:  
Mayor Briare, Commissioners Christensen,  
Leavitt, Lurie, and Woofter voting aye.  
Noes: None.

-----  
CITY ATTORNEY  
MIKE SLOAN

See Page 86 - Annotated Agenda.

R E S O L U T I O N

A RESOLUTION DIRECTING THE CITY ENGINEER OF THE CITY OF LAS VEGAS, NEVADA TO PREPARE, SUBMIT AND FILE WITH THE CITY CLERK OF SAID CITY CERTAIN PRE-LIMINARY PLANS, ESTIMATES OF COST, AND ASSESSMENT PLATS SHOWING THE AREAS TO BE ASSESSED AND THE ESTIMATED AMOUNT OF BENEFITS TO EACH LOT OR PARCEL OF PROPERTY TO BE ASSESSED; ALL IN CONNECTION WITH THE PROPOSED IMPROVEMENT OF CERTAIN STREETS AND PARTS THEREOF WITHIN SAID CITY AND PURSUANT TO CHAPTER 271 OF NEVADA REVISED STATUTES AND LAWS SUPPLEMENTAL THERETO.

(See Official File for Resolution)  
-----

NEW BILLS

Mayor Briare: I've noticed, Commissioner Lurie, you've been very busy with ordinances this week.

Commissioner Lurie: I just happened to be here at the time when they came down from the Attorney's Office to be signed.

Mayor Briare: With the exception of ordinance under letter G, which is 78-50, I think every one of them was sponsored by yourself. I'd like to ask if these ordinances are in line for immediate action to be referred to a Recommending Committee or Study Committee.

Commissioner Leavitt: The way I read them, they're connected with, I might be wrong, maybe I shouldn't put words in Commissioner Lurie's mouth, but under Section H there, I think we ought to take that one up. That extends the moratorium for three months. As long as the moratorium is extended, I don't think there's any real or immediate action on those other ordinances. They're all connected with the moratorium, aren't they?

# AGENDA

## City of Las Vegas

July 19, 1978

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

V. MIKE SLOAN - CITY ATTORNEY

A. Resolution to direct the City Engineer of the City to prepare, submit and file with the City Clerk certain preliminary plans, estimates of cost, and assessment plats showing the areas to be assessed and the estimated amount of benefits to each lot or parcel to be assessed for proposed SID 424. (Meade Ave. between Valley View and Rancho Drive)

Adopted  
Resolution  
Lurie - unanimous

City Engineer  
to proceed

EXTENSION OF  
MORATORIUM ON  
JAM AUCTIONS

Commissioner Lurie: Items A and B we want read today.

Mayor Briare: Yes. I was going to do it from a procedural standpoint. Unless any Commissioner wanted a specific ordinance to be referred to a Study Committee instead of a Recommending Committee, I was going to ask the City Attorney to read each of them by title, and as he read them, I would refer them to the Recommending Committee. Rather than go through each one as to whether it should or should not be referred to a Study Committee or a Recommending Committee, I would just simply ask, do any of the Commissioners want any of these referred to a Study Committee as opposed to a Recommending Committee?

Commissioner Leavitt: What I'd like to do is have Mr. Sloan explain in regards to H because that's a moratorium. It's my understanding, and correct me if I'm wrong, Mr. Sloan, but I thought all these ordinances were dealing with jam auction, second-hand business, and the second-hand licenses and all those things were connected with a moratorium and the ordinances you were preparing for as a result of moratorium for the zoning in the downtown area and what businesses would be allowed down there.

Mr. Sloan: Commissioner, Items A and B relating to auctions and retail demonstration merchandise stores, which are basically jam auctions, would be taken care of by extending the moratorium. So it's correct if item H were sent to...

Commissioner Leavitt: Wait a minute. You're saying if we pass the moratorium it'll solve the problems that bills A and B are sitting for at least for three months?

Mr. Sloan: Correct. So that A and B which provide an overall solution or a possible solution that we have with some of the problems we have at jam auctions would not be of any urgency in my mind because H would preclude the establishment of any new jam auctions downtown.

Commissioner Leavitt: Right. If we pass H, no new jam auctions can go in downtown.

Mr. Sloan: Exactly, Commissioner.

Mayor Briare: Any other comments?

EXTENSION OF  
MORATORIUM (CONT)

Commissioner Lurie: Let's act on it now while they're there because we have double protection.

Mayor Briare: If it meets with the approval of the Commission, as each one of these are read, I will refer it to a Recommending Committee.

See Pages 89 and 90 - Annotated Agenda.

Bill No. 78-44

ORDINANCE NO.

AN ORDINANCE TO REPEAL CHAPTER 36 OF TITLE V OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, ENTITLED "RETAIL DEMONSTRATION MERCHANDISE SALES STORES", AND TO ADOPT A NEW CHAPTER 5(A) IN TITLE V, WHICH SHALL PROVIDE FOR THE LICENSING AND REGULATION OF RETAIL DEMONSTRATION MERCHANDISE SALES STORES AND DEMONSTRATORS OF THE MERCHANDISE EMPLOYED IN SUCH STORES; TO PROVIDE OTHER MATTERS PROPERLY RELATING THERETO; TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

BILL NO. 78-45

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO REPEAL CHAPTER 5 OF TITLE V OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, ENTITLED "AUCTIONS AND AUCTIONEERS"; TO ADOPT A NEW CHAPTER 5 TO TITLE V OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION TO PROVIDE FOR THE LICENSING AND REGULATION OF AUCTIONS AND AUCTIONEERS; TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

(See Official File For Resolutions.)

AUCTIONS AND  
AUCTIONEERS

Commissioner Christensen: Your honor, I would like to direct the City Clerk to notify any licensed auctioneers we have by letter as to the Committee meeting on this one.

Mayor Briare: Mrs. Cole, would you take care of that? Bill 78-46.

BILL NO. 78-46

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, SECTIONS 3, 19 AND 20 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, TO ALLOW CLASS III SECONDHAND DEALERS IN C-1 AND C-2 ZONING DISTRICTS WITH A USE PERMIT; TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

# AGENDA

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

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

A. Bill No. 78-44 Ordinance to repeal Chapter 36 of Title V entitled "Retail Demonstration Merchandise Sales Stores", and to adopt a new chapter in Title V, Chapter 5(A), providing for the licensing and regulation of Retail Demonstration Merchandise Sales Stores.

1st Reading and Referred

Clerk to proceed with 1st Publication

Commissioner Lurie and Mayor Briare

8/2/78 Agenda

B. Bill No. 78-45 Ordinance to repeal Chapter 5 of Title V, entitled "Auctions and Auctioneers" and to adopt a new Chapter 5 of Title V providing for the licensing and regulation of auctions and auctioneers.

1st Reading and Referred

Same as above

Commissioner Lurie and Mayor Briare

C. Bill No. 78-46 An ordinance to amend 11-1-3 and 11-1-19 which will allow Class III Secondhand Businesses in C-1 and C-2 zones by means of a use permit.

1st Reading and Referred

Same as above

Commissioners Lurie and Woofter

D. Bill No. 78-47 An ordinance to amend Title V, Chapter 8, relating to secondhand dealers by bringing the chapter into conformity with current administrative practices and with State law by allowing businesses selling used articles as an incident to selling new articles of the same kind to operate under a Class III secondhand license, and by permitting Class III secondhand dealers to operate in any C-1 or C-2 zone with a use permit.

1st Reading and Referred

Same as above

Commissioners Lurie and Woofter

E. Bill No. 78-48 An ordinance to amend Title X, Chapter 10, Section 5, Subsection (B) by amending the definition of a yellow alone or "caution" signal when followed by the green alone or "go" signal.

1st Reading and Referred

Same as above

Commissioners Lurie and Leavitt

# AGENDA

## City of Las Vegas July 19, 1978

BOARD OF CITY COMMISSIONERS  
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ITEM

Commission Action

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

F. Bill No. 78-49 An ordinance to repeal Chapter 9 of Title I which provides for an "Assistant City Manager" and add a new Chapter 9 in its place entitled "Deputy City Managers" which provides for the creation, qualifications, and duties of said deputies.

1st Reading and Referred  
 Commissioners Lurie and Leavitt

Clerk to proceed with 1st Publication  
 8/2/78 Agenda

G. Bill No. 78-50 An ordinance to amend Title V, Chapter 17, Section 19 which will amend the specified districts in which bingo, sportsbook and racehorse book licenses are to be issued.

1st Reading and Referred  
 Commissioners Woofter and Leavitt

Same as above

H. Bill No. 78-51 - An Ordinance to extend the length of the moratorium (previously established by Ordinance 1907) for a period not to exceed 3 months in which no person, corporation or firm shall cause or permit the establishment of certain businesses in the Downtown Area of the City of Las Vegas in order to complete an extensive study of the future development and uses of the Downtown Area so a Comprehensive Zoning Ordinance can be developed

1st Reading and Referred  
 Commissioners Lurie and Mayor Briare

Same as above

I. Bill No. 78-52 - Repealing 11-3-6 of the City Code and adding a new 11-3-6 which shall govern the placement of Political Signs within the City of Las Vegas, and providing for a Permit Fee for signs over 32 sq. ft.

1st Reading and Referred  
 Commissioner Lurie and Mayor Briare

Same as above

BILL NO. 78-47

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND CHAPTER 8 OF TITLE V OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY REVISING AND UPDATING THE LICENSING REGULATIONS PERTAINING TO SECONDHAND DEALERS, BY REDEFINING CLASS III SECONDHAND DEALERS TO INCLUDE BUSINESSES IN WHICH THE SALE OF USED ARTICLES IS INCIDENTAL TO THE SALE OF NEW ARTICLES OF THE SAME KIND AND BY PERMITTING SECONDHAND BUSINESSES OF CLASS III TO OPERATE IN ANY C-1 OR C-2 ZONE WITH A USE PERMIT; TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

Bill No. 78-48

ORDINANCE NO.

AN ORDINANCE TO AMEND TITLE X, CHAPTER 10, SECTION 5, SUBSECTION (B) OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY AMENDING THE DEFINITION OF A YELLOW ALONE OR "CAUTION" SIGNAL WHEN FOLLOWED BY THE GREEN ALONE OR "GO" SIGNAL; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

Bill No. 78-49

Ordinance No. \_\_\_\_\_

AN ORDINANCE TO AMEND TITLE I OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY REPEALING CHAPTER 9 THEREOF AND BY ADDING A NEW CHAPTER 9 DESIGNATED "DEPUTY CITY MANAGERS" WHICH PROVIDES FOR THE CREATION, QUALIFICATIONS AND DUTIES OF SAID DEPUTY CITY MANAGERS; TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; AND TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN VIOLATION THEREOF.

(See Official File For Resolutions.)

Bill No. 78-50

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND TITLE V, CHAPTER 17, SECTION 19 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY AMENDING THE SPECIFIED DISTRICTS IN WHICH BINGO, SPORTSBOOK AND RACEHORSE BOOK LICENSES ARE TO BE ISSUED; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

Bill No. 78-51

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO EXTEND THE LENGTH OF THE MORATORIUM, PREVIOUSLY ESTABLISHED IN ORDINANCE 1307, FOR A PERIOD NOT TO EXCEED THREE MONTHS IN WHICH NO PERSON, CORPORATION, OR FIRM SHALL CAUSE OR PERMIT THE ESTABLISHMENT OF CERTAIN BUSINESSES IN THE DOWNTOWN AREA OF THE CITY OF LAS VEGAS IN ORDER TO COMPLETE AN EXTENSIVE STUDY OF THE FUTURE DEVELOPMENT AND USES OF THE DOWNTOWN AREA SO A COMPREHENSIVE ZONING ORDINANCE CAN BE DEVELOPED WHICH WILL INSURE COMMERCIAL GROWTH AND PROHIBIT DETERIORATION AND DECAY AND TO PROVIDE ATTRACTIVE TOURIST FACILITIES AND ACCOMMODATIONS AND ELIMINATE STRUCTURES AND USES THAT WOULD BE CONTRARY TO SAID PURPOSES; TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; TO REPEAL ANY AND ALL ORDINANCES IN CONFLICT THERWITH; AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

Bill No. 78-52

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND TITLE XI, CHAPTER 3 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY DELETING SECTION 6 THEREOF ENTITLED "TEMPORARY POLITICAL SIGNS" AND ADDING A NEW SECTION 6 ENTITLED "POLITICAL SIGNS" WHICH SHALL GOVERN THE PLACEMENT OF POLITICAL SIGNS WITHIN THE CITY OF LAS VEGAS AND PROVIDE FOR A PERMIT FEE FOR SIGNS OVER 32 SQUARE FEET; TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

(See Official File For Resolutions)

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# AGENDA

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

ITEM	Commission Action	Department Action
<p><u>VII. VACANCIES - BOARDS &amp; COMMISSIONS</u></p>		
<p>A. <u>BOARD OF ZONING ADJUSTMENT</u> (5-year term)</p> <p>Appointment to be made to replace Frank Canul who has been appointed to the Planning Commission as of 8/19/78. (His term of office on the BZA would expire 2/7/81.)</p>	<p>Appointed Bob Richardson to replace Frank Canul (nominated by Commissioner Lurie)</p>	<p>Clerk to notify</p>
<p>B. <u>L.V. METROPOLITAN BEAUTIFICATION COMMITTEE - 3-year Term)</u></p> <p>Appointment to be made to replace Tom Isola (who has resigned) for a term of office expiring 3/20/80.</p>	<p>Appointed Tom Rubidous (nominated by Commissioner Lurie)</p>	<p>Clerk to notify</p>
<p>C. <u>SOLICITATIONS REVIEW BOARD (2-year Term)</u></p>		
<p>1. Versiellen Driver (resigned) Term expires 12/20/78</p>	<p>Abeyance</p>	<p>8/2/78 Agenda</p>
<p>2. Marian B. Brown (resigned) Term expires 12/20/78</p>	<p>Appointed Leo Lewis (Del Webb Corp.) 3420 El Cortez</p>	<p>Clerk to notify</p>
<p>APPROVED AGENDA ITEM</p>		
<p><i>62. See A.B. Board J 1/10/78</i></p>		

# AGENDA

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BOARD OF CITY COMMISSIONERS

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ITEM

Commission Action

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VIII. REPORTS FROM RECOMMENDING COMMITTEES

A. BILL No. 78-43 -- CREATING  
SPECIAL IMPROVEMENT DISTRICT  
No. 425 (Small Tract Area)

Committee: Commissioners  
Christensen and Lurie

1st Publication - Review Journal  
7/8/78

Adopted  
Christensen - unanimous

Clerk to  
proceed with  
2nd Publication

IX. REPORTS FROM STUDY COMMITTEES

N  
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e

APPROVED AGENDA ITEM

*R. A. B. B. B. B. 7/10/78*



---PUBLIC HEARINGS

V-42-78  
MARVIN B. HERRIN

Mayor Briare: Let's go right to the Public Hearings and then we'll come back to vacancies on Boards and Commissions. The first is an appeal by Marvin Herrin. Mr. Foster, do you want to just make a very brief statement as to the abeyance item?

Mr. Foster: This was held in abeyance from the last meeting. You asked the applicant to get together with the property owner to the north to see if they could agree on something because the property owner to the northwest was protesting the carport under this variance application. As of yesterday, I don't think they've resolved anything, but Mr. Pursel might have some additional information.

Mayor Briare: Mr. Pursel, would you like to give us an update on what accomplishments have been made by you and the other party?

Mr. Pursel: Both combatants are here. Unfortunately, nothing was accomplished. I wrote a letter and had a conversation with Mrs. Anderson to try to set up some kind of appointment to see if we could rectify the minor dispute, is what I call it, of a condition that has existed there for a period of ten years.

Of course, I don't want to speak for Mrs. Anderson, but all I can do is relate to this body what she told me. It's my opinion that her chief complaint is more from the water and the dirt rather than from the carport constructed there. I suppose that is irritable to some people, but every time the wind blows you're going to get dirt.

There was comment about washing cars, that the water goes over onto her automobile and goes on her property. Well, I have the tenant who resides at 609 who states that they don't even wash cars on the property. So perhaps you should talk to Mrs. Anderson again and the tenant who is here in the audience, about this little feud. So I'm not much help, I suppose.

Mayor Briare: Well, we hoped that maybe this could be resolved. Why don't you come on forward and give us your side of the possibility?

Mrs. Anderson: Your honor, I didn't say that the tenant washed the car. I'm talking about Herrin himself getting up underneath the carport with the water hose and shooting it over onto my car. This has nothing to do with the tenant. The only thing about the tenant is complaining about my dog. Now they don't complain about the three dogs in the back yard, which are poodles, and bark every time I step

V-42-78  
MARVIN B. HERRIN  
(CONT)

my foot out the back door. I have never said anything about it, either. But they keep constantly. That's why I put the fence up. Then I took the fence down and put up the wall so my dog wouldn't see the tenants, and there still seems to be trouble about that.

But what I'm concerned about is the dirt washing off from their roof and into my yard. When they get up there, Mr. Herrin himself, and take the water hose and go like this underneath his carport when he doesn't even live there, and shoot the water over into my yard all the way to my sliding doors on the house, I think that's going a little too far. I can show you pictures.

Mayor Briare: Well, you know what I was hoping, of course, and if I recall, I think it was the hopes of the Commission that something could be resolved around here, constructive-wise. Mr. Pursel, you remember the years you sat as a judge of matters that came before you in Justice Court. You had the same kind of situation, I guess, as we're facing right here now. You try to do what's just and equitable, and sometimes the absolute legality of the matter didn't make any difference. It is disappointing that, perhaps, your client didn't make any mechanical suggestions as to how the next door neighbor's complaints could be resolved.

Mr. Pursel: He did, and he has taken care of those. I even went down to the property to watch a demonstration about the water. He has constructed a downspout to carry the water all onto his own property. I saw that firsthand. Of course, I related that last time to the Commission.

Mayor Briare: Of course, nobody can stop anybody from complaining about animal noises or anything, but somebody can do something about mechanical deficiencies which cause discomfort to neighbors. Are you satisfied with the mechanical part of their carport?

Mrs. Anderson: No. I did suggest when he called me on the phone, he never did come over to the house, and we never did have a discussion. In fact, they left a little note on the gate saying to reach Mr. Pursel. I called and called, and finally one day I did reach Mr. Pursel here, and I suggested that they cut their carport down lower so that the water does not shoot over, but that it would be under my wall, and therefore, would just hit my wall and bounce back on the ground. He said no, that would be too low.

V-42-78  
MARVIN B. HERRIN  
(CONT)

Mr. Pursel: Well, I think it would. I think you'd have to have a bicycle to get it under the carport.

Mrs. Anderson: Well, I have photographs of their water spouts and of their yard and my yard, if you'd like to see them.

Mayor Briare: Did we see these last time?

Commissioner Christensen: No. These are new.

Mayor Briare: I'll tell you this, Mr. Pursel couldn't go out there because he was so scared of your dog.

Mr. Pursel: It's been suggested that perhaps a piece of sheet metal can be constructed from her wall up to and hook on in some manner.

Commissioner Leavitt: Who will construct it? Who's going to put the sheet metal up?

Mr. Pursel: Well, I suppose Mr. Herrin would.

Mayor Briare: Well, couldn't you make a commitment to that effect so that we can get on with other matters today?

Mr. Herrin: I don't know whether it can be done or not. I need to find someone in that business who could do it. I don't think there's any problem in the first place. I don't believe any water drains on her side. I'm the owner. We had a rain, and since I've modified that carport. I had a statement, but I don't seem to have it, to the effect that in an overnight rain not a drop of water came over the carport onto her side.

Mayor Briare: Well, you weren't listening, though, because the main complaint now is when the car is being washed and from hosing it, it's going to come across, too. Okay, what's the pleasure of the Commission on this?

Mrs. Anderson: May I make another suggestion?

Mayor Briare: Sure.

Mrs. Anderson: When they have company, I have a double driveway, their company will park in my driveway where I can't even get into my yard.

Commissioner Christensen: Well, ma'am, the carport's not going to help that. That's the problem. What it appears to us is we've got a beef going about a

V-42-78  
MARVIN B. HERRIN  
(CONT)

lot of things other than the carport, but the carport's the thing that you can force him to take down. Now if I were in your position, I wouldn't push that that hard just as a practical matter because if I lived next door and had this kind of a problem and ended up having to take my carport down because of it, I'll guarantee your yard would get hosed at least three times a day. And that's apt to happen and that's the problem. What we'd like to do is see something worked out here that eliminates the beef instead of having to eliminate the building. It's plain to me the building isn't really the problem. It's just a very small part of it.

Mrs. Anderson: Well it is, if everything would rain on your building and wash down into your front yard.

Mayor Briare: I just made an inquiry relative to nuisance complaints, and again, for about the third time, once about two weeks ago and twice today, we just cannot address ourselves to some of the problems that you're bringing up and some of the complaints that you have against your neighbors, and I believe each of them are very legitimate. Parking in front of your driveway, causing your dog to bark, having water go from one piece of property to the other property. I don't think there's anything this Commission can do to resolve that situation with these neighbors or any neighbors that might move in at some later date. The only thing that's before us is the allowance of this physical structure. That's the only thing that this Commission is supposed to answer.

If it should be allowed to exist as it has for ten years. I'm just trying to clearly state the exact issue that's before us and not some of these side effects that's come about as a result of it since you moved in next door. It's been in existence there, and in the event there is something that you in your opinion consider to be a nuisance that exists, it's a legal matter that can be brought to the attention of the City Attorney's office as a nuisance. The thing that you described to us now, we can't determine whether it's a nuisance or not. All we have to do is try to make a decision based on a matter that's before us, and that is the existence of this carport.

Mrs. Anderson: Why don't they cut it back a foot or so, so that it doesn't shoot into my yard? What's wrong with that? They don't have to take it down, just cut it back.

V-42-78  
MARVIN B. HERRIN  
(CONT)

Mayor Briare: Well, I had great hopes that maybe something like that could have been arranged, but obviously it's not, and we're back here, and I just don't think it would serve anybody any purpose to have this thing come back again in two weeks for a decision one way or another. It's very difficult when neighbors can't get along, I don't think there's anything that this Board can vote on to make them get along. We just have to take it.

Mrs. Anderson: Can't they either lower it or take it down so it doesn't shoot into my yard? Now is that asking too much?

Commissioner Leavitt: I move that the appeal be allowed.

Mayor Briare: Comments on the motion? Cast your votes. The motion is approved, and the variance is allowed. You understand what I was saying relative to the nuisance?

Motion carried by the following vote:  
Mayor Briare, Commissioners Christensen,  
Leavitt, Lurie and Woofter voting aye.  
Noes: None.

Mrs. Anderson: I don't think that this is fair at all because everybody else has to get a permit and do it right.

Mayor Briare: I'm sure that no matter what the outcome of the vote would have been that one side or the other would have felt it wasn't fair. There were too many things involved that were beyond the capabilities of this Commission to resolve. Thank you very much.

Mrs. Anderson: Then I can put up a carport and reach over to his yard.

Mayor Briare: No you cannot. You have to obtain a variance, but we have no further time now to be discussing a matter which the Commission has acted on.

Mrs. Anderson: What variance does he have?

Mayor Briare: He just received one. I have asked that if you have further grievance along this matter relative to nuisances that exist in your neighborhood that they can be presented to the City Attorney's Office for civil action.

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See Page 95 - Annotated Agenda.  
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COMMUNITY PLANNING & DEVELOPMENT  
HAROLD P. FOSTER, ACTING DIRECTOR

See Pages 102 and 103 - Annotated Agenda.  
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VACANCIES, BOARDS & COMMISSIONS

BOARD OF ZONING  
ADJUSTMENT

Mayor Briare: Next is item 7, Commissioners' page 26, Vacancies on Boards and Commissions.

Commissioner Lurie: Mayor, I had a recommendation. I don't know why it's not in the books. It was made at the last meeting, and we said we would hold it until this meeting here. I'd like the Board to consider replacing Frank Canul with Bob Richardson who lives at 804 Langtree. He's been a resident here all his life, attended school here and has shown an interest in serving on the BZA Board.

Mayor Briare: Are there any other recommendations? Then I will appoint at the request of Commissioner Lurie, Mr. Bob Richardson to replace Mr. Frank Canul on the Board of Zoning Adjustment for an office to expire February 7, 1981.

METROPOLITAN  
BEAUTIFICATION  
BOARD

Item B, Las Vegas Metropolitan Beautification Committee. We have a recommendation from the Rotary Club.

Commissioner Lurie: Wasn't Tom on the Parks and Recreation?

Commissioner Christensen: Yes.

Commissioner Lurie: Is he off the Parks and Recreation now?

Commissioner Christensen: I don't know.

Mayor Briare: It's not a bad place to have the same man serve on two Boards, one with Parks and one with Beautification.

Commissioner Christensen: I find no fault with it.

Commissioner Lurie: Go ahead and appoint him.

Mayor Briare: I'll appoint Mr. Tom Rubidous to serve in the unexpired term of Mr. Tom Isola on the Las Vegas Metropolitan Beautification Committee.

# AGENDA

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

Commission Action

Department Action

XI COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT  
HAROLD P. FOSTER, ACTING 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.

All zoning items shall conform to the following general conditions: (1) Conformance to the plot plan; (2) Satisfaction of City Code requirements and design standards of all City departments.

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

All Vacations shall conform to the following general conditions: (1) Satisfaction of the requirements of the various utility companies. (2) Conformance to code requirements and design standards of all City departments. (3) Vacation shall not be recorded until all of the above conditions have been met.

All Variances and/or Use Permits shall conform to the following general conditions: (1) Conformance to the plot plan; (2) Satisfaction of City Code requirements and design standards of all City departments.

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BOARD OF CITY COMMISSIONERS  
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ITEM Commission Action Department Action

COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT  
(CONTINUED)

A. TENTATIVE MAP - CHARLESTON RAINBOW 16

Property generally located on the southwest corner of Westcliff Drive and Buffalo Drive.

Owner/Subdivider: Sproul Homes

No. of Acres: 39.6+ No. of Lots: 166

Planning Commission unanimously recommends APPROVAL, subject to the following conditions:

1. Completion of Annexation A-3-78.
2. That there be provided a compacted berm or "V-Ditch" placed adjacent to the west boundary of the plat to control storm water drainage as required by the Department of Public Services.
3. That there be no vehicular access to Westcliff and Buffalo Drives from the rear of the abutting lots and that a six ft. block wall be constructed on the rear of said lots.
4. That the requirements of the Nevada Division of Water Resources concerning water quantity be met.
5. If a wall is constructed on an exterior boundary street, the CC&R's shall contain wording to the effect that each property owner of a lot backing up to said wall shall be responsible for the continued maintenance of the exterior side of the wall and the ground area at the exterior base of the wall.

Approved as recommended by Planning Commission  
Lurie - unanimous

Clerk to notify Staff to proceed

B. REPORT - A-5-78 - RONALD SIMONE

Report for Annexation of property generally located on the south side of O'Bannon Drive between Jones Boulevard and Torrey Pines Drive containing approximately four acres of land.

Report accepted Christensen - unanimous

Staff to proceed

Also, Mrs. Cole, would you please make a note for us to send a letter of gratitude to Mr. Isola, Versiellen Driver and to Marian Brown for the time that they served on those Boards. Mr. Canul is on Planning Commission. I guess we better tell Frank thanks for doing what he did, and he ought to do more of it at the Planning Commission.

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See Page 93 - Annotated Agenda.

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Commissioner Leavitt: I mentioned at the last meeting that one of the members that we reappointed to the Parks and Recreation Advisory Board no longer lives in the City. It was Joe Codorba. I think that, possibly, we should put that on the agenda for the next meeting for action. He no longer lives in the City, and therefore, I think he is ineligible to hold the position.

Mayor Briare: Mrs. Cole, when does the Solicitations Review Board meet? Would you know off-hand? Once a month.

Mr. Saylor: At 9:00 a.m., the first Thursday of every month.

Mayor Briare: Okay. I want to hear from Mr. Boyd. Any of the Commissioners who want to stay are invited to stay. Otherwise I'll report to you what Mr. Boyd has to say. Come right on forward there, Mr. Boyd. Just give me a little hint as to how much time you're going to need.

Mr. Boyd: Probably 30 seconds.

Mayor Briare: Oh, but that's what you said this morning, and you went on for about five minutes. How about setting a time of about three minutes and then Mr. Boyd will be through in three minutes. He asked for thirty seconds, we'll give him three minutes.

Mrs. Cole: I want to bring this bill 78.43 out. I don't have that marked off. It's on page 27.

See Page 94 - Annotated Agenda.

Bill No. 78-43

Ordinance No. 1943

AN ORDINANCE CREATING LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 425; ORDERING THE IMPROVEMENT OF CERTAIN STREETS AND PARTS THEREOF; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING ACTION HERETOFORE TAKEN RELATIVE TO SAID DISTRICT; AND PROVIDING FOR RELATED MATTERS.

(See Official File for Resolutions)

CITIZEN  
PARTICIPATION

Mayor Briare: Go ahead, Mr. Boyd. You wanted 30 seconds, you're getting three minutes.

Mr. Boyd: Thank you, Mayor. Roman number, 2:00, Public Hearings. First of all, the City limits is to Carey Avenue, just south of Carey Avenue, right? Owens and Carey, right?

Mr. Saylor: Owens and Carey are parallel.

Mr. Boyd: Right. Okay, for instance, I lived on 1377 Carey. We still own the home right now. Oran Gragson, who used to be Mayor, owned the property right next to that. We've been there ever since 1961. For a period of 15 years this street has been raggedy. It's tearing up people's cars, causing accidents that way. It needs fixing.

Commissioner Leavitt: Carey? What's the number? What's your house number?

Mr. Boyd: 1377 Carey.

Commissioner Leavitt: 1377 Carey?

Mr. Boyd: Yes.

Commissioner Leavitt: I'm confident that's in North Las Vegas.

Mayor Briare: Well, let's find out.

Mr. Saylor: It's the Vegas Heights area.

Mr. Boyd: Right. And when they did Vegas Heights, when they put the pavement down, streetlights and everything, they did not put a sewer system in there. That water comes in there. Highland, that's

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where all the water stop, right there. It has a bad drainage system, right there. It moves it very bad. A few men there are working on it, but I don't know what kind of a job they are doing because they still got holes in the street, bumps in the street.

Mayor Briare: Do you own the home?

Mr. Boyd: My father do.

Mayor Briare: But you live there.

Mr. Boyd: Every now and then.

Mayor Briare: Have you got any neighbors who own homes right in the immediate area?

Mr. Boyd: Yes I do. Bob Bailey is one. Real estate. Next door.

Mayor Briare: Well I think, Mr. Boyd, that you have a perfectly legitimate thing to bring before the Commission, and I've written down your street address, 1377 Carey. Your main complaint is actually the drainage system. I'm sure there's no system out there. It's just that there's a drainage problem. And also the problem of the general road conditions out there.

Mr. Boyd: Right.

Mayor Briare: Many times, what happened in Vegas Heights, is that after a number of Public Hearings an assessment district was put together, and it was a cooperative venture among the people who owned the property who agreed to tax themselves some money, and then there was some Federal funding that came into play on that particular project to make it as nice as it is today.

The area you talk about, if I recall, I'm generally familiar with but not specifically. I could get out there and find it in two or three minutes, but mentally I don't have an exact picture of it. Maybe something like that could be done out there. But in any event, Mr. Saylor, would you have somebody in Public Works go out with a Polaroid camera and take some pictures and take a look at this general area the way Mr. Boyd describes it there, and then make those pictures available to us for, if possible, by the next meeting. If not, no later than the meeting of August 16. Okay?

Mr. Boyd: Mayor. I have a whole lot more to say about the City.

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Mayor Briare: Well, now you've already gone your three minutes, see? You should have said you needed more than 30 seconds. It's not every meeting that people come up here and say nice things about the City. There are people who have complaints about the City. You're entitled to make a complaint just like anybody else.

Let me give you a suggestion as to how you can handle it as to where it could be handled a little better. This one's been going on for 15 years. Why did you wait until now? Because you were just a little kid running back and forth to school then. Why don't you make a list of some of the complaints that you have, and you can either mail them or deliver them to the City Manager's Office on the Tenth Floor.

Mr. Boyd: Right. I got that already.

Mayor Briare: Have you already delivered?

Mr. Boyd: I've been there. I've been there yesterday morning at 8:00 before they even drank their coffee.

Mayor Briare: Well, just deliver it to them. You've got to give them an opportunity to look them over and then come up with something. That's what they're there for. You heard the domestic court that we were trying to carry on here where a person wanted a carport fixed. This is not what we do here. This kind of thing we'd like to take care of for you, if possible, but they're handled on an administrative basis where, hopefully, action will be a little faster. Okay?

Mr. Boyd: I can understand that.

Mayor Briare: Thanks, Mr. Boyd. Meeting is  
A D J O U R N E D.

# AGENDA

## City of Las Vegas

July 19, 1978

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

### XII. CITIZEN PARTICIPATION

. NOTE:

Items raised under this portion of the agenda cannot be acted upon by the Commission until the Notice Provisions of the Open Meeting Law have been complied with. Therefore, action on such items will have to be considered at a later meeting.

1. Kenneth L. Boyd  
2208 Fair Ave., Las Vegas  
  
Complained drainage and poor street conditions in Vegas Heights area

Referred to Deputy City Manager Donald J. Saylor for investigation and report

Staff to proceed

ADJOURNMENT - 3:30 P.M.

APPROVED AGENDA ITEM

*Richard R. Bliss 7/19/78*